

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 28, 2021

Ms. Karyn Selle
Grapevine Business Park, LLC
4020 Kinross Lakes Parkway, Suite 200
Richfield, Ohio 44286

Re: Municipal Setting Designation (MSD) Certificate for Grapevine Business Park, LLC,
Grapevine Business Park Site, located at 500 Industrial Boulevard, Grapevine, Tarrant
County, TX; MSD No. 447; Voluntary Cleanup Program (VCP) No. 2996; Customer No.
CN605655315; Regulated Entity No. RN100767797

Dear Ms. Selle:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above referenced Municipal Setting Designation (MSD) application received on October 1, 2020 and additional information supporting this MSD application received on June 15, 2021 and August 17, 2021. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the Municipal Setting Designation Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-2243 or lilith.mercier@tceq.texas.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Joy Mercier", written over a light blue rectangular background.

L. Joy Mercier, P.G., Project Manager
VCP-CA Section
Remediation Division

LJM/LJM

Enclosure: MSD Certificate

cc: Mr. Clayton Snider, P.G., Group Manager, Braun Intertec Co. (via email)
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort Worth

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING DESIGNATION CERTIFICATE

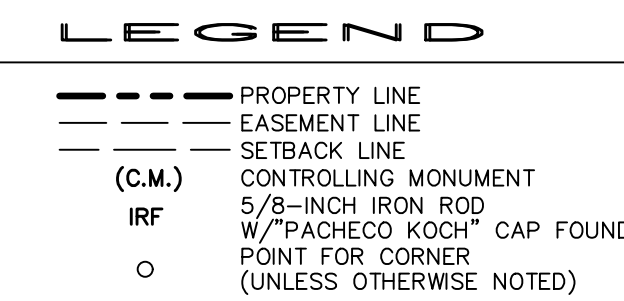
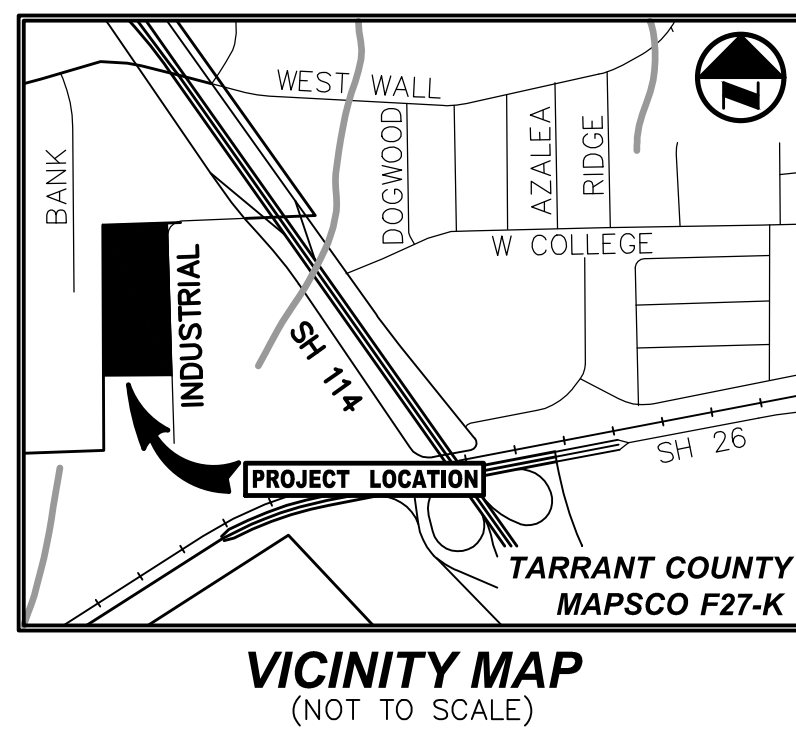
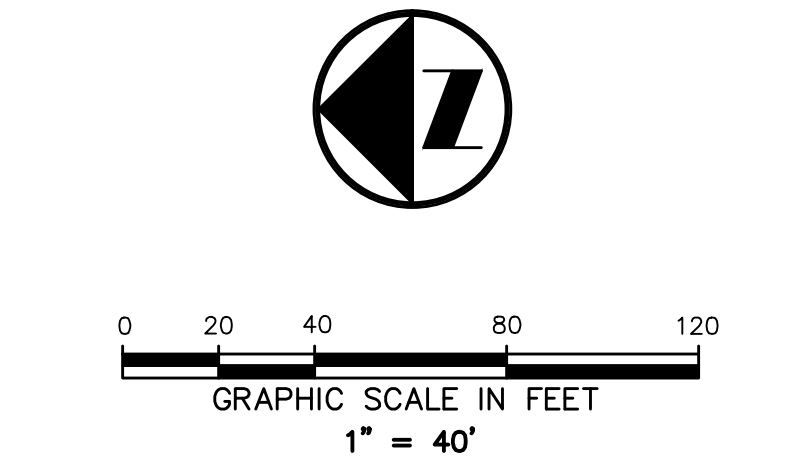
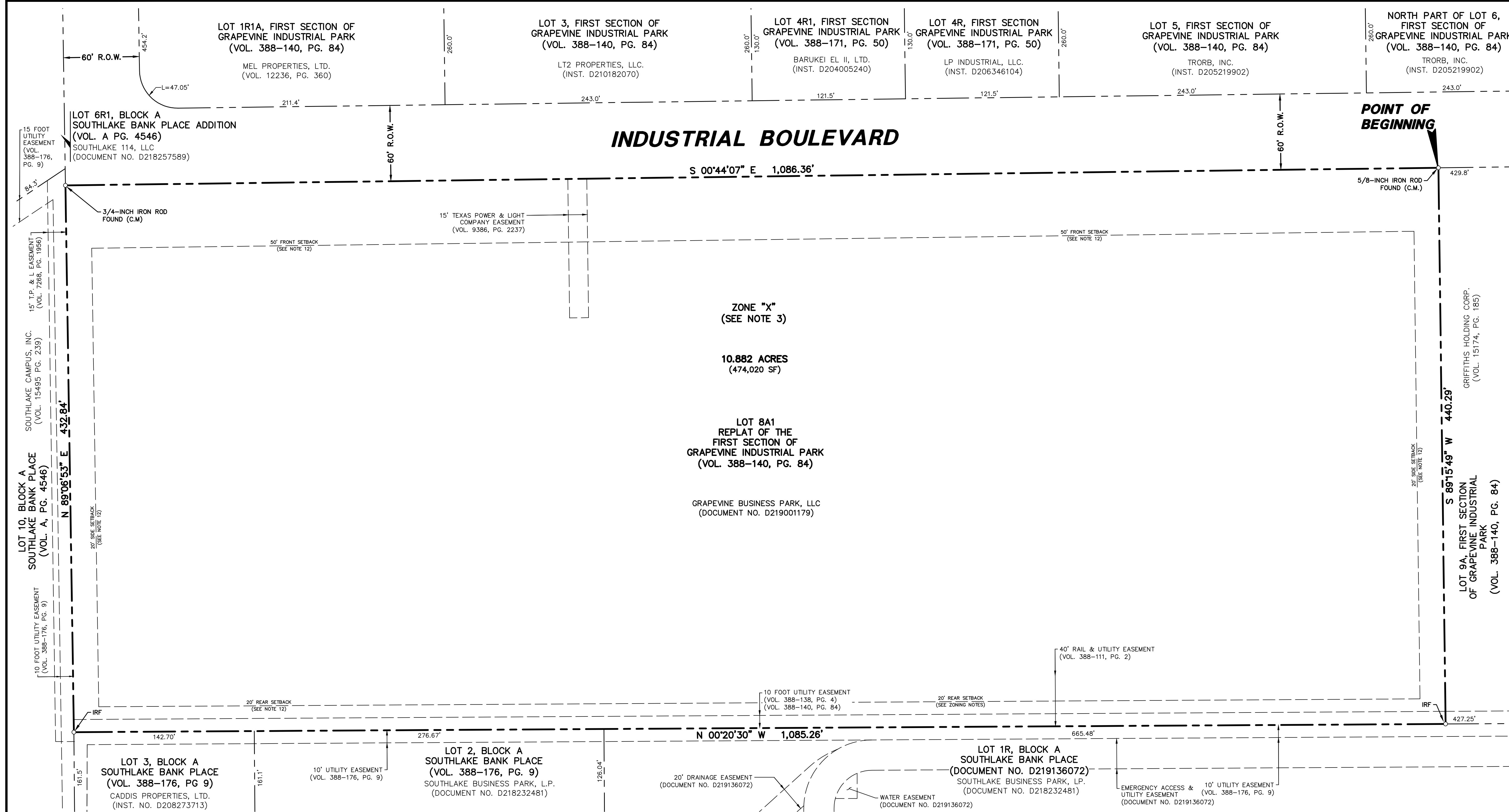
As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Beth Seaton, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 447, in the City of Grapevine, 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 28th day of September, 2021

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



- NOTES**
- Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Tarrant County TxDOT surface adjustment factor of 1.000120000.
 - This boundary survey has been prepared and performed in accordance with the Professional Land Surveying Practices Act and General Rules of Procedures and Practices, adopted by the Texas Board of Professional Land Surveying.
 - Subject property is shown on the National Flood Insurance Program Flood Insurance Rate Map for Tarrant County, Texas and Incorporated Areas, Map No. 4843900115K, Community-Panel No. 480598 0115 K, Map Revised: September 25, 2008. All of the subject property is shown to be located in Zone "X" on said map. Relevant zones are defined on said map as follows:
Zone "X" - Other Areas: Areas determined to be outside the 0.2% annual chance floodplain.
 - This survey is based on deeds, easements and/or recorded plats and other records furnished by the client and/or the client's representative as well as significant visible monuments found on the subject property and adjacent properties, field measurements and evidence of boundaries found on the ground. However, this survey shall not represent warranty of title or guarantee of ownership. The surveyor did not abstract the subject property. This survey was performed without the benefit of a current title abstract.
 - No underground utilities have been located and/or shown on this survey.
 - This survey does not provide a determination or opinion concerning the location or existence of wetlands, faultlines, toxic or hazardous waste areas, subsidence, subsurface and environmental conditions or geological issues. No statement is made concerning the suitability of the subject tract for any intended use, purpose or development.
 - Square footage totals shown hereon or referenced herein are based on mathematical closures and do not necessarily represent the positional accuracy of the boundary monuments.
 - The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
 - Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject tract: easements; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations; Agreements; Lease Agreements; and ownership title evidence.
 - Any declaration made hereon or herein is made to the original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.
 - The distances shown hereon for adjoining and adjacent properties have been compiled from recorded plats and deeds, and do not necessarily represent field verified or monumented distances.
 - The setback lines shown hereon are based on the City of Grapevine Zone "L1" (Light Industrial) as shown on the city website (www.grapevintexas.gov) accessed by the surveyor on November 14, 2019.

DESCRIPTION OF PROPERTY SURVEYED

DESCRIPTION, of a 10.882 acre tract of land situated in the Thomas Easter Survey, Abstract No. 474, Tarrant County, Texas; said tract being all of Lot 8A1, Replat of the Grapevine Industrial Park, an addition to the City of Grapevine, Texas according to the plat recorded in Volume 388-140, Page of the Plat Records of Tarrant County, Texas; said tract of land being described in Warranty Deed to Grapevine Business Park, LLC recorded in Document No. D219001179 of the Official Records of Tarrant County, Texas; said 10.882 acre tract being more particularly described as follows:

BEGINNING, at a 5/8-inch iron rod found for corner in the west right-of-way line of Industrial Boulevard (a 60-foot wide right-of-way), said point being the southeast corner of said Lot 8A1 and the northeast corner of Lot 9A, First Section of Grapevine Industrial Park, an addition to the City of Grapevine, Texas according to the plat recorded in Volume 388-140, Page 84 of said Plat Records;

THENCE, South 89 degrees, 15 minutes, 49 seconds West, departing the said west line of Industrial Boulevard and along the north line of said Lot 9A, a distance of 440.29 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner; said point being the northwest corner of said Lot 9A and in the east line of Lot 1R, Block A, Southlake Bank Place, an addition to the City of Southlake, Texas according to the plat recorded in Document No. D219136072 of said Official Records;

THENCE, North 00 degrees, 20 minutes, 30 seconds West, along the said east line of Lot 1R, Block A, passing at a distance of 665.48 feet the northeast corner of said Lot 1R, Block A and the southeast corner of Lot 2, Block A, Southlake Bank Place, an addition to the City of Southlake, Texas according to the plat recorded in Volume 388-176, Page 9 of said Plat Records, continuing for a distance of 942.15 feet along the east line of said Lot 2, Block A passing the northeast corner of said Lot 2, Block A and the southeast corner of Lot 3, Block A of said second referenced Southlake Bank Place, continuing along the east line of said Lot 3, Block A for a total distance of 1,085.26 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner; said point being the northeast corner of said Lot 3, Block A and in the south line of Lot 10, Block A, Southlake Bank Place, an addition to the City of Southlake, Texas according to the plat recorded in Volume A, Page 4546 of said Official Records;

THENCE, North 89 degrees, 06 minutes, 53 seconds East, along the south line of said Lot 10, Block A, a distance of 432.84 feet to a 3/4-inch iron rod found for corner on the said west line of Industrial Boulevard;

THENCE, South 00 degrees, 44 minutes, 07 seconds East, departing the said south line of Lot 10, Block A and along the said west line of Industrial Boulevard, a distance of 1,086.36 feet to the POINT OF BEGINNING;

CONTAINING: 474,020 square feet or 10.882 acres of land, more or less.

SURVEYOR'S CERTIFICATE

To: Texas Commission of Environmental Quality

The plat of survey hereon is a representation of the property as determined from an actual on-the-ground survey conducted by me or under my supervision. This survey accurately sets out the metes and bounds of the tract described. The lines and dimensions of said property are as indicated by the plat. As of this date, I, the undersigned, have no knowledge of or have been advised of any known or apparent intrusions, protrusions, conflicts, or easements except as shown.

The preceding declaration is made to the original purchaser of this survey and is not transferable to additional institutions or subsequent owners.

Date of Plat or Map: November 21, 2019.



BOUNDARY SURVEY
LOT 8A1
REPLAT OF THE
FIRST SECTION OF
GRAPEVINE INDUSTRIAL PARK
 LOCATED IN THE CITY OF GRAPEVINE, TEXAS
 AND BEING OUT OF THE
 THOMAS EASTER SURVEY, ABSTRACT NO. 474,
 TARRANT COUNTY, TEXAS

Pacheco Koch		7557 RAMBLER ROAD, SUITE 1400 DALLAS, TX 75231 972.235.3031	
		TX REG. ENGINEERING FIRM F-14439 TX REG. SURVEYING FIRM LS-10193805	
DRAWN BY DHM	CHECKED BY JEC/MWW	SCALE 1"=40'	DATE 11/12/2019
		JOB NUMBER 4011-19.568	

COOPER, JONATHAN E., 11/12/2019 5:14 PM
 M:\DWG-FILES\4011-19.568\DWG\SURVEY_C3D_2019\4011-19.568.DWG

BOUNDARY SURVEY, LOT 8A1, REPLAT OF THE FIRST SECTION OF GRAPEVINE INDUSTRIAL PARK

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Karen Selke, as an authorized representative of Grapevine Business Park (500 Industrial Blvd), 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.

Karen Selke
Signature

Date: 9/15/2020

Karen Selke
Printed Name

Environmental Manager
Title

STATE OF Michigan

COUNTY OF Monroe

SUBSCRIBED AND SWORN before me on this the 15 day of September 2020, to which witness my hand and seal of office.

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