

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 25, 2023

Mr. Bradley Hickman, Jr.  
Hickman Family Limited Partnership  
131 East Exchange Avenue, Suite 207  
Fort Worth, Texas 76164

Re: Municipal Setting Designation (MSD) Certificate, Gravel Pit Area, IH-35 West & West Risinger Road Gravel Pit Area, Fort Worth, Tarrant County, TX; MSD No. 464; Customer No. CN605448877; Regulated Entity No. RN110070406

Dear Mr. Hickman:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above referenced MSD application received on August 3, 2021, as well as additional information supporting the application. 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) 239-2236 or via e-mail ([alayna.goetsch@tceq.texas.gov](mailto:alayna.goetsch@tceq.texas.gov)).

Sincerely,

A handwritten signature in cursive script that reads "Alayna M. Goetsch".

Alayna Goetsch, Project Manager  
VCP-CA Section  
Remediation Division

Enclosure: MSD Certificate No. 464

cc: Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4, Dallas/Ft Worth Office

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):

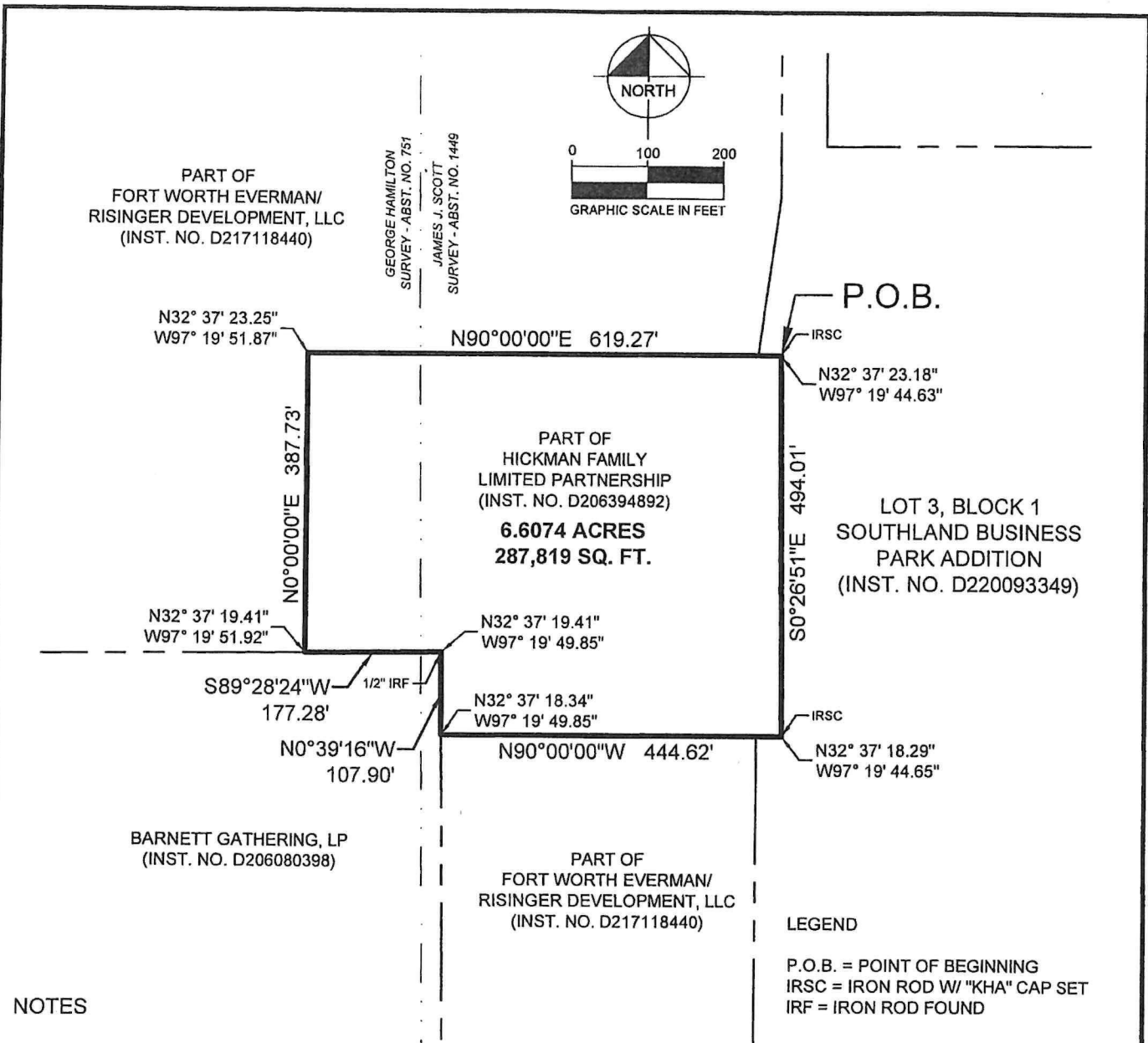
I, Monica I. Harris, Acting Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 464, in the City of Fort Worth, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested 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 24<sup>th</sup> day of January, 2023

A handwritten signature in cursive script that reads "Monica I. Harris".

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



**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A metes & bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the tract.

AREA EXHIBIT  
PART OF THE  
GEORGE HAMILTON SURVEY,  
ABSTRACT NO. 751 &  
JAMES J. SCOTT SURVEY,  
ABSTRACT NO. 1449  
CITY OF FORT WORTH  
TARRANT COUNTY, TEXAS

*[Signature]*  
3/8/21  
MICHAEL C. BILLINGSLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6558  
801 CHERRY STREET,  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511



**Kimley»Horn**  
801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 200'	MCB	JDW	3/8/2021	061282615	2 OF 2



**LEGAL DESCRIPTION**

**BEING** a 6.6074 acre (287,819 square foot) tract of land situated in the George Hamilton Survey, Abstract No. 751 and the James J. Scott Survey, Abstract No. 1449, City of Fort Worth, Tarrant County, Texas; said tract being part of that tract of land described in Correction Warranty Deed to Hickman Family Limited Partnership recorded in Instrument No. D206394892 of the Official Public Records of Tarrant County, Texas; said tract being more particularly described as follows:

**BEGINNING** at a 5/8-inch iron rod with "KHA" cap set for corner in the west line of Lot 3, Block 1, Southland Business Park Addition, an addition to the City of Fort Worth according to the plat recorded in Instrument No. D220093349 of said Official Public Records;

**THENCE** South 0°26'51" East, along the said west line of Lot 3, a distance of 494.01 feet to a 5/8-inch iron rod with "KHA" cap set for corner;

**THENCE** North 90°00'00" West, departing the said west line of Lot 3, a distance of 444.62 feet to a point for corner in the east line of that tract of land described in Special Warranty Deed to Barnett Gathering, L.P. recorded in Instrument No. D206080398 of said Official Public Records;

**THENCE** North 0°39'16" West, along the said east line of the Barnett Gathering, L.P. tract, a distance of 107.90 feet to a 1/2-inch iron rod found for the northeast corner of said Barnett Gathering L.P. tract;

**THENCE** South 89°28'24" West, along the north line of said Barnett Gathering, L.P. tract, a distance of 177.28 feet to a point for corner;

**THENCE** North 0°00'00" East, departing the said north line of the Barnett Gathering, L.P. tract, a distance of 387.73 feet to a point for corner;

**THENCE** North 90°00'00" East, a distance of 619.27 feet to the **POINT OF BEGINNING** and containing 6.6074 acres or 287,819 square feet of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the tract described.

AREA EXHIBIT  
PART OF THE  
GEORGE HAMILTON SURVEY,  
ABSTRACT NO. 751 &  
JAMES J. SCOTT SURVEY,  
ABSTRACT NO. 1449  
CITY OF FORT WORTH  
TARRANT COUNTY, TEXAS

*[Signature]* 3/8/21  
MICHAEL C. BILLINGSLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6558  
801 CHERRY STREET,  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
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N/A	MCB	JDW	3/8/2021	061282615	1 OF 2

# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Bradley H Hickman Jr, as an authorized representative of Hickman Family Limited Partnership, 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.

*Bradley H Hickman Jr*  
Signature

Date: August 18, 2021

Bradley H Hickman Jr

Printed Name

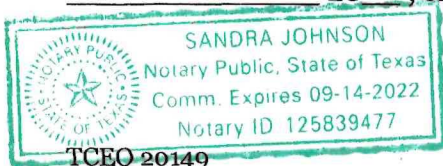
Assistant Vice President

Title

STATE OF Texas

COUNTY OF Tarrant

SUBSCRIBED AND SWORN before me on this the 18th day of August 2021, to which witness my hand and seal of office.



*Sandra Johnson*  
Notary Public in and for the State of Texas