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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 18, 2023

Ms. Casey Gemunder, Managing Director
CH FW Rosedale LLC
1 Choice Hotels Circle, Suite 400
Rockville, Maryland 20850

Re: Municipal Setting Designation (MSD) Certificate for CH FW Rosedale LLC, CH FW Rosedale Site, located at 925 Jerome Street, Fort Worth, Tarrant County, TX; MSD No. 509; Voluntary Cleanup Program (VCP) No. 2909; Customer No. CN606085405; Regulated Entity No. RN110133204

Dear Ms. Gemunder:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on April 25, 2023 and additional information supporting this MSD application on July 11, 2023, August 8, 2023 and September 12, 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) 239-2179 or via email at jacob.switek@tceq.texas.gov.

Sincerely,

A handwritten signature in blue ink that reads "Jacob Switek".

Jacob Switek, Project Manager
VCP-CA Section
Remediation Division

JS/ms

Enclosure: MSD Certificate No. 509

cc: Ms. Amanda Breitling, Regional Global Practice Manager, Burns & McDonnell (via email)
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/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, P.G., Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 509, in the City of Fort Worth, 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 17th day of October, 2023

Monica I. Harris

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

Attachment 3
Legal Description of MSD Property

BEING a 2.458 acre parcel of land situated in the E. Harris Survey, Abstract Number 688, City of Fort Worth, Tarrant County, Texas, being all of Lot A, Block 5 and a portion of Lot B, Block 5, Mistletoe heights, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-59, Page 25 Plat Records of Tarrant County, Texas, also being all of a tract of land described in deed to MTV, LLC, recorded in County Clerk Document Number D216283471, Official Public Records of Tarrant County, Texas (O.P.R.T.C.T.), said 2.458 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC. LP" at the intersection of the north right-of-way line of West Rosedale Street (variable width) and the west right-of-way line of the Fort Worth & Western Railroad;

THENCE North 77 degrees 40 minutes 59 seconds West, along said north right-of-way line, a distance of 183.57 feet to a found 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC. LP" for beginning of a tangent circular curve to the left, having the radius of 711.94 feet and whose chord bears North 79 degrees 35 minutes 00 seconds West, a distance of 47.24 feet;

THENCE Northwesterly, continuing along said north right-of-way line, and along said circular curve to the left, through a central angle of 03 degrees 48 minutes 10 seconds and an arc length of 47.25 feet to a point for corner at the intersection of the north right-of-way line of said West Rosedale Street with the east right-of-way line of Jerome Street (variable width);

THENCE North 00 degrees 04 minutes 28 seconds East, departing said north right-of-way line with the east right-of-way line of said Jerome Street, at a distance of 0.35 feet passing a found 5/8-inch iron rod with cap stamped "BURY + PARTNERS", and continuing for a total distance of 37.29 feet to an angle point;

THENCE North 18 degrees 54 minutes 34 seconds West, continuing along said east right-of-way line, at a distance of 0.38 feet passing a found 5/8-inch iron rod with cap stamped "BURY + PARTNERS" bears South 68 degrees 34 minutes 28 seconds West, a distance of 0.39 feet, and a found "X" cut bears South 68 degrees 34 minutes 28 seconds West, a distance of 35.37 feet;

THENCE North 18 degrees 55 minutes 34 seconds West, departing said east right-of-way line and along the common line of said MTV tract and Block 6R1, Mistletoe Heights Addition, an addition to the City of Fort Worth according to the plat recorded in County Clerk Document Number D212137514, Official Public records, Tarrant County, Texas, at a distance of 100.47 feet passing a found 1/2-inch iron rod, and continuing for a total distance of 100.83 feet;

THENCE North 00 degrees 04 minutes 28 seconds East, continuing along said common line, a distance of 490.78 feet to a found 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC. LP" for the common north corner of said MTV tract and said Block 6R1 on the west right-of-way line of said Fort Worth & Western Railroad;

THENCE South 23 degrees 50 minutes 32 seconds East, along the west right-of-way line of said Fort Worth & Western Railroad, a distance of 457.25 feet to a found 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC. LP";

THENCE South 21 degrees 11 minutes 32 seconds East, continuing along said west right-of-way line, a distance of 95.02 feet to a found 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC. LP", being the beginning of a tangent circular curve to the right, having the radius of 1,491.32 feet and whose chord bears South 15 degrees 22 minutes 21 seconds East, a distance of 270.48 feet;

THENCE Southeasterly, continuing along said west right-of-way line, and along said circular curve to the right, through a central angle of 10 degrees 24 minutes 21 seconds, an arc distance of 270.85 feet to the POINT OF BEGINNING and containing 2.458 acres, or 107,062 square feet of land, more or less.

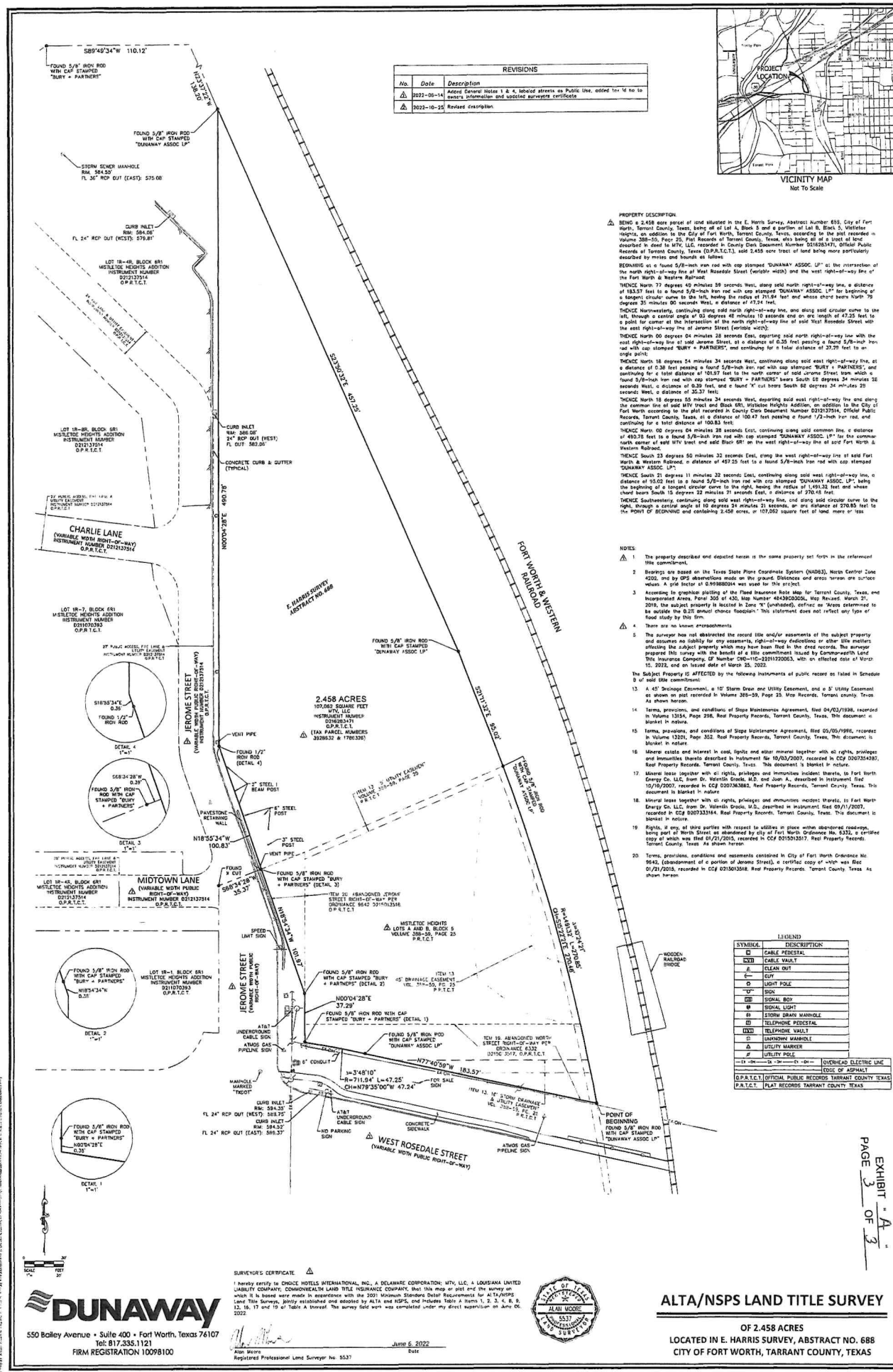



Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Casey Gemunder, as an authorized representative of
CH FW Rosedale 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.

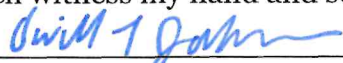

Signature

Date: 9/11/23

Casey Gemunder
Printed Name
Managing Director, Real Estate Investment
Title

STATE OF Maryland
COUNTY OF Montgomery

SUBSCRIBED AND SWORN before me on this the 11 day of
September 2023, to which witness my hand and seal of office.


Notary Public in and for the State of Maryland

