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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 28, 2023

Ms. Gwyn Goodson McNeal
ESS WCOT OWNER LLC
2795 E. Cottonwood Parkway, Suite 400
Salt Lake City, Utah 84121

Re: Municipal Setting Designation (MSD) Certificate for ESS WCOT OWNER LLC, Extra Space Storage 0628 Site, located at 5431 Lemmon Avenue, Dallas, Dallas County, TX; MSD No. 504; Voluntary Cleanup Program (VCP) No. 2936; Regulated Entity No. RN110415700; Customer No. CN605655505

Dear Ms. McNeal:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on February 13, 2023, and additional information supporting this MSD application on August 11, 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) 239-3044 or via email at timothy.eckert@tceq.texas.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy Eckert".

Timothy Eckert
VCP-CA Section
Remediation Division

Enclosure: MSD Certificate No. 504

cc: Ms. Erin Gorman, Waste Section Manager, TCEQ DFW Regional Office, R-4
Mr. Scott Furman, Sive, Paget & Riesel, PC (via email)
Mr. Nick Cramer, The Vertex Companies, Inc. (via email)

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. 504, in the City of Dallas, 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.

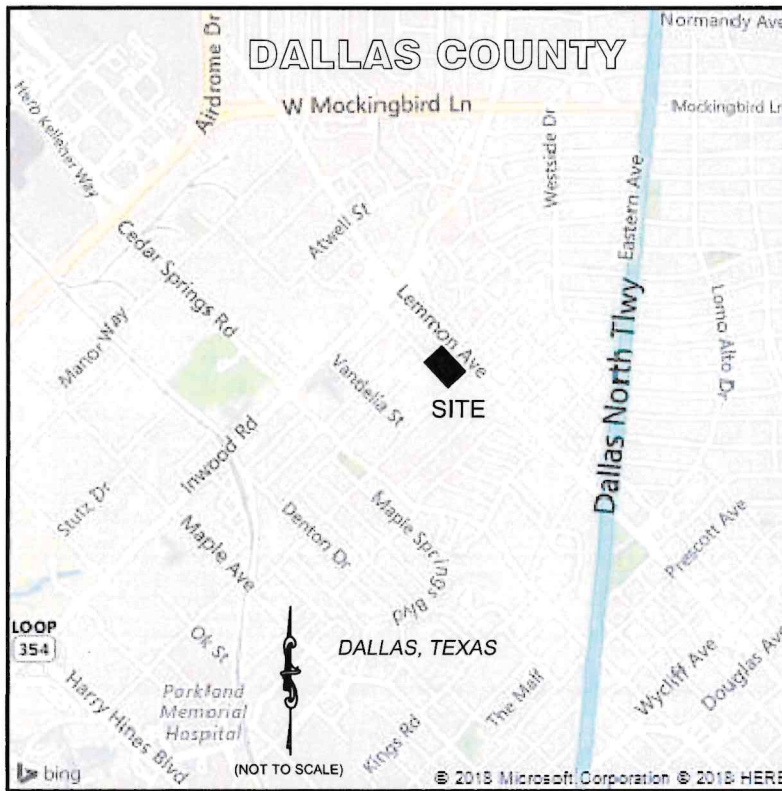
Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on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

EXECUTED this the 28th day of September, 2023

Monica I. Harris

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

BOUNDARY SURVEY
FOR
MUNICIPAL SETTING DESIGNATION
AT
5431 LEMMON AVENUE
DALLAS, TX 75209



LOCATION MAP

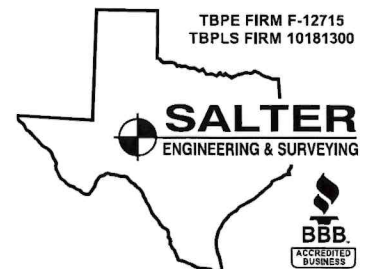
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BOUNDARY SURVEY FOR
MUNICIPAL SETTING DESIGNATION

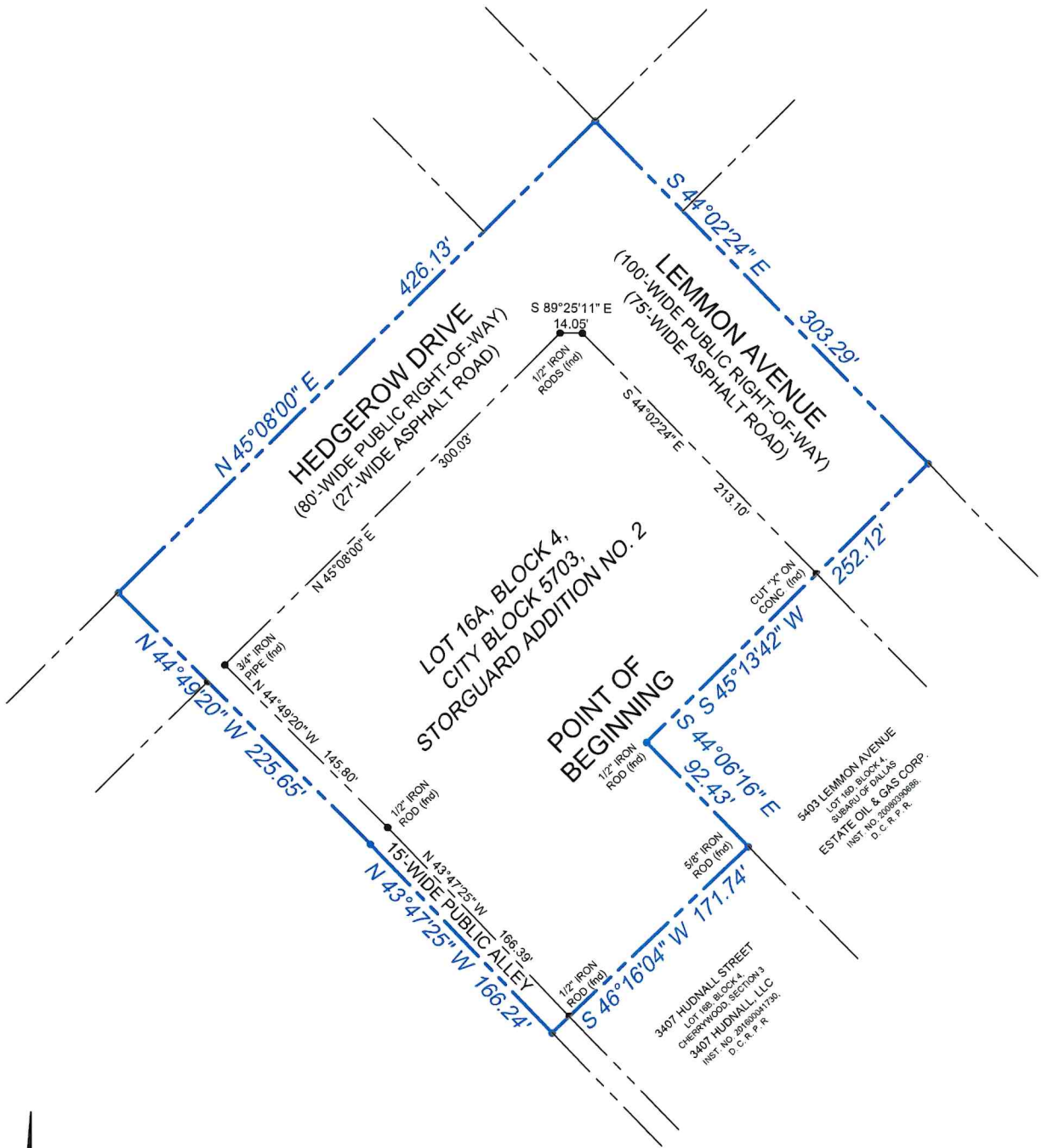
5431 LEMMON AVENUE
DALLAS, TX 75209

DWG FILE 180174.dwg
DWG SCALE 1=100

SHEET 1 OF 4



11401 PHEASANT CREEK DRIVE
FORT WORTH, TX 76244-7796
(866) 723-9009 Tel (866) 723-9003 Fax
www.SalterEngineering.com



SCALE : 1" = 60'



BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION	
5431 LEMMON AVENUE DALLAS, TX 75209	
DWG FILE <u>180174.dwg</u>	SHEET 2 OF 4
DWG SCALE <u>1=100</u>	

TBPE FIRM F-12715
 TBPLS FIRM 10181300

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BBB
 ACCREDITED
 BUSINESS

LEGAL DESCRIPTION

A 3.32-acre tract out of the C. Grigsby Survey, Abstract No. 532, Dallas County, Texas, and being all of Lot 16A, Block 4, Storguard Addition No. 2, an addition to the City of Dallas, Texas, in City Block 5703, as shown on that certain map or plat thereof recorded in Volume 96179, Page 4860, Dallas County Map Records, together with the adjacent public rights-of-way of Lemmon Avenue and Hedgerow Drive, both dedicated city streets, as well as the adjacent 15-foot wide public alley in said Block 4, being more specifically described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found at the west corner of Lot 16D of said Block 4/5703, same being an interior corner of said Lot 16A for an interior corner and POINT OF BEGINNING of this tract;

THENCE SOUTH 44°06'16" EAST 92.43 feet along the northeast line of said Lot 16A and the southwest line of said Lot 16D to a 5/8-inch iron rod found at the most southerly east corner of said Lot 16A being the north corner of Lot 16B of said Block 4/5703 for the most southerly east corner of this tract;

THENCE leaving the southwest line of said Lot 16D, SOUTH 46°16'04" WEST, at 156.74 feet pass a 1/2-inch iron rod found on the northeast right-of-way line of said public alley being the south corner of said Lot 16A and the west corner of said Lot 16B, and continuing along the same bearing a total distance of 171.74 feet to a point lying on the southwest right-of-way line of said public alley for the south corner of this tract;

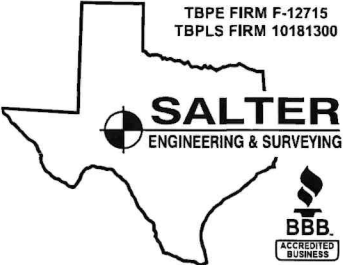
THENCE NORTH 43°47'25" WEST 166.24 feet along the southwest right-of-way line of said public alley to a point being an angle point in the southwest right-of-way line of said public alley for an angle point in the southwest line of this tract;

THENCE NORTH 44°49'20" WEST, at 145.65 feet pass a 1/2-inch iron rod found at the point of intersection of the southwest right-of-way line of said public alley with the southeast right-of-way line of said Hedgerow Drive, and continuing along the same bearing for a total distance of 225.65 feet along the west right-of-way line of said public alley to a point lying on the northwest right-of-way line of said Hedgerow Drive for the west corner of this tract;

THENCE NORTH 45°08'00" EAST, at 326.12 feet pass the point of intersection of the northwest right-of-way line of said Hedgerow Drive with the southwest right-of-way line of said Lemmon Avenue, and continuing along the same bearing a total distance of 426.13 feet along the northwest right-of-way line of said Hedgerow Drive to a point being the point of intersection of the northwest right-of-way line of said Hedgerow Drive with the northeast right-of-way line of said Lemmon Avenue for the north corner of this tract;

THENCE leaving the northwest right-of-way line of said Hedgerow Drive, SOUTH 44°02'24" EAST 303.29 feet along the northeast right-of-way line of said Lemmon Avenue to a point for the most northerly east corner of this tract;

THENCE leaving the northeast right-of-way line of said Lemmon Avenue, SOUTH 45°13'42" WEST, at 100.01 feet pass a cut "X" on concrete found at the most northerly east corner of said Lot 16A and the north corner of said Lot 16D, and continuing along the same bearing for a total distance of 252.12 feet along the southeast line of said Lot 16A and the northwest line of said Lot 16D to the POINT OF BEGINNING, and containing 3.32 acres, more or less.

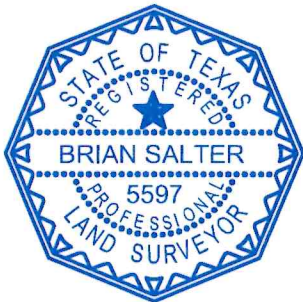
BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION		 <p>TBPE FIRM F-12715 TBPLS FIRM 10181300</p> <p>SALTER ENGINEERING & SURVEYING</p> <p>BBB ACCREDITED BUSINESS</p>
5431 LEMMON AVENUE DALLAS, TX 75209		
DWG FILE <u>180174.dwg</u> DWG SCALE <u>1=100</u>	SHEET <u>3</u> OF <u>4</u>	11401 PHEASANT CREEK DRIVE FORT WORTH, TX 76244-7796 (866) 723-9009 Tel (866) 723-9003 Fax www.SalterEngineering.com

LEGEND

	BLDG. HEIGHT MEASUREMENT		FLAG POLE		PROPERTY LINE
	M.S. MONUMENT SIGN		LIGHT POLE		PRIVACY FENCE
	TRAFFIC FLOW		PIPE BOLLARD		OTHER FENCE
	UNDERGROUND UTILITY BOX		UTILITY POLE		OVERHEAD UTILITY
	CABLE PEDESTAL		UTIL. POLE W/ GUY ANCHOR		UNDERGROUND UTILITY
	TELEPHONE PEDESTAL		ELECTRICITY METER		CONC. CURB & GUTTER
	WATER VALVE		WATER METER		BUILDING
	FIRE HYDRANT		MONITORING WELL		COVERED AREA
	IRRIGATION CONTROL VALVE		SIGN		CONCRETE SURFACE
	STORM SEWER MANHOLE		HANDICAP PARKING SPACE		ASPHALT SURFACE
	SANITARY SEWER MANHOLE		REGULAR PARKING SPACES		GRAVEL SURFACE
	TEL-COM MANHOLE		R.P.R. REAL PROPERTY RECORDS		STONE SURFACE
	SANITARY SEWER CLEAN-OUT		C.M.R. COUNTY MAP RECORDS		WOODEN SURFACE
	POWER TRANSFORMER		C.D.R. COUNTY DEED RECORDS		WATER SURFACE

BASIS OF BEARINGS

N 44°49'20" W FOR THE SOUTHWEST
LINE OF SUBJECT PROPERTY
PER PLAT OF RECORD...



SURVEYOR'S CERTIFICATION

To: THE VERTEX COMPANIES, INC.

I, Brian Salter, Registered Professional Land Surveyor, hereby certify that this survey of the property located at: 5431 LEMMON AVENUE
DALLAS, TX 75209 and legally described hereon was made on the ground on this, the 27TH day of APRIL, 18 , by me or under my supervision and correctly shows the boundary lines, dimensions, and area of the land, and all alleys, streets, rights-of-way, easements, and other matters of record which, to my knowledge, affect the property. The undersigned further certifies that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, protrusions, overlapping of improvements, easements, or rights-of-way except as shown hereon.

BRIAN SALTER, PROFESSIONAL LAND SURVEYOR NO. 5597

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BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION	
5431 LEMMON AVENUE DALLAS, TX 75209	
DWG FILE <u>180174.dwg</u>	SHEET <u>4</u> OF <u>4</u>
DWG SCALE <u>1=100</u>	

TBPE FIRM F-12715
TBPLS FIRM 10181300

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Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Gwyn Goodson McNeal, as an authorized representative of ESS WCOT OWNER LLC, 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]
Signature

Date: 2/19/23

Gwyn Goodson McNeal
Printed Name

Manager
Title

STATE OF Utah

COUNTY OF Salt Lake

SUBSCRIBED AND SWORN before me on this the 19th day of February 2023, to which witness my hand and seal of office.

[Signature]

Notary Public in and for the State of Utah

