

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 1, 2024

Mr. Romy Cheema, President
Sylvania Industrial Park, LLC
1150 Empire Central Place, Suite 112
Dallas, Texas 75247

Re: Sylvania Industrial Park Site, located at 3201 N. Sylvania Ave., Fort Worth, Dallas County, TX; Municipal Setting Designation (MSD) No. 505, Voluntary Cleanup Program (VCP) 3192; Customer No. CN605959857; Regulated Entity No. RN100740604

Dear Mr. Cheema:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on February 17, 2023 and additional information supporting this MSD application on July 12, 2023, and December 27, 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 blue ink that reads "V. Morrison".

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

Enclosure: MSD Certificate No. 505

cc: Mr. Steve Morton, Attorney, The Morton Law Firm
Mr. Kenneth S. Tramm, PhD, P.G., CHMM, Consultant, Modern Geosciences
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Fort Worth

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



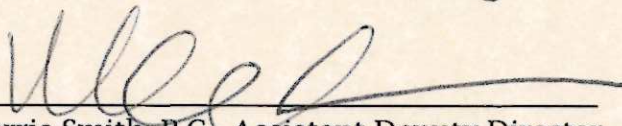
MUNICIPAL SETTING DESIGNATION CERTIFICATE

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

I, Merrie Smith, P.G., Assistant Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 505, 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 1st day of February 2024



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

EXHIBIT "A"
LEGAL DESCRIPTION
(MSD) MUNICIPAL DESIGNATION SETTINGS AREA.

BEING approximately 70.686 acres of land located in the S. GILMORE SURVEY, Abstract No. 590, the JOHN C. McCOMMAS SURVEY NORTH, Abstract No. 1047, and the JOHN C. McCOMMAS SURVEY SOUTH, Abstract No. 1039, City of Fort Worth, Tarrant County, Texas. Said 70.686 acres of land also being comprised of all of Lot 1, Block 1, American Manufacturing Company of Texas Plant Site, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-140, Page 61, of the Plat Records of Tarrant County, Texas, and all the tracts indicated as Plant Site, East Parking Lot Site, and lots West of Plant Site in the deed to PRR, Inc., a Texas corporation, recorded in Volume 11125, Page 2048, of the Deed Records of Tarrant County, Texas, and also including all of Lots 1 through 14, Block 7, Highcrest Addition, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 1964, Page 209, of the Deed Records of Tarrant County, Texas, and all of Lots 8, 9, 10 and 11, Block 5, Diamond Heights Industrial Addition, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-Y, Page 1, of the Deed Records of Tarrant County, Texas, and all of Lots 12-R, 13-R, 14-R, 15-R and 16-R, Block 5, Diamond Heights Industrial Addition, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-99, Page 51, of the Deed Records of Tarrant County, Texas, and also incorporating a portion of the right-of-way area of Sylvania Avenue. Said 70.686 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the Southwest corner of the aforesaid Lot 14, Block 7, Highcrest Addition;

THENCE N 00° 16' 23" W 832.38 feet, along the West boundary line of said Lots 1 through 14, Block 7, Highcrest Addition and the East right-of-way line of Crabtree Street (a 50 foot wide public right-of-way), to a point at the Northwest corner of said Lot 1, Block 7, Highcrest Addition;

THENCE N 89° 43' 34" E 5.00 feet, along the North boundary line of said Lot 1, to a point in the East right-of-way line of Crabtree Street (a 60 foot wide public right-of-way) and the Southwest corner of aforesaid Lot 16-R, Block 5, Diamond Heights Addition, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-99, Page 51, of the Plat Records of Tarrant County, Texas,

THENCE along the Northeast right-of-way line of said Crabtree Street (a 60 foot wide public right-of-way) and the West boundary line of aforesaid Lots 12-R through 16-R, Block 5, Diamond Heights Industrial Addition, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-99, Page 51, of the Plat Records of Tarrant County, Texas, as follows:

1. NORTHWESTERLY 213.26 feet, along a curve to the left, having a radius of 226.09 feet, and a chord bearing N 27° 06' 33" W 205.44 feet, to a point at the end of said curve;
2. N 54° 19' 33" W 51.11 feet, to a point at the beginning of a curve to the right;

3. NORTHWESTERLY 219.29 feet, along said curve to the right, having a radius of 724.35 feet, and a chord bearing N 45° 37' 22" W 218.45 feet, to a point at the end of said curve;
4. N 36° 59' 52" W 409.70 feet, continuing along the Southwest boundary line of said Block 5 and also the Southwest boundary line of aforesaid Lots 9, 10 and 11, of the aforesaid Diamond Heights Industrial Addition, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-Y, Page 1, of the Plat Records of Tarrant County, Texas, to a point;
5. NORTHWESTERLY 131.24 feet, along the West boundary line of said Lots 8 and 9, Block 5, with a curve to the left, having a radius of 281.34 feet, and a chord bearing N 50° 22' 52" W 130.05 feet, to a point at the Southwest corner of said Lot 8;

THENCE along the Northwest boundary line of said Lot 8, Block 5, Diamond Heights Industrial Addition, as follows:

1. N 27° 52' 08" E 120.88 feet, to a point;
2. N 53° 00' 08" E 120.46 feet, to a point at the Northeast corner of said Lot 8, lying in the Southwest right-of-way line of the Fort Worth and Denver Railway Company Railroad;

THENCE N 36° 58' 22" W 594.67 feet, along the Southwest right-of-way line of said Fort Worth and Denver Railway Company Railroad and along the Northeast boundary line of Lots 2-R through 4-R, Diamond Heights Industrial Addition, to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-42, Page 40, of the Plat Records of Tarrant County, Texas, to a point in the South right-of-way line of 33rd Street (a 60 foot wide public right-of-way);

THENCE along the South right-of-way line of said 33rd Street, as follows:

1. S 76° 34' 03" E 140.87 feet, to a point at the Northwest corner of aforesaid Lot 1, Block 1, American Manufacturing Company of Texas Plant Site;
2. S 76° 34' 03" E 1,926.65 feet, along the North boundary line of said Lot 1, Block 1, American Manufacturing Company of Texas Plant Site, to a point;
3. S 13° 25' 58" W 5.30 feet, to a point;
4. S 76° 34' 02" E 93.97 feet, to a point;
5. S 41° 47' 06" E 27.13 feet, to a point at the most Easterly Northeast corner of said Lot 1;

THENCE S 61° 09' 25" E 146.50 feet, crossing the right-of-way area of said Sylvania Avenue, to a point in the East right-of-way line of said Sylvania Avenue, being the most Easterly Northwest corner of the aforesaid tract of land designated as Parking Lot Tract, in the deed to PRR, Inc., recorded in Volume 11125, Page 2048, of the Deed Records of Tarrant County, Texas;

THENCE S 58° 29' 13" E 501.23 feet, along the Northeast boundary line of said Parking Lot Tract, to a point at the beginning of a curve to the right;

THENCE SOUTHERLY 66.21 feet, along said curve to the right, having a radius of 36.49 feet, and a chord bearing S 06° 31' 59" E 57.49 feet, to a point at the end of said curve lying in the Southeast boundary line of said Parking Lot Tract;

THENCE S 45° 27' 54" W 590.88 feet, along the Southeast boundary line of said Parking Lot Tract, to a point at the most Easterly Southwest corner of said Parking Lot Tract;

THENCE S 31° 38' 23" W 250.68 feet, crossing the right-of-way line of aforesaid Sylvania Avenue again, to a point in the West right-of-way line of said Sylvania Avenue, lying at the Southeast corner of the 4.126 acre tract of land contained as a portion of the Plant Site Tract described in the deed to PRR, Inc., recorded in Volume 11125, Page 2048, of the Deed Records of Tarrant County, Texas, also lying in the Northwest right-of-way line of the Texas and Pacific Railroad Company right-of-way;

THENCE S 45° 27' 54" W 1,622.37 feet, along a line 50.0 feet Northwest of and parallel to the centerline of said Texas and Pacific Railroad Company railroad, to a point at the Southwest corner of said 4.126 acre tract lying in the East right-of-way line of the Fort Worth and Denver Railway Company right-of-way;

THENCE NORTHEASTERLY 354.02 feet, along the East right-of-way line of said Fort Worth and Denver Railway Company Railroad and the West boundary line of said 4.126 acre tract of land, with a curve to the left, having a radius of 1,418.39 feet, and a chord bearing N 24° 44' 55" E 353.10 feet, to a point at the South corner of aforesaid Lot 1, Block 1, American Manufacturing Company of Texas Plant Site;

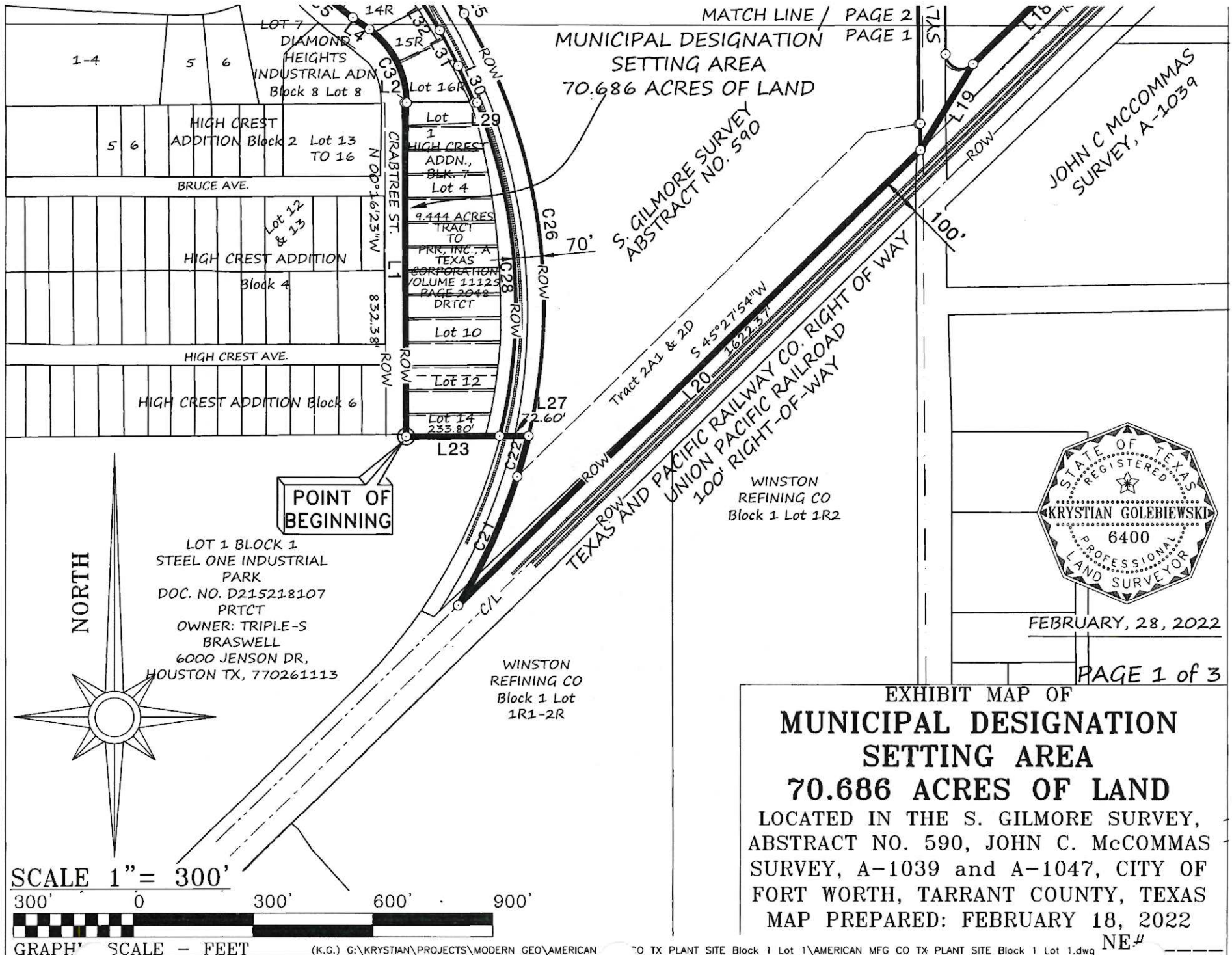
THENCE NORTHEASTERLY 105.88 feet, continuing along the East right-of-way line of said Fort Worth and Denver Railway Company Railroad and the West boundary line of said Lot 1, Block 1, American Manufacturing Company of Texas Plant Site, with a curve to the left, having a radius of 1,418.39 feet, and a chord bearing N 15° 28' 20" E 105.85 feet, to a point;

THENCE S 89° 35' 35" W 306.40 feet, crossing said Fort Worth and Denver Railway Company Railroad right-of-way and running along the South boundary line of aforesaid Lot 14, Block 7, Highcrest Addition, to the POINT OF BEGINNING containing 70.686 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.



Krystian Golebiewski
FEBRUARY 28, 2022



MATCH LINE / PAGE 2
 MUNICIPAL DESIGNATION SETTING AREA
 70.686 ACRES OF LAND

S. GILMORE SURVEY
 ABSTRACT NO. 590

JOHN C MCCOMMAS
 SURVEY, A-1039

POINT OF BEGINNING

LOT 1 BLOCK 1
 STEEL ONE INDUSTRIAL PARK
 DOC. NO. D215218107
 PRTCT
 OWNER: TRIPLE-S BRASWELL
 6000 JENSON DR,
 HOUSTON TX, 770261113

WINSTON REFINING CO
 Block 1 Lot 1R2

WINSTON REFINING CO
 Block 1 Lot 1R1-2R



FEBRUARY, 28, 2022

PAGE 1 of 3

EXHIBIT MAP OF
MUNICIPAL DESIGNATION SETTING AREA
70.686 ACRES OF LAND
 LOCATED IN THE S. GILMORE SURVEY,
 ABSTRACT NO. 590, JOHN C. MCCOMMAS
 SURVEY, A-1039 and A-1047, CITY OF
 FORT WORTH, TARRANT COUNTY, TEXAS
 MAP PREPARED: FEBRUARY 18, 2022

EXHIBIT "A"
 PAGE 1 OF 10

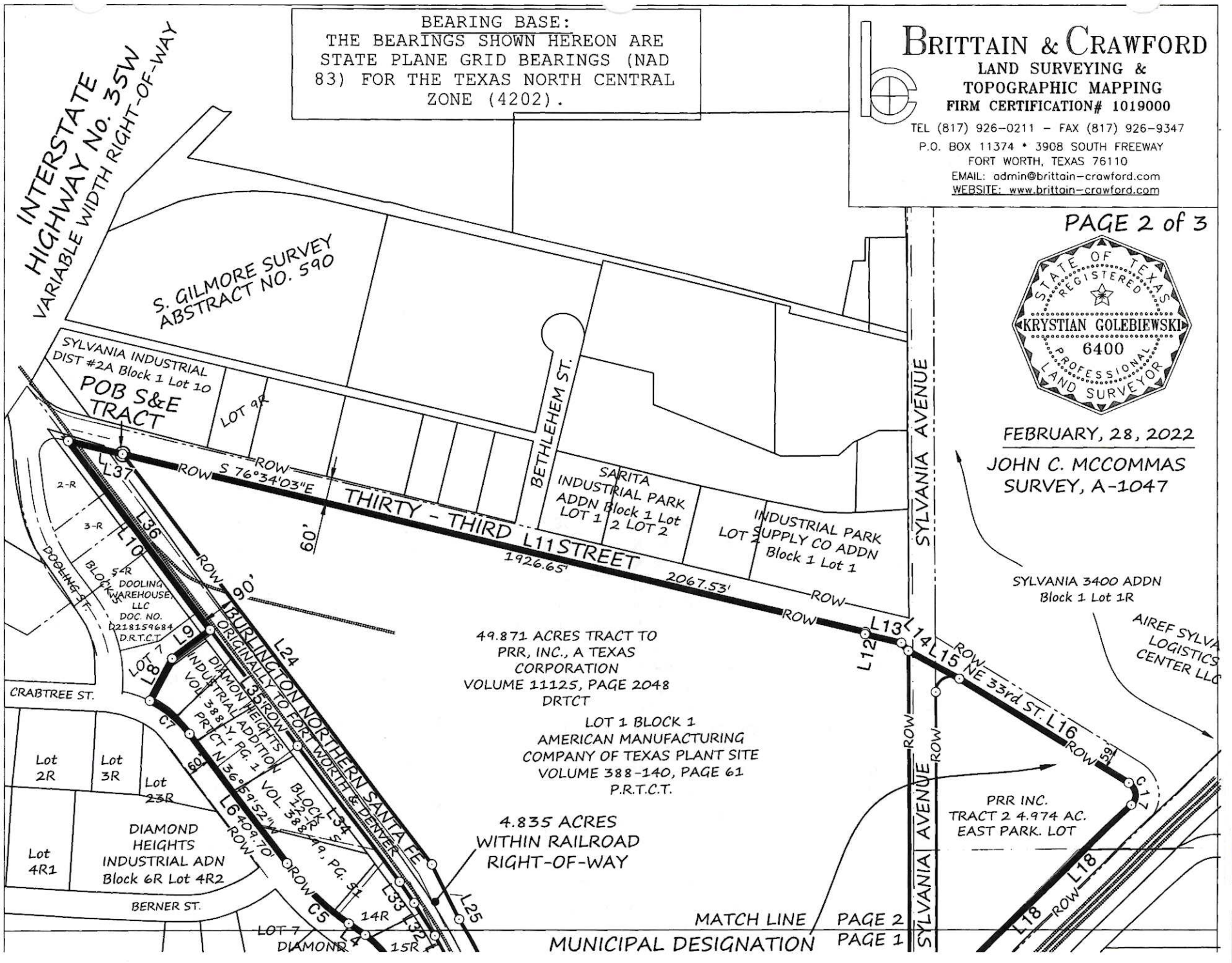
SCALE 1" = 300'

BEARING BASE:
 THE BEARINGS SHOWN HEREON ARE
 STATE PLANE GRID BEARINGS (NAD
 83) FOR THE TEXAS NORTH CENTRAL
 ZONE (4202).

BRITTAIN & CRAWFORD
 LAND SURVEYING &
 TOPOGRAPHIC MAPPING
 FIRM CERTIFICATION# 1019000
 TEL (817) 926-0211 - FAX (817) 926-9347
 P.O. BOX 11374 * 3908 SOUTH FREEWAY
 FORT WORTH, TEXAS 76110
 EMAIL: admin@brittain-crawford.com
 WEBSITE: www.brittain-crawford.com



FEBRUARY, 28, 2022
 JOHN C. MCCOMMAS
 SURVEY, A-1047



MSD CALL TABLE

Course	Bearing	Distance
L1	N 00°16'23" W	832.38'
L2	N 89°43'34" E	5.00'
C3	Rad: 226.09' Tan: 115.31' Chd: N 27°06'33" W	Arc: 213.26' CA: 54°02'40" 205.44'
L4	N 54°19'33" W	51.11'
C5	Rad: 724.35' Tan: 110.49' Chd: N 45°37'22" W	Arc: 219.29' CA: 17°20'44" 218.45'
L6	N 36°59'52" W	409.70'
C7	Rad: 281.34' Tan: 66.84' Chd: N 50°22'52" W	Arc: 131.24' CA: 26°43'38" 130.05'
L8	N 27°52'08" E	120.88'
L9	N 53°00'08" E	120.46'
L10	N 36°58'22" W	594.67'
L11	S 76°34'03" E	2067.53'
L12	S 13°25'58" W	5.30'
L13	S 76°34'02" E	93.97'
L14	S 41°47'06" E	27.13'
L15	S 61°09'25" E	146.50'
L16	S 58°29'13" E	501.23'
C17	Rad: 36.49' Tan: 46.67' Chd: S 06°31'59" E	Arc: 66.21' CA: 103°57'20" 57.49'
L18	S 45°27'54" W	590.88'
L19	S 31°38'23" W	250.68'
L20	S 45°27'54" W	1622.37'
C21	Rad: 1418.39' Tan: 177.93' Chd: N 24°44'55" E	Arc: 354.02' CA: 14°18'02" 353.10'
C22	Rad: 1418.39' Tan: 52.96' Chd: N 15°28'20" E	Arc: 105.88' CA: 4°16'37" 105.85'
L23	S 89°35'35" W	306.40'

RAILROAD R.O.W. CALL TABLE

Course	Bearing	Distance
L24	S 37°00'05" E	1295.97'
L25	S 26°32'06" E	155.28'
C26	Rad: 1418.39' Tan: 575.16' Chd: S 08°44'20" E	Arc: 1092.84' CA: 44°08'43" 1066.01'
L27	S 89°35'35" W	72.60'
C28	Rad: 1348.40' Tan: 438.21' Chd: N 03°54'41" W	Arc: 847.39' CA: 36°00'25" 833.51'
L29	S 89°43'35" W	6.84'
L30	N 23°54'18" W	99.78'
L31	N 27°43'22" W	99.99'
L32	N 31°37'22" W	99.99'
L33	N 34°13'22" W	64.99'
L34	N 36°58'22" W	429.24'
L35	N 36°58'22" W	366.26'
L36	N 36°58'22" W	594.67'
L37	S 76°34'03" E	140.87'

PAGE 3 of 3

EXHIBIT MAP OF
**MUNICIPAL DESIGNATION
 SETTING AREA**
70.686 ACRES OF LAND
 LOCATED IN THE S. GILMORE SURVEY,
 ABSTRACT NO. 590, JOHN C. McCOMMAS
 SURVEY, A-1039 and A-1047, CITY OF
 FORT WORTH, TARRANT COUNTY, TEXAS
 MAP PREPARED: FEBRUARY 18, 2022

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Romy Cheema, as an authorized representative of Sylvania Industrial Park, 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)

- X The MSD eligibility criteria of THSC Section 361.803 are satisfied.
X 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.
X A true and accurate copy of a legal description of the proposed MSD property is included with the application.
X Notice has been provided in accordance with THSC 361.805.
X 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.

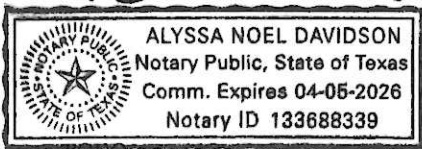
[Handwritten Signature]
Signature

Date: 2/9/23

Romy Cheema
Printed Name
President
Title

STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 9 day of Feb 2023, to which witness my hand and seal of office.



[Handwritten Signature: Alyssa Noel Davidson]
Notary Public in and for the State of Texas