

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 25, 2023

Mr. Paul G. Grimes, City Manager  
City of McKinney  
222 North Tennessee Street  
McKinney, Texas 75069

Re: Municipal Setting Designation (MSD) Certificate for City of McKinney, McKinney Eastside MSD Site, located at E. Lamar St., N. Murray St., Anthony St., and Railroad, McKinney, Collin County, TX; MSD No. 471; Customer No. CN600437867; Regulated Entity No. RN111411500

Dear Mr. Grimes:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on November 23, 2021, and additional information supporting this MSD application on March 21, 2022 and April 24, 2023. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-1425 or via e-mail ([reid.ransom@tceq.texas.gov](mailto:reid.ransom@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Reid Ransom".

Reid Ransom, Project Manager  
VCP-CA Section  
Remediation Division

Enclosure: MSD Certificate

cc: Mr. Barry Shelton, Assistant City Manager, City of McKinney (via email)  
Mr. Robert Roeder, Attorney, Abernathy, Roeder, Boyd & Hullett, PC (via email)  
Mr. Kenneth Tramm, PhD, P.G., CHMM, Modern Geosciences (via email)  
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Fort Worth

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING DESIGNATION CERTIFICATE

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Monica I. Harris, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 471, in the City of McKinney, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit in Exhibit "B", provided pursuant to Texas Health and Safety Code §361.804(b)(2)(D). This certificate shall continue in effect so long as the ordinance or restrictive covenant required by Texas Health and Safety Code §361.8065 remains in effect.

Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on Environmental Quality environmental remediation regulation, as modified by Texas Health and Safety Code §361.808.

EXECUTED this the 24<sup>th</sup> day of May, 2023

Monica I. Harris

Monica I. Harris, P.G., Deputy Director  
Remediation Division  
Texas Commission on Environmental Quality

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING 31.12 acres of land located in the M. DAVIS SURVEY, Abstract No. 248, and the MARY STANDIFER SURVEY, Abstract No. 81, City of McKinney, Collin County, Texas, and containing all of the tracts of land conveyed to the City of McKinney, by the deeds recorded in County Clerk's File No. 20210129000190690, and County Clerk's File No. 2020110200192112, 20190801000922550, and the tracts of land conveyed to McKinney Community Development Corporation, by the deeds recorded in County Clerk's File No. 20190801000922550, 20110727000782500, and 20201102001921220, of the Deed Records of Collin County, Texas, and the tracts of land conveyed to InterMcKinney, LLC, by the deeds recorded in 20190415000399260, 20190415000399270, 20191122001495580, 20200212000199030, County Clerk's File No. 20200326000436520 and County Clerk's File No. 20190415000399280, of the Deed Records of Collin County, Texas, and the tract of land conveyed to McKinney Independent School District, by the deed recorded in County Clerk's File No. 20100112000036460, of the Deed Records of Collin County, Texas, and the tracts of land conveyed to Tori Rose Land, Inc., by the deeds recorded in Volume 5696, Page 1415, Volume 5696, Page 1419, and County Clerk's File No. 99-0144099, of the Deed Records of Collin County, Texas, the tract of land conveyed to Christopher Dwayne Cole, by the deed recorded in County Clerk's File No. 20161213001691990, of the Deed Records of Collin County, Texas, the tract of land conveyed to Martin Vega, by the deed recorded in Volume 5426, Page 005301, of the Deed Records of Collin County, Texas, the tract of and conveyed to MMVG Properties, LP, by the deed recorded in County Clerk's File No. 20150909001140650, of the Deed Records of Collin County, Texas, the tract of land conveyed to Throckmorton Street Church of Christ, by the deed recorded in County Clerk's File No. 2003-0034734, of the Deed Records of Collin County, Texas, and the tracts of land conveyed to Angel Flores, by the deed recorded in County Clerk's File No. 20161221001729320, of the Deed Records of Collin County, Texas, the tract of land conveyed to Brian Kidwell, by the deed recorded in County Clerk's File No. 96-0048107, of the Deed Records of Collin County, Texas, the tract of land conveyed to Robert William Lyford and Kaci Ann Lyford, by the deed recorded in County Clerk's File No. 20190201000107930, of the Deed Records of Collin County, Texas, and the tract remaining to Tom Wilson (former Lamar Street), the tract of land conveyed to Kidwell Bradley S Family LP, by the deed recorded in Volume 5879, Page 2721, of the Deed Records of Collin County, Texas, and the tract of land conveyed to Haddington Fund LP, by the deed recorded in County Clerk's File No. 20160609000718750, of the Deed Records of Collin County, Texas, and the tract of land conveyed to Southern Pacific Transportation, by the deed recorded in Volume 294, Page 547, of the Deed Records of Collin County, Texas, and the tract of land conveyed to Lamar Railroad Church (no deed found). Said 31.12 acres of land also including all of Block 11 and 12, of the Re-plat of Railroad Addition, to the City of McKinney, Collin County, Texas, according to the plat recorded in Volume B, Page 357, of the Deed Records of Collin County, Texas, and Lots 1R, 2R & 3R, Block A, McKinney Floormill Addition, to the City of McKinney, Collin County, Texas, according to the plat recorded in County Clerk's File No. 2015010701000070, of the Deed Records of Collin County, Texas, and all of Blocks 1 & 2, Andrews Addition, to the City of McKinney, Collin County, Texas, according to the plat recorded in Volume 116, Page 218, of the Deed Records of Collin County, Texas, and all of Block 2, Block 3, Block 6 and Block 7, of Railroad Addition (sometimes known as H. & T.C. R.R. Addition, to the City of McKinney, Collin County, Texas, according to the plat recorded in Volume 46, Page 2, of the Deed Records of Collin County, Texas) to the City of McKinney, Collin County, Texas, according to the plat recorded in Volume W, Page 64, of the Plat Records of Collin County, Texas, and portions of the following rights-of-way lying between the aforesaid Lots, Blocks and Ownerships: Greenville Road (a 50 foot wide public right-of-way), Louisiana Street (a variable width public right-of-way),



Virginia Street (a 60 foot then 80 foot wide public right-of-way), Murray Street (an 80 foot wide public right-of-way), Throckmorton Street (an 80 foot wide public right-of-way), Lamar Street (an 80 foot wide public right-of-way), Hunt Street (an 80 foot wide public right-of-way), Anthony Street (a 40 foot wide public right-of-way), Green Street (a 40 foot wide public right-of-way), Andrews Street (a 40 foot wide public right-of-way), and Main Street (a 90 foot wide public right-of-way). Said 31.12 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the East right-of-way line of Dallas Area Rapid Transit Railroad and the South right-of-way line of the aforesaid Anthony Street;

THENCE along the East right-of-way line of said Dallas Area Rapid Transit Railroad, as follows:

1. N 00° 09' 31" W 96.90 feet, to a point;
2. N 00° 54' 06" E 141.25 feet, to a point;
3. N 89° 56' 59" E 20.00 feet, to a point;
4. N 00° 54' 15" E 1,199.60 feet, along a line 50.0 feet East of and parallel to the centerline of said Dallas Area Rapid Transit Railroad, to a point at the Northwest corner a tract of land conveyed to McKinney Community Development Corporation, by the deed recorded in County Clerk's file No. 2011072700082500, of the Deed Records of Collin County, Texas;
5. N 00° 54' 15" E 60.07 feet, to a point of intersection at the North right-of-way line of Virginia Street lying in the South boundary line of the aforesaid tract of land designated as Tract 1 in the deed to Philip Po-Wen Huang, recorded in County Clerk's File No. 20181218001535540, of the Deed Records of Collin County, Texas;
6. S 88° 22' 52" W 9.28 feet, along the South boundary line of said Tract 1, to a point;
7. N 00° 52' 59" E 484.51 feet, along the West boundary line of said Tract 1 and along a line 40.0 foot East of and parallel to the centerline of said Dallas Area Rapid Transit Railroad, to a point;
8. N 88° 30' 17" E 20.24 feet, to a point at the Southwest boundary line of the aforesaid tract of land designated as Tract 1 in the deed to InterMcKinney LLC, recorded in County Clerk's File No. 20190415000399260, of the Deed Records of Collin County, Texas;
9. N 00° 52' 07" E 467.70 feet, along a line 60.0 feet East of and parallel to the centerline of said Dallas Area Rapid Transit Railroad, and along the West boundary line of aforesaid Tract 1 to InterMcKinney LLC, and the West boundary line of the aforesaid tract of land conveyed to Tori Rose Land, Inc., by the deed recorded in Volume 5696, Page 1415, of the Deed Records of Collin County, Texas, to a point;
10. THENCE S 89° 05' 46" E 209.52 feet, to a point at the Southeast corner of Lot 1, Block 4, H. & T.C. Railroad Addition, lying in the West right-of-way line of aforesaid Main Street;

11. THENCE S 89° 40' 39" E 90.00 feet, crossing said Main Street, to a point at the Southwest corner of Block 5, of said H. & T.C. R.R. Addition, lying in the North right-of-way line of Lamar Street;
12. THENCE S 89° 40' 39" E 252.23 feet, along the South boundary line of said Block 5, to a point in the North right-of-way line of said Lamar Street and the Southeast corner of said Block 5;
13. THENCE S 89° 40' 39" E 80.00 feet, crossing Throckmorton Street, to a point in the East right-of-way line of said Throckmorton Street;
14. THENCE S 00° 53' 48" W 533.67 feet, along the East right-of-way line of said Throckmorton Street, to a point;
15. THENCE S 00° 53' 48" W 380.00 feet, along the East right-of-way line of said Throckmorton Street, to a point at the intersection of the North right-of-way line of Virginia Street, lying at the Southwest corner of Block 13, of aforesaid Railroad Addition;
16. THENCE N 88° 49' 13" E 199.92 feet, along the South boundary line of said Block 13 and the North right-of-way line of said Virginia Street, to a point at the Southeast corner of said Block 13, lying in the West right-of-way line of aforesaid Murray Street;
17. THENCE N 88° 49' 13" E 79.92 feet, crossing said Murray Street right-of-way, to a point at the Southwest corner of Lot 1, Block 18, of aforesaid Railroad Addition;
18. THENCE S 02° 58' 15" W 80.00 feet, crossing said Murray Street, to a point at the Northwest corner of Lot 4, Block 19, Railroad Addition;
19. THENCE S 00° 14' 01" E 187.62 feet, along the East right-of-way line of said Murray Street, to a point in the North right-of-way line of aforesaid Louisiana Street, lying at the Southwest corner of Lot 1R, Block A, Old Settlers Addition, according to the plat recorded in County Clerk's File No. 200606290100002840, of the Deed Records of Collin County, Texas;
20. THENCE S 00° 57' 48" W 90.88 feet, to a point in the East right-of-way line of aforesaid Murray Street;
21. THENCE S 88° 48' 47" W 80.36 feet, crossing said Murray Street, to a point at the Northeast corner of aforesaid Block 11, of the Re-plat of Railroad Addition, recorded in Volume B, Page 357, of the Plat Records of Collin County, Texas, and lying in the West right-of-way line of said Murray Street at its intersection with the South right-of-way line of aforesaid Louisiana Street;
22. THENCE S 88° 48' 47" W 200.18 feet, along the South right-of-way line of said Louisiana Street and the North boundary line of said Re-plat of Block 11, to a point at the Northwest corner of said Block 11, lying in the East right-of-way line of aforesaid Throckmorton Street;
23. THENCE S 00° 53' 48" W 201.41 feet, along the West boundary line of said Block 11, to a point in the North right-of-way line of aforesaid Greenville Road;

24. THENCE S 00° 53' 48" W 58.84 feet, crossing Greenville Road, to a point in the South right-of-way line of said Greenville Road;

THENCE along the South right-of-way line of said Greenville Road, as follows:

25. N 65° 32' 34" W 196.34 feet, to a point;

26. S 56° 48' 40" W 11.17 feet, to a point in the East right-of-way line of aforesaid Andrews Street;

27. THENCE S 01° 21' 25" W 504.60 feet, along the East right-of-way line of said Andrews Street, to a point in the North right-of-way line of said Green Street;

28. THENCE S 01° 21' 25" W 40.00 feet, crossing Green Street, to a point in the South right-of-way line of said Green Street;

29. THENCE N 88° 55' 19" W 294.86 feet, along the South right-of-way line of said Green Street, to a point at the Northwest corner of the tract of land conveyed to Aragonez Eduardo, by the deed recorded in County Clerk's File No. 94-0092744, of the Deed Records of Collin County, Texas;

30. THENCE S 00° 52' 58" W 210.33 feet, along the West boundary line of said Eduardo Tract, to a point at the Southwest corner of said Eduardo Tract, lying in the North boundary line of a tract of land conveyed to Jimenez Juan & Marcella Garcia, by the deed recorded in Volume 5579, Page 3537, of the Deed Records of Collin County, Texas;

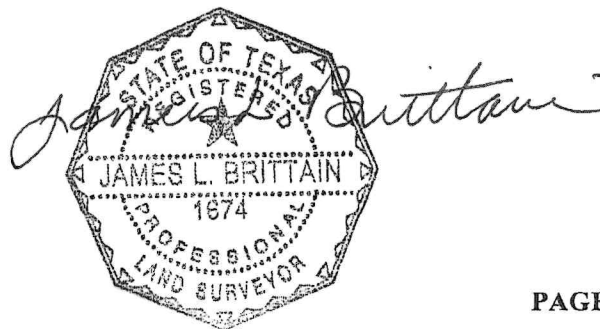
31. THENCE N 89° 51' 05" W 22.86 feet, along the North boundary line of said Garcia Tract, to a point at the Northwest corner of said Garcia Tract;

32. THENCE S 00° 43' 08" W 200.07 feet, along the West boundary line of said Garcia Tract, to a point in the North right-of-way line of aforesaid Anthony Street;

33. THENCE S 00° 43' 08" W 40.00 feet, crossing Anthony Street, to a point in the South right-of-way line of said Anthony Street;

34. THENCE N 89° 16' 52" W 150.21 feet, along the South right-of-way line of said Anthony Street, to the POINT OF BEGINNING containing 31.12 acres of land.

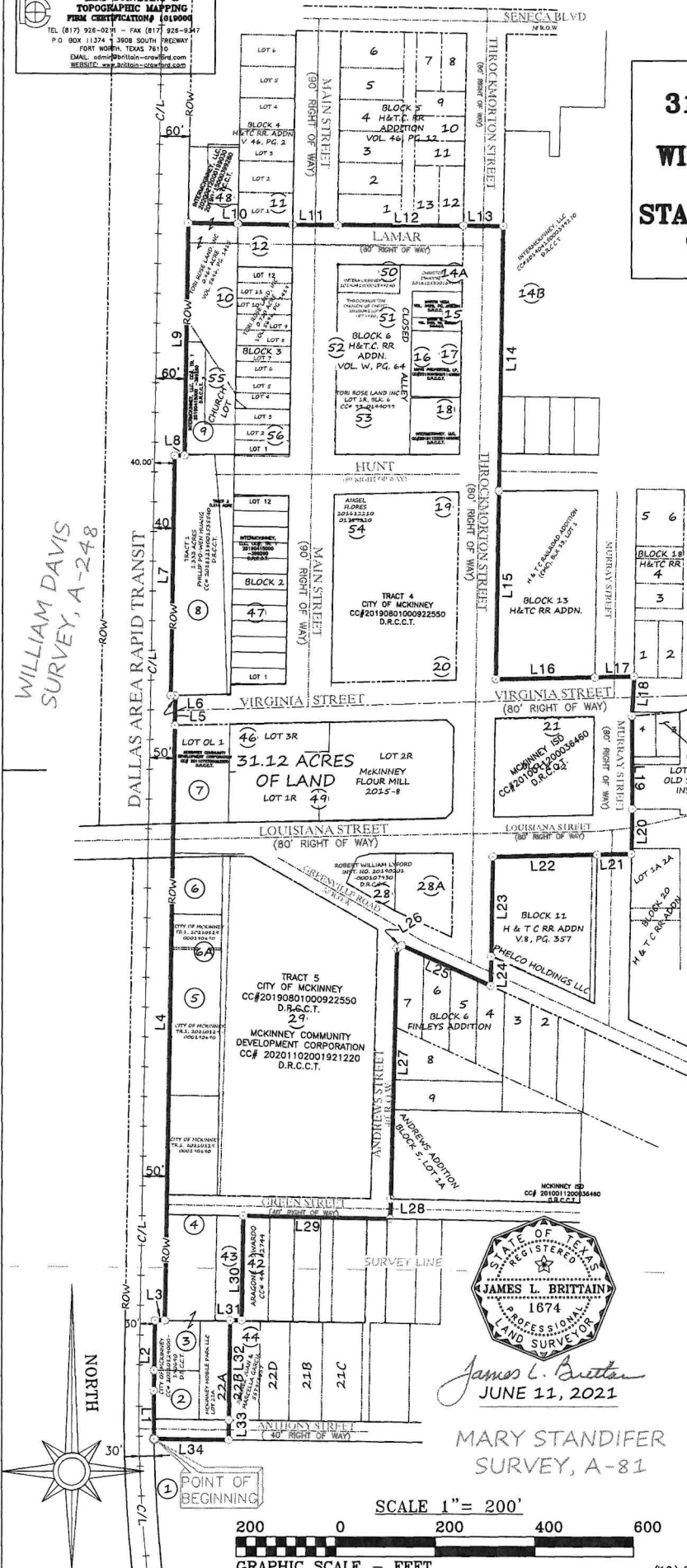
**This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.**



**BRITTAIN & CRAWFORD**  
**LAND SURVEYING & TOPOGRAPHIC MAPPING**  
 FIRM CERTIFICATION # 0100004  
 TEL (817) 926-0211 - FAX (817) 928-9347  
 P.O. BOX 11374 • 3908 SOUTH FREEDWAY  
 FORT WORTH, TEXAS 76110  
 EMAIL: admin@brittain-crawford.com  
 WEBSITE: www.brittain-crawford.com

**EXHIBIT MAP OF:**  
**31.12 ACRES OF LAND**  
**LOCATED IN THE:**  
**WILLIAM DAVIS SURVEY,**  
**A-248, AND MARY**  
**STANDIFER SURVEY, A-81**  
**CITY OF MCKINNEY, COLLIN**  
**COUNTY, TEXAS**

WILLIAM DAVIS  
 SURVEY, A-248



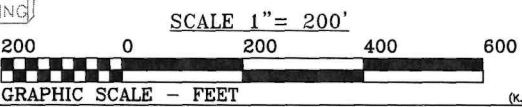
TRACT	OWNER	DEED REF. COUNTY CLERK'S NO.
1	APPLIANCE HOMES LLC	2020122000346620
2	CITY OF MCKINNEY	20210129000120600
3	CITY OF MCKINNEY	20210129000120600
4	CITY OF MCKINNEY	20210129000120600
5	CITY OF MCKINNEY	20210129000120600
6	CITY OF MCKINNEY	20210129000120600
7	CITY OF MCKINNEY	20210129000120600
8	MCKINNEY COMMUNITY DEVELOPMENT CORPORATION	20110722000762500
9	LIANG PHILIP PO-WEN	2018112300153540
10	INTERVOKINNEY LLC	20200415000199200
11	INTERVOKINNEY LLC	20200415000199200
12	TONI ROSE LAND INC	1606 01439
13	WILSON TOM B (FORMER LAMAR STREET)	V 386, P 362
14	LAMAR STREET	RIGHT-OF-WAY
15	COLE CHRIS TONHER DOWNEY	20161212001001900
16	MARTIN VIGIA	2003 0708193
17	MAYNARD PROPERTIES LP	20150909001180600
18	MAYNARD PROPERTIES LP	20150909001180600
19	INTERVOKINNEY LLC	20200415000199200
20	CITY OF MCKINNEY	20200415000199200
21	MCKINNEY ISO	20200415000199200
22	LYFORD ROBERT WILLIAM & KACI ANN LYFORD	20190301200036790
23	KOWAL BRUCE	96-2480027
24	MCKINNEY COMMUNITY DEVELOPMENT CORPORATION	20200415000199200
25	ARMSTRONG EDUARDO	76-0702744
26	CITY OF MCKINNEY	NO DEED
27	ARMSTRONG EDUARDO	76-0702744
28	CITY OF MCKINNEY	20200415000199200
29	INTERVOKINNEY LLC	20200415000199200
30	INTERVOKINNEY LLC	20200415000199200
31	INTERVOKINNEY LLC	20200415000199200
32	INTERVOKINNEY LLC	20200415000199200
33	INTERVOKINNEY LLC	20200415000199200
34	INTERVOKINNEY LLC	20200415000199200
35	INTERVOKINNEY LLC	20200415000199200
36	INTERVOKINNEY LLC	20200415000199200
37	INTERVOKINNEY LLC	20200415000199200
38	INTERVOKINNEY LLC	20200415000199200
39	INTERVOKINNEY LLC	20200415000199200
40	INTERVOKINNEY LLC	20200415000199200
41	INTERVOKINNEY LLC	20200415000199200
42	INTERVOKINNEY LLC	20200415000199200
43	INTERVOKINNEY LLC	20200415000199200
44	INTERVOKINNEY LLC	20200415000199200
45	INTERVOKINNEY LLC	20200415000199200
46	INTERVOKINNEY LLC	20200415000199200
47	INTERVOKINNEY LLC	20200415000199200
48	INTERVOKINNEY LLC	20200415000199200
49	INTERVOKINNEY LLC	20200415000199200
50	INTERVOKINNEY LLC	20200415000199200
51	INTERVOKINNEY LLC	20200415000199200
52	INTERVOKINNEY LLC	20200415000199200
53	INTERVOKINNEY LLC	20200415000199200
54	INTERVOKINNEY LLC	20200415000199200
55	INTERVOKINNEY LLC	20200415000199200
56	INTERVOKINNEY LLC	20200415000199200

Course	Bearing	Distance
L1	N 00°09'31" W	96.90'
L2	N 00°54'06" E	141.25'
L3	N 89°56'59" E	20.00'
L4	N 00°54'15" E	1199.60'
L5	N 00°54'15" E	60.07'
L6	S 88°22'52" W	9.28'
L7	N 00°52'59" E	484.51'
L8	N 88°30'17" E	20.24'
L9	N 00°52'07" E	467.70'
L10	S 89°05'46" E	209.52'
L11	S 89°40'39" E	90.00'
L12	S 89°40'39" E	252.23'
L13	S 89°40'39" E	80.00'
L14	S 00°53'48" W	533.67'
L15	S 00°53'48" W	380.00'
L16	N 88°49'13" E	199.92'
L17	N 88°49'13" E	79.92'
L18	S 02°58'15" W	80.00'
L19	S 00°14'01" E	187.62'
L20	S 00°57'48" W	90.88'
L21	S 88°48'47" W	70.40'
L22	S 88°48'47" W	210.14'
L23	S 00°53'48" W	201.41'
L24	S 00°53'48" W	58.84'
L25	N 65°32'34" W	196.34'
L26	S 56°48'40" W	11.17'
L27	S 01°21'25" W	504.60'
L28	S 01°21'25" W	40.00'
L29	N 88°55'19" W	294.86'
L30	S 00°52'58" W	210.33'
L31	N 89°51'05" W	22.86'
L32	S 00°43'08" W	200.07'
L33	S 00°43'08" W	40.00'
L34	N 89°16'52" W	150.21'



James L. Brittain  
 JUNE 11, 2021

MARY STANDIFER  
 SURVEY, A-81



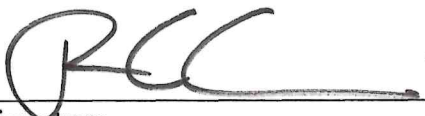
**Exhibit B**  
**Municipal Setting Designation**  
**Affidavit of Eligibility**

BEFORE ME, the undersigned authority, on this day personally appeared  
Paul G. Grimes, as an authorized representative of  
City of McKinney, known to me to be the person  
whose name is subscribed below who being by me first duly sworn, upon their oath,  
stated as follows:

I am over the age of 18 and legally competent to make this affidavit. I have personal  
knowledge of the facts stated herein.

I affirmatively state that (place an X in all applicable blanks)

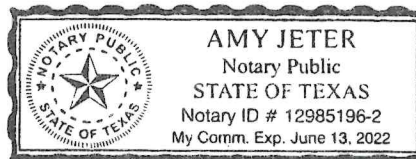
- ☒ The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- ☒ True and accurate copies of all documents demonstrating that the MSD eligibility  
criteria provided by THSC 361.803 have been satisfied and are included with the  
application.
- ☒ A true and accurate copy of a legal description of the proposed MSD property is  
included with the application.
- ☒ Notice has been provided in accordance with THSC 361.805.
- ☒ A copy of an ordinance or restrictive covenant and any required resolutions are  
provided in this application or will be provided before the executive director  
certifies this application.

  
Signature

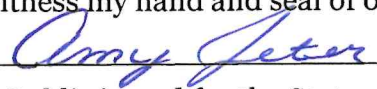
Date: 12/22/21

Paul G. Grimes  
Printed Name  
City Manager  
Title

STATE OF Texas  
COUNTY OF Collin



SUBSCRIBED AND SWORN before me on this the 22 day of  
December 2021, to which witness my hand and seal of office.

  
Notary Public in and for the State of Texas