

Jon Niermann, *Chairman*  
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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 18, 2022

Mr Glen Hutson  
Former Hutson Industries  
1000 Hutson Drive  
Frisco, Texas 78621

Re: Municipal Setting Designation (MSD) Certificate for Hutson Industries Inc, Former Hutson Industries Site, located at 1000 Hutson Drive, Frisco, Collin County, TX; MSD No. 467; Customer No. CN600475446; Regulated Entity No. RN100789676

Dear Mr. Hutson:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application and additional supporting information. 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 Certificate for your site. If you have any questions, please do not hesitate to contact me at (512) 239-2236 or via email ([Alayna.goetsch@tceq.texas.gov](mailto:Alayna.goetsch@tceq.texas.gov)).

Sincerely,

A handwritten signature in blue ink that reads "Alayna M. Goetsch".

Alayna Goetsch, Project Manager  
VCP-CA Section  
Remediation Division

Enclosure: MSD Certificate No. 467

cc: 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, Beth Seaton, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 467, in the City of Frisco, 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 17<sup>th</sup> day of May, 2022

Beth Seaton

Beth Seaton, Deputy Director  
Remediation Division  
Texas Commission on Environmental Quality



### ITEM 3 – LEGAL DESCRIPTION

CPI has attached a legal description of the MSD property. See Item 3-1 for the survey and included metes and bounds of Former Hutson Industries, 1000 Hutson Drive, Frisco, Texas. The survey map with metes and bounds is signed and stamped by the professional surveyor. A separate unsigned metes and bounds is included below. The surveyed property as depicted and described on the survey map is the proposed MSD Boundary. The Point of Beginning listed below is at approximately 33° 08' 44.75' N and 96° 47' 58.50" W, as obtained from GoogleEarth.

**BEING** a tract of land situated in the George McNeil Survey, Abstract No. 608, City of Frisco, Collin County, Texas and being all of Block A, Lots 5, 6 and 10 of Preston Hutson Addition, an addition to the City of Frisco, Texas, according to the Conveyance Plat, recorded in Volume 2010, Page 228, all of Block A, Lots 7 and 9 of Preston Hutson Addition, Block A, Lots 7, 8 and 9, an addition to the City of Frisco, Texas, according to the Revised Conveyance Plat, recorded in Volume 2016, Page 918 and all of Block A, Lots 2R and 3R of Preston Hutson Addition, Block A, Lots 2R, 3R and 11, an addition to the City of Frisco, Texas, according to the Revised Conveyance Plat, recorded in Volume 2017, Page 752, all of the Plat Records of Collin County, Texas, and being more particularly described as follows:

**BEGINNING** at a the southeast corner of said Block A, Lot 2R, same being the intersection of the westerly right of way line of Sitka Street, a called 50' wide right of way as dedicated in Preston Hutson Residential Addition, an addition to the City of Frisco, Texas, according to the Final Plat, recorded in Volume 2017, Page 938 of the Plat Records of Collin County, Texas with the northerly right of way line of Hickory Street, a variable width right of way as dedicated in said Preston Hutson Addition, Block A, Lots 2R, 3R and 11;

**THENCE** South 89°43'12" West, along the southerly line of said Block A, Lot 2R and the northerly right of way line of said Hickory Street, a distance of 730.47 feet to the southwest corner of said Block A, Lot 2R, same being on the easterly line of Block A, Lot 9 of aforesaid Preston Hutson Addition, Block A, Lots 7, 8 and 9;

**THENCE** South 00°33'55" East, along the easterly line of said Block A, Lot 9 and continuing along the northerly right of way line of said Hickory Street, a distance of 9.25 feet to a 5/8-inch iron rod with a plastic cp, stamped "KHA" found for southeast corner of said Block A, Lot 9;

**THENCE** South 89°34'05" West, along the southerly line of said Block A, Lot 9 and continuing along the northerly right of way line of said Hickory Street, a distance of 205.03 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 00°11'45", a radius of 870.00 feet, a chord bearing and distance of South 89°43'12" West, 2.97 feet;

**THENCE** in a southwesterly direction, continuing along the southerly line of said Block A, Lot 9 and the northerly right of way line of said Hickory Street, with said curve to the right, an arc distance of 2.97 feet to a 5/8-inch iron rod with a plastic cp, stamped "KHA" found for the southwest corner of said Block A, Lot 9, same being the southeast corner of Block A, Lot 8 of aforesaid Preston Hutson Addition, Block A, Lots 7, 8 and 9;

ITEM 3 – LEGAL DESCRIPTION (Continued)

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**THENCE** North 00°24'49" West, departing the northerly right of way line of said Hickory Street, along a westerly line of said Block A, Lot 9 and the easterly line of said Block A, Lot 8, a distance of 370.36 feet to a 5/8-inch iron rod with a plastic cap, stamped "KHA" found for the northeast corner of said Lot 8;

**THENCE** South 89°35'11" West, along a southerly line of said Block A, Lot 9, the southerly line of Block A, Lot 7 of said Preston Hutson Addition, Block A, Lots 7, 8 and 9, and the northerly line of said Block A, Lot 8, a distance of 292.20 feet to a 5/8-inch iron rod with a plastic cap, stamped "KHA" found for corner;

**THENCE** North 69°41'55" West, continuing along the southerly line of said Block A, Lot 7 and the northerly line of said Block A, Lot 8, a distance of 73.51 feet to a 5/8-inch iron rod with a plastic cap, stamped "KHA" found for corner;

**THENCE** South 89°35'11" West, continuing along the southerly line of said Block A, Lot 7 and the northerly line of said Block A, Lot 8, a distance of 160.65 feet to a 5/8-inch iron rod with a plastic cap, stamped "KHA" found for the southwest corner of said Lot 7 and the northwest corner of said Lot 8, same being on the easterly right of way line of Preston Road (S. H. 289), a variable width right of way, and being at the beginning of a non-tangent curve to the right having a central angle of 05°31'23", a radius of 5729.58 feet, a chord bearing and distance of North 02°35'14" East, 552.08 feet;

**THENCE** in a northeasterly direction, along the westerly line of said Block A, Lot 7, the westerly line of aforesaid Block A, Lot 6, the westerly line of aforesaid Block A, Lot 5 and the easterly right of way line of said Preston Road, along said curve to the right, an arc distance of 552.30 feet to a 5/8-inch iron rod with a plastic cap, stamped "KHA" found for corner;

**THENCE** North 09°02'39" East, continuing along the westerly line of said Block A, Lot 5 and the easterly right of way line of said Preston Road, distance of 105.65 feet to a 1/2-inch iron rod with a plastic cap, stamped "GOODWIN LASITER" found for the westerly, northwest corner of said Lot 5, same being the southwest corner of Preston Hutson Addition, Block A, Lot 4, an addition to the City of Frisco, Texas, according to the Final Plat, recorded in Volume 2011, Page 257 of the Plat Records of Collin County, Texas;

**THENCE** North 89°43'27" East, departing the easterly right of way line of said Preston Road, along the northerly line of said Block A, Lot 5 and the southerly line of said Block A, Lot 4, a distance of 320.56 feet to the southeast corner of said Lot 4;

**THENCE** North 00°25'27" East, along a westerly line of said Block A, Lot 5, the westerly line of aforesaid Block A, Lot 10, the easterly line of said Block A, Lot 4 and the easterly line of Preston Hutson Addition, Block A, Lot 1R, an addition to the City of Frisco, Texas, according to the Replat, recorded in Volume 2010, Page 257 of the Plat Records of Collin County, Texas, a distance of 320.29 feet to a PK nail found for the northwest corner of said Lot 10 and the northeast corner of said Lot 1R, same being on the southerly right of way line of Hutson Street, a variable width right of way;

ITEM 3 – LEGAL DESCRIPTION (Continued)

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**THENCE** North 89°40'44" East, along the southerly right of way line of said Hutson Street, the northerly line of said Block A, Lot 10, a distance of 338.26 feet to the northeast corner of said Block A, Lot 10, same being the northwest corner of a right of way dedication as depicted in aforesaid Preston Hutson Addition, Block A, Lots 2R, 3R and 11;

**THENCE** South 00°18'33" East, continuing along the southerly right of way line of said Hutson Street and along the easterly line of said Block A, Lot 10, a distance of 0.97 feet to the northwest corner of Block A, Lot 3R of said Preston Hutson Addition, Block A, Lots 2R, 3R and 11;

**THENCE** North 89°45'12" East, continuing along the southerly right of way line of said Hutson Street and along the northerly line of said Block A, Lot 3R, a distance of 258.54 feet to the northeast corner of said Lot 3R, same being the northwest corner of Block D, Lot 1X of aforesaid Preston Hutson Residential Addition;

**THENCE** South 00°14'48" East, departing the southerly right of way line of said Hutson Street, along an easterly line of said Block A, Lot 3R and a westerly line of said Block D, Lot 1X, a distance of 485.99 feet to a southwesterly corner of said Block D, Lot 1X;

**THENCE** North 89°45'12" East, along a northerly line of said Block A, Lot 3R and a southerly line of said Block D, Lot 1X, the southerly line of an 18' wide Alley and the southerly right of way line of Hetta Drive, a variable width right of way as dedicated in said Preston Hutson Residential Addition, a distance of 495.20 feet to a northeast corner of said Lot 3R, same being the intersection of the southerly right of way line of said Hetta Drive with the westerly right of way line of aforesaid Sitka Street;

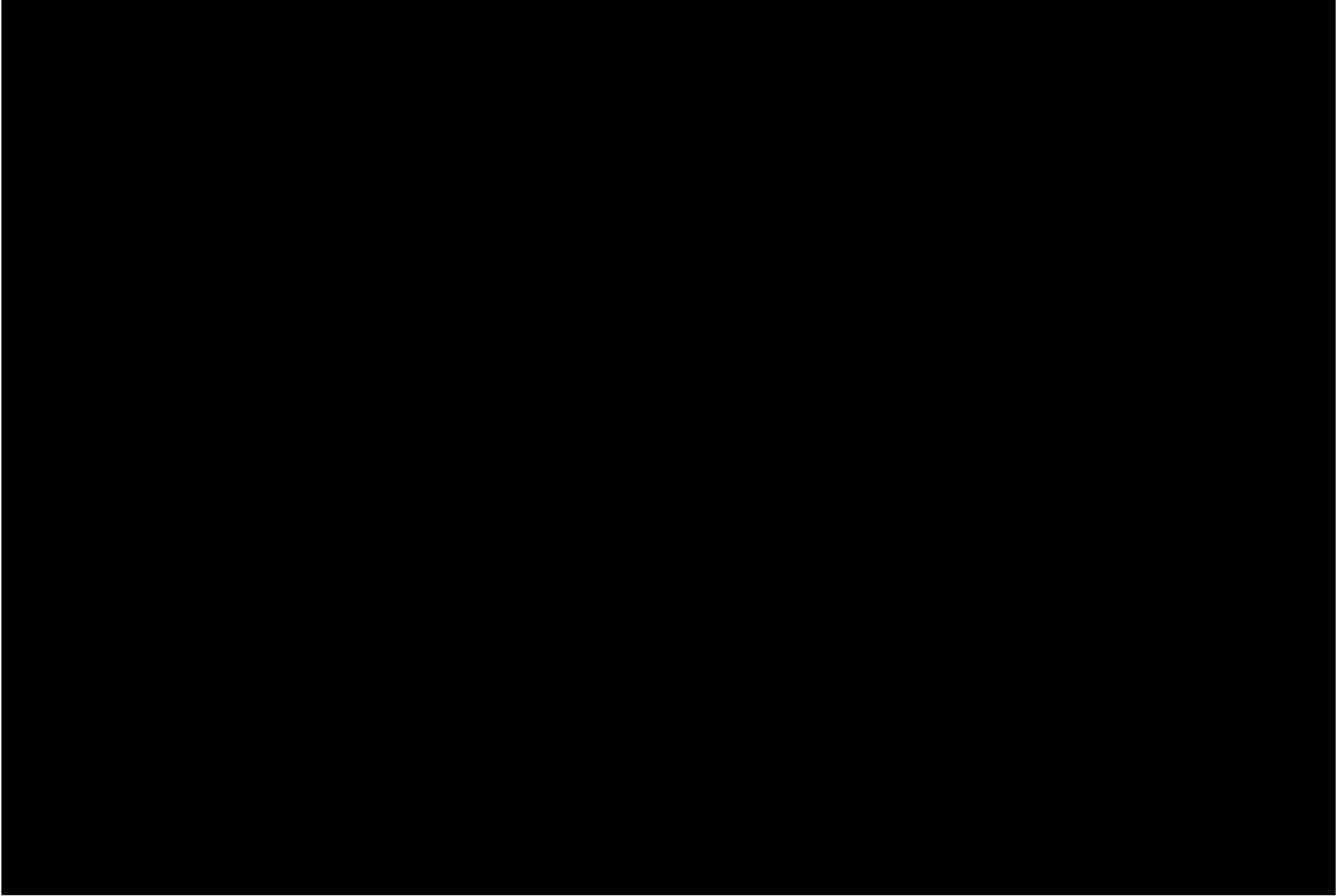
**THENCE** South 00°16'48" East, along the westerly right of way line of said Sitka Street, the easterly line of said Block A, Lot 3R, a distance of 40.16 feet to a point for corner;

**THENCE** North 89°43'12" East, continuing along the westerly right of way line of said Sitka Street, the easterly line of said Block A, Lot 3R, a distance of 5.00 feet to a point for corner;

**THENCE** South 00°16'48" East, continuing along the westerly right of way line of said Sitka Street, the easterly line of said Block A, Lot 3R and the easterly line of aforesaid Block A, Lot 2R, a distance of 269.46 feet to a point for corner;

**THENCE** South 52°25'56" West, continuing along the westerly right of way line of said Sitka Street, the easterly line of said Block A, Lot 2R, a distance of 6.28 feet to a point for corner;

**THENCE** South 00°16'48" East, continuing along the westerly right of way line of said Sitka Street, the easterly line of said Block A, Lot 2R, a distance of 560.66 feet to the **POINT OF BEGINNING** and containing 32.857 acres (1,431,233 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  
R. Glen Hutson, as an authorized representative of  
Former Hutson Industries, Inc., 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.

R Glen Hutson  
Signature

Date: 10/15/21

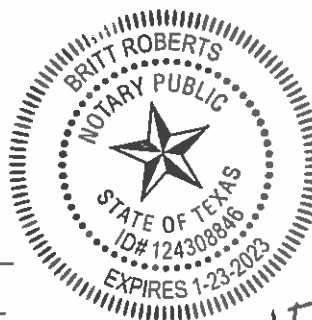
R. Glen Hutson  
Printed Name

Owner  
Title

STATE OF Texas

COUNTY OF Collin

Oct SUBSCRIBED AND SWORN before me on this the 15 day of  
2021, to which witness my hand and seal of office.



[Signature]  
Notary Public in and for the State of Texas