

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2023

Mr. Brandon Hopkins, Director of Construction
SCP/OI Good Latimer OZ Owner, LLC
4550 Travis Street, Suite 565
Dallas, Texas 75205

Re: Municipal Setting Designation (MSD) Certificate for SCP/OI Good Latimer OZ Owner, LLC, Sparkletts Drinking Water Site, located at 1714 and 1718 S. Good Latimer Expy and 2522, 2524, and 2528 Louise Ave, Dallas, Dallas County, TX; MSD No. 494; Voluntary Cleanup Program (VCP) No. 3167; Customer No. CN605974930; Regulated Entity No. RN102493806

Dear Mr. Hopkins:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on November 1, 2022 and additional information supporting this MSD application on March 20, 2023, April 26, 2023, June 23, 2023, and August 4, 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) 239-0217 or via email at vitalie.morrison@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Morrison".

Vitalie Morrison, P.G., Project Manager
VCP-CA Section
Remediation Division

Enclosure: MSD Certificate No. 494

cc: Mr. Brian Woidneck, Principal, Stonehawk Capital Partners, LLC (via email)
Mr. Sam Enis, P.G., Principal Project Manager, SQ Environmental, LLC (via email)
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas

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, Merrie Smith, P.G., Assistant Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 494, 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 4th day of October, 2023

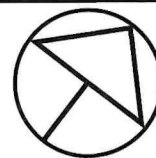
A handwritten signature in black ink, appearing to read "Merrie Smith", written over a horizontal line.

Merrie Smith, P.G., Assistant Deputy Director
Remediation Division
Texas Commission on Environmental Quality

FIELD NOTES DESCRIBING 195,196 SQ. FT. (4.481 ACRES)

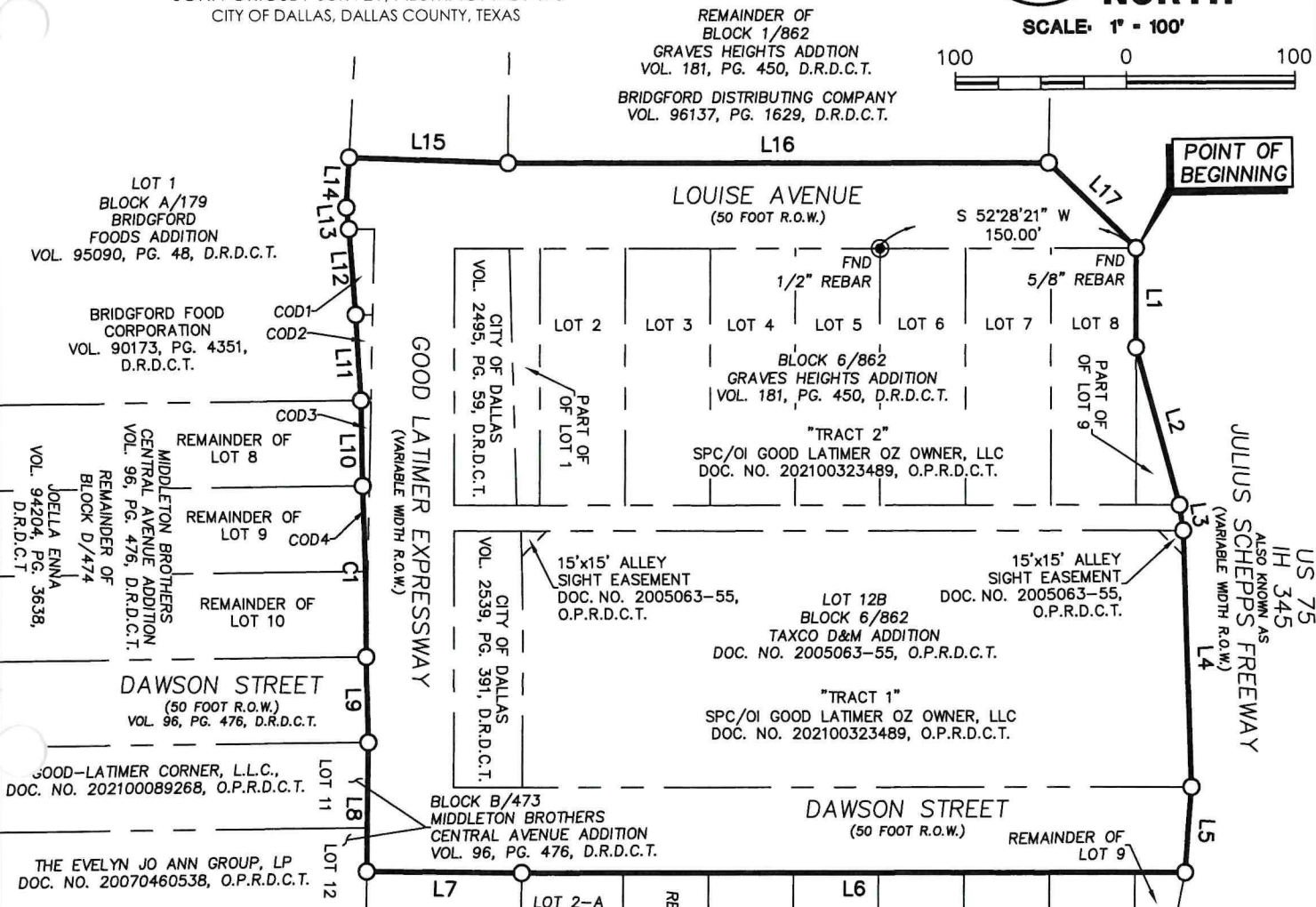
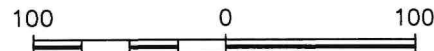
MUNICIPAL SETTING DESIGNATION SURVEY

SITUATED IN THE GRAVES HEIGHTS ADDITION, BLOCK 6/862 AND A PART OF
LOUISE AVENUE, GOOD LATIMER EXPRESSWAY, AND DAWSON STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS



NORTH

SCALE: 1" = 100'



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 37°31'39" E	58.00'
L2	S 53°18'30" E	95.60'
L3	S 45°49'02" E	15.12'
L4	S 39°20'13" E	150.11'
L5	S 33°06'39" E	50.15'
L6	S 52°28'21" W	389.32'
L7	S 53°01'57" W	90.68'
L8	N 36°58'03" W	75.47'
L9	N 39°01'27" W	50.00'
L10	N 38°49'37" W	50.00'
L11	N 41°07'38" W	50.15'
L12	N 42°15'43" W	50.16'
L13	N 44°16'39" W	12.58'
L14	N 34°32'55" W	29.38'
L15	N 54°25'42" E	93.28'
L16	N 52°28'21" E	317.47'
L17	S 83°20'59" E	71.75'

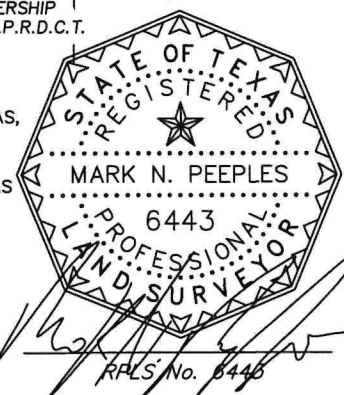
CURVE CHART					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	2,252.01'	02°32'40"	100.01'	N 38°49'37" W	100.00'

COD1 CITY OF DALLAS VOL. 2564, PG. 34, D.R.D.C.T.
COD2 CITY OF DALLAS VOL. 2507, PG. 275, D.R.D.C.T.
COD3 CITY OF DALLAS VOL. 2530, PG. 603, D.R.D.C.T.
COD4 CITY OF DALLAS VOL. 2518, PG. 53, D.R.D.C.T.

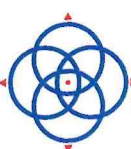
LOT 4 LOT 5 LOT 6 LOT 7 LOT 8
REMAINDER OF
BLOCK 7/863
GRAVES HEIGHTS ADDITION
VOL. 181, PG. 450, D.R.D.C.T.
CALLED 1.269 ACRES
1808 PARTNERS, L.P.
A TEXAS LIMITED PARTNERSHIP
DOC. NO. 201400220847, O.P.R.D.C.T.

LEGEND

- D.R.D.C.T.—DEED RECORDS, DALLAS, COUNTY, TEXAS
- O.P.R.D.C.T.—OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- DOC.—DOCUMENT
- ROW—RIGHT OF WAY
- NO.—NUMBER
- VOL.—VOLUME
- PG.—PAGE
- FND—FOUND
- POINT FOR CORNER
- FOUND MONUMENT



FILED BY: -	DATE: 07/22/2022
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CHECKED BY: MNP	REV:
JOB NO. D57343	REV:
SHEET 1 OF 3	REV:



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FIELD NOTES DESCRIBING 195,196 SQ. FT. (4.481 ACRES)
MUNICIPAL SETTING DESIGNATION SURVEY
SITUATED IN THE GRAVES HEIGHTS ADDITION, BLOCK 6/862 AND A PART OF
LOUISE AVENUE, GOOD LATIMER EXPRESSWAY, AND DAWSON STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 195,169 SQUARE FOOT (4.481 ACRES) TRACT OF LAND IN THE JOHN GRIGSBY SURVEY, ABSTRACT (NO.) 495, DALLAS COUNTY, TEXAS, BEING ALL OF LOT 12B, BLOCK 6/862, TAXCO D&M ADDITION, AN ADDITION TO THE CITY OF DALLAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT (DOC.) NO. 2005063-55, OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), SAME BEING ALL OF THAT TRACT OF LAND DESCRIBED AS "TRACT 1" TO SPC/OI GOOD LATIMER OZ OWNER, LLC IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 202100323489, O.P.R.D.C.T. AND BEING ALL OF LOT(s) 2 THROUGH 8 AND PART OF LOT(s) 1 AND 9, BLOCK 6/862, GRAVES HEIGHTS ADDITION, AN ADDITION TO THE CITY OF DALLAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME (VOL.) 181, PAGE (PG.) 450, DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T.), SAME BEING ALL OF THAT TRACT DESCRIBED AS "TRACT 2" TO SPC/OI GOOD LATIMER OZ OWNER, LLC IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 202100323489, O.P.R.D.C.T., ALSO BEING ALL OF THE TRACT(s) OF LAND DESCRIBED TO CITY OF DALLAS IN DEED(s) RECORDED IN VOL. 2495, PG. 59, VOL. 2539, PG. 391, VOL. 2564, PG. 34, VOL. 2507, PG. 275, VOL. 2530, PG. 603, AND VOL. 2518, PG. 53, D.R.D.C.T. AND BEING A PORTION OF GOOD LATIMER EXPRESSWAY (VARIABLE WIDTH RIGHT-OF-WAY), DAWSON STREET (50 FOOT RIGHT-OF-WAY), AND LOUISE AVENUE (50 FOOT RIGHT-OF-WAY), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM 83 (NAD83)(US FOOT) WITH A COMBINED SCALE FACTOR OF 1.000136506):

BEGINNING AT A 5/8 INCH REBAR FOUND FOR THE NORTHERNMOST CORNER OF SAID LOT 8, SAME BEING THE NORTHERNMOST CORNER OF SAID "TRACT 2", SAID POINT LYING AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 345 (U.S. 75) (JULIUS SCHEPPS FREEWAY) (VARIABLE WIDTH RIGHT-OF-WAY) AND THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID LOUISE AVENUE;

THENCE, WITH THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 345 (U.S. 75) JULIUS SCHEPPS FREEWAY THE FOLLOWING COURSES AND DISTANCES;

SOUTH 37 DEGREES 31 MINUTES 39 SECONDS EAST, A DISTANCE OF 58.00 FEET TO THE POINT FOR CORNER

SOUTH 53 DEGREES 18 MINUTES 30 SECONDS EAST, A DISTANCE OF 95.60 FEET TO THE EASTERNMOST CORNER OF SAID "TRACT 2";

SOUTH 45 DEGREES 49 MINUTES 02 SECONDS EAST, A DISTANCE OF 15.12 FEET TO THE NORTHERNMOST CORNER OF SAID LOT 12B;

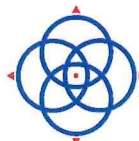
SOUTH 39 DEGREES 20 MINUTES 13 SECONDS EAST, A DISTANCE OF 150.11 FEET TO THE EASTERNMOST CORNER OF SAID LOT 12B;

THENCE, SOUTH 33 DEGREES 06 MINUTES 39 SECONDS EAST, OVER, ACROSS AND UPON SAID DAWSON STREET, A DISTANCE OF 50.15 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS "TRACT 1" TO 1808 LIMITED PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 201400220847, O.P.R.D.C.T.

THENCE, SOUTH 52 DEGREES 28 MINUTES 21 SECONDS WEST, WITH THE NORTHWEST LINE OF SAID 1808 PARTNERS TRACT AND THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID DAWSON STREET, A DISTANCE OF 389.32 FEET TO THE NORTHWEST CORNER OF LOT 2A, BLOCK 7/863, H.M. SESSIONS SUBDIVISION, AN ADDITION TO THE CITY OF DALLAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOL. 22, PG. 179, D.R.D.C.T., SAID POINT LYING AT THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF SAID GOOD LATIMER EXPRESSWAY AND THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID DAWSON STREET;

THENCE, SOUTH 53 DEGREES 01 MINUTES 57 SECONDS WEST, OVER, ACROSS AND UPON SAID GOOD LATIMER EXPRESSWAY, A DISTANCE OF 90.68 FEET TO A POINT FOR CORNER ON THE NORTHEAST LINE OF LOT 12, BLOCK B/473, MIDDLETON BROTHERS CENTRAL AVENUE ADDITION, AN ADDITION TO THE CITY OF DALLAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOL. 96, PG. 476, D.R.D.C.T.;

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JOB NO. D57343	REV:
SHEET 2 OF 3	REV:



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FIELD NOTES DESCRIBING 195,196 SQ. FT. (4.481 ACRES)

MUNICIPAL SETTING DESIGNATION SURVEY

SITUATED IN THE GRAVES HEIGHTS ADDITION, BLOCK 6/862 AND A PART OF
LOUISE AVENUE, GOOD LATIMER EXPRESSWAY, AND DAWSON STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE, WITH THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID GOOD LATIMER EXPRESSWAY THE FOLLOWING COURSES AND DISTANCES;

NORTH 36 DEGREES 58 MINUTES 03 SECONDS WEST, A DISTANCE OF 75.47 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED TO GOOD-LATIMER CORNER, LLC IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 202100089268, O.P.R.D.C.T., SAID POINT LYING AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID GOOD LATIMER EXPRESSWAY AND THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID DAWSON STREET;

NORTH 39 DEGREES 01 MINUTES 27 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,252.01 FEET, A CENTRAL ANGLE OF 02 DEGREES 32 MINUTES 40 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 38 DEGREES 49 MINUTES 37 SECONDS WEST, - 100.00 FEET TO THE SOUTHEAST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2518, PG. 53, SAID POINT LYING AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID GOOD LATIMER EXPRESSWAY AND THE NORTHWEST RIGHT-OF-WAY LINE OF SAID DAWSON STREET;

WITH SAID CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 100.01 FEET TO THE NORTHWEST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2518, PG. 53 AND THE SOUTHEAST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2530, PG. 603;

NORTH 38 DEGREES 49 MINUTES 37 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE EASTERNMOST CORNER OF LOT 1, BLOCK A/179, BRIDGFORD FOOD ADDITION, AN ADDITION TO THE CITY OF DALLAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOL. 95090, PG. 48, D.R.D.C.T., SAME BEING THE NORTHWEST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2530, PG. 603 AND THE SOUTHEAST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2507, PG. 275;

NORTH 41 DEGREES 07 MINUTES 38 SECONDS WEST, A DISTANCE OF 50.15 FEET TO THE NORTHWEST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2507, PG. 275 AND THE SOUTHEAST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2564, PG. 34;

NORTH 42 DEGREES 15 MINUTES 43 SECONDS WEST, A DISTANCE OF 50.16 FEET TO THE NORTHWEST CORNER OF SAID CITY OF DALLAS TRACT RECORDED IN VOL. 2564, PG. 34;

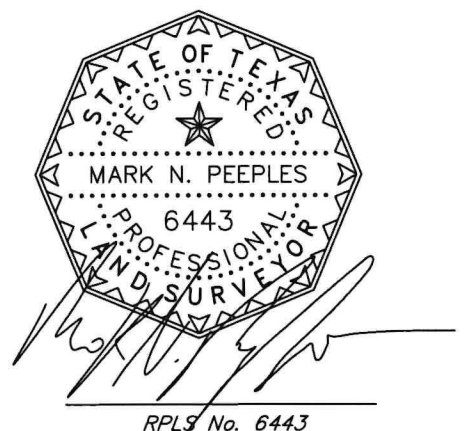
NORTH 44 DEGREES 16 MINUTES 39 SECONDS WEST, A DISTANCE OF 12.58 FEET TO A POINT FOR CORNER;

NORTH 34 DEGREES 32 MINUTES 55 SECONDS WEST, A DISTANCE OF 29.38 FEET TO A POINT FOR CORNER ON THE NORTHEAST LINE OF SAID LOT 1;

THENCE, NORTH 54 DEGREES 25 MINUTES 42 SECONDS EAST, OVER, ACROSS AND UPON SAID GOOD LATIMER EXPRESSWAY, A DISTANCE OF 93.28 FEET TO THE SOUTHERNMOST CORNER OF A TRACT OF LAND DESCRIBED TO BRIDGFORD DISTRIBUTING COMPANY IN SPECIAL WARRANTY DEED RECORDED IN VOL. 96137, PG. 1629, D.R.D.C.T., SAID POINT LYING AT THE INTERSECTION OF THE NORTHWEST RIGHT-OF-WAY LINE OF SAID LOUISE AVENUE AND THE NORTHEAST RIGHT-OF-WAY LINE OF SAID GOOD LATIMER EXPRESSWAY;

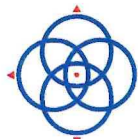
THENCE, NORTH 52 DEGREES 28 MINUTES 21 SECONDS EAST, WITH THE SOUTHEAST LINE OF SAID BRIDGFORD DISTRIBUTING TRACT AND THE NORTHWEST RIGHT-OF-WAY LINE OF SAID LOUISE AVENUE, A DISTANCE OF 317.47 FEET TO THE EASTERNMOST CORNER OF SAID BRIDGFORD DISTRIBUTING TRACT, SAID POINT LYING AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 354 (U.S. 75) JULIUS SCHEPPS FREEWAY AND THE NORTHWEST RIGHT-OF-WAY LINE OF SAID LOUIS AVENUE;

THENCE, SOUTH 83 DEGREES 20 MINUTES 59 SECONDS EAST, OVER, ACROSS AND UPON SAID LOUISE AVENUE, A DISTANCE OF 71.75 FEET TO THE POINT OF BEGINNING AND CONTAINING 195,169, SQUARE FEET OR 4.481 ACRES OF LAND MORE OR LESS.



RPLS No. 6443

FILED BY: -	DATE: 07/22/2022
DRAWN BY: SS	REV:
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JOB NO. D57343	REV:
SHEET 3 OF 3	REV:



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Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Brian Woidneck, as an authorized representative of
SCP/OI Good Latimer OZ 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.

BW
Signature

Date: 10/26/22

Brian Woidneck

Printed Name

VP

Title

STATE OF TEXAS

COUNTY OF DALLAS

SUBSCRIBED AND SWORN before me on this the 26 day of
OCTOBER 2022, to which witness my hand and seal of office.

B. Hopkins
Notary Public in and for the State of TEXAS

