

APPENDIX IIE

TRACT 1A AND TRACT 1B DOCUMENTATION

John Hall, Chairman
Pam Reed, Commissioner
Peggy Garner, Commissioner
Dan Pearson, Executive Director



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

November 16, 1994

Honorable J.W. Perry
Mayor of Temple
Municipal Building
Temple, Texas 76501

Re: Municipal Solid Waste - Bell County
City of Temple - Permit No. MSW-692
SE of Temple, Approx. 2.25 Miles E of US-190, 0.5 Mile S of SH-53
and S of County Road

Dear Mayor Perry:

This is in response to the receipt of a certified copy of an "Affidavit to the Public" for a 74.96 acre portion of the subject site submitted by letter, dated November 4, 1994, from Ms. Clydette Entzminger, City Secretary. The affidavit, as filed within the Deed Records of Bell County, is acceptable.

On September 27, 1994, Mr. J. Hoyt Childres, P.E., from our regional office, inspected the subject municipal solid waste facility for verification of closure. During this inspection, our representative was accompanied by Messrs. Ken Morgan, City Manager, Wm. Mack Parker, P.E., Roming-Parker Associates, Steve Blackburn, and Ed Myers, Waste Management of Texas.

Based on the results of this inspection and the acceptance of the affidavit the 74.96 acre portion of this site has met all the closure requirements of 30 Texas Administrative Code (TAC) §330.252. Therefore the above portion of the site shall be considered closed as of the date of this letter and the file will be marked inactive pending completion of the post-closure maintenance period. Post-closure maintenance inspections will be conducted until the post-closure maintenance period has been completed in 1999. All monitoring systems must be maintained throughout the post-closure maintenance period.

Your cooperation in properly closing and maintaining the 74.96 acre portion of this site is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Philip A. Spry, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6794 or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807; telephone number (817) 751-3335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

Michael D. Graeber
Michael D. Graeber, P.E., Team Leader
Permits Section
Municipal Solid Waste Division

MDG/PAS/jad

cc: TNECC Region 9

Office of the City Secretary, City of Temple, Texas

November 4, 1994

Mr. Jerry L. Garnett, P. E.
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

Mr. Garnett:

Please find the enclosed original certified copy of the "Affidavit to the Public," regarding the City of Temple Municipal Landfill. This information was requested by your office to replace the copy received previously, as indicated in the attached copy of correspondence from your office.

Please contact my office if I may provide you with additional assistance in this matter.

Sincerely,

Clydene Entzminger
City Secretary

CITY OF TEMPLE, TEXAS

cc: TNRCC Region 9
Attn: Mr. Gene Fulton

CERTIFICATION

I, **Clydette Entzminger**, City Secretary of the City of Temple, Texas, do hereby certify that the foregoing instrument is an original certified copy of the *Affidavit to the Public*, recorded as a *Official Public Record of Real Property of Bell County, Texas, Volume 3220, Page 328*, on *September 29, 1994*.

Dated this 3rd day of November, 1994.

Clydette Entzminger
City Secretary

CITY OF TEMPLE, TEXAS



{ STATE OF TEXAS
{ COUNTY OF BELL

APPIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared David Taylor who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

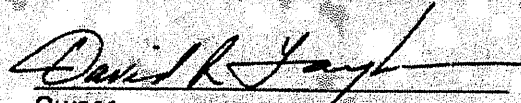
The undersigned further states that from the year 1980 to the year 1992 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

EXHIBIT "A" (Field notes)
EXHIBIT "B" (Field notes)

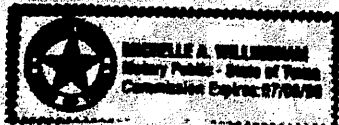
Further, the undersigned, City of Temple, Texas was the operator of such Solid Waste Disposal Site.


Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

WITNESS MY/OUR HAND(S) on this the 26th day of September, 19 94.


Owner CITY OF TEMPLE, TEXAS
David Taylor, City Manager
Operator _____

SWORN TO AND SUBSCRIBED before me on this the 26th day of September, 19 94.




Notary Public in and for
Bell County, Texas

RONALD CARROLL SURVEYORS
5302 SOUTH 31ST STREET
TEMPLE TEXAS 76502

EXHIBIT "A"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

TRACT 1A

Part of the MAXIMO MORENO SURVEY, Abstract Number 14, situated in east Temple, in Bell County, Texas, and embracing a portion of the tract described in the deed to the City of Temple recorded in volume 754, page 395 of the Bell County Deed Records.

Commencing at a 3/4 inch pipe found for the southerly northeast corner of said City tract, being the southeast corner of a tract described in the deed to Texas Utilities Electric Company recorded in volume 2619, page 512 of said Deed Records, and being in the west line of another tract described in the deed to the City of Temple recorded in volume 2586, page 310 of said Deed Records, and then run south 16 degrees-40 minutes-10 seconds west along said common line of both mentioned City tracts, at 367-3/10 feet pass a 5/8 inch iron rod set, and continue in all, 1067-3/10 feet to a 5/8 inch iron rod set for the northeast and beginning corner of the tract being described, (deed call is south 18 degrees-41 minutes west).

Thence south 16 degrees-40 minutes-10 seconds west continuing along said common line of both City tracts, 87-45/100 feet to a 1/2 inch iron rod found for the southwest corner of said second mentioned City tract, for the northwest corner of another tract described in the deed to the City of Temple recorded in volume 1637, page 529 of said Deed Records.

Thence south 16 degrees-22 minutes-55 seconds west continuing along the east line of said first mentioned City tract, for the west line of said last mentioned City tract, 2060 feet to a 1/2 inch iron rod found, (deed call is south 18 degrees-27 minutes west).

Thence north 32 degrees-36 minutes-20 seconds west 610-3/10 feet to a 1/2 inch iron rod found.

Thence north 42 degrees-54 minutes-50 seconds west 456-65/100 feet to a 1/2 inch iron rod found.

Thence north 67 degrees-17 minutes-20 seconds west 372-1/10 feet to a 1/2 inch iron rod found.

Thence north 71 degrees-24 minutes-30 seconds west 388-65/100 feet to a 5/8 inch iron rod found.

Thence north 4 degrees-10 minutes-45 seconds west 623-3/10 feet to a 5/8 inch iron rod found.

Thence north 47 degrees-no minutes-45 seconds east 383-55/100 feet to a 5/8 inch iron rod set.

Thence north 18 degrees-37 minutes-45 seconds east 397-6/10 feet to a 5/8 inch iron rod set.

Thence south 73 degrees-43 minutes east 73-7/10 feet to a 5/8 inch iron rod set.

Thence north 61 degrees-56 minutes-20 seconds east 222-05/100 feet to a 5/8 inch iron rod set.

Thence south 73 degrees-15 minutes-30 seconds east 1387-55/100 feet to the place of beginning and containing 63 21/100 acres.

No sketch was made. The basis of the bearings are taken from the Texas State Plane Coordinate System, Central Texas Zone.

Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll



VOL. 3220 PAGE 329

RONALD CARROLL SURVEYORS
5302 SOUTH 31ST STREET
TEMPLE TEXAS 76502

EXHIBIT "B"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

TRACT 18

Part of the MAXIMO MORENO SURVEY, Abstract Number 14, situated in east Temple, in Bell County, Texas, and embracing a portion of the tract described in the deed to the City of Temple recorded in volume 754, page 395 of the Bell County Deed Records.

Beginning at a 3/4 inch pipe found for the southerly northeast corner of said City tract, being the southeast corner of a tract described in the deed to Texas Utilities Electric Company recorded in volume 2619, page 512 of said Deed Records, and being in the west line of another tract described in the deed to the City of Temple recorded in volume 2586, page 310 of said Deed Records.

Thence south 18 degrees-40 minutes-10 seconds west along the common line of said both mentioned City tracts, 367-3/10 feet to a 5/8 inch iron rod set, (deed call is south 18 degrees-41 minutes west).

Thence north 73 degrees-14 minutes-30 seconds west 1377 feet to a 5/8 inch iron rod set.

Thence north 2 degrees-51 minutes west 346-3/10 feet to a 1/2 inch iron rod found.

Thence north 52 degrees-15 minutes east 22-7/10 feet to a 1/2 inch iron rod found for a re-entrant corner of said first mentioned City tract, being the southeast corner of a tract described in the deed to Texas Power & Light Company of Dallas, Texas recorded in volume 1273, page 227 of said Deed Records, and being the southwest corner of a tract described in the deed to Texas Power & Light Company recorded in volume 649, page 467 of said Deed Records.

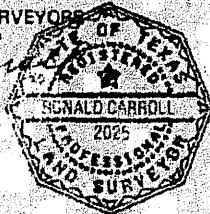
Thence south 74 degrees-07 minutes-10 seconds east along a southerly north line of said first mentioned City tract, for the north line of said last mentioned Texas Power & Light Co. tract, at 534-05/100 feet pass a point for the southeast corner of said last mentioned Texas Power & Light Co. tract, for the southwest corner of a tract described in the deed to Texas Power & Light Company recorded in volume 1254, page 587 of said Deed Records, from said point a 1/2 inch iron rod found bears north 15 degrees-53 minutes east 1-1/10 feet, and continue along the south line of said last mentioned Texas Power & Light Co. tract, at 549-15/100 feet pass a point for the southeast corner of said last mentioned Texas Power & Light Co. tract, for the southwest corner of said Texas Utilities tract, from said point a 1/2 inch iron rod found bears north 15 degrees-53 minutes east 1-1/10 feet, and continue along the south line of said Texas Utilities tract, in all, 1479-65/100 feet to the place of beginning and containing 11-75/100 acres, (deed call is south 71 degrees-58 minutes east).

No sketch was made. The basis of the bearings are taken from the Texas State Plane Coordinate System, Central Texas Zone.

Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll
Ronald Carroll



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63 SEP 21 1994

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John Nail, Chairman
Pam Reed, Commissioner
Peggy Garner, Commissioner
Anthony Gigsby, Executive Director



COPY

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

October 31, 1994

Honorable J.W. Perry
Mayor of Temple
Municipal Building
Temple, TX 76501

Subject: Municipal Solid Waste - Bell County
City of Temple - Permit No. MSW-692
SE of Temple, Approximately 2.25 Miles E

Dear Mayor Perry:

This is in response to the receipt of a copy of a certified copy of an "Affidavit to the Public" for Tract 1A and Tract 1B of the subject site submitted by letter, dated October 18, 1994, from Mr. William Mack Parker, P.E., Roming-Parker Associates, Inc. The affidavit appears to be acceptable; however, we need to receive an original certified copy of the filed document for our review and file. Please submit the original certified copy you have in your files or obtain another certified copy from the County Clerk and submit that document.

Your cooperation in this matter is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Jerry L. Garnett, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711, telephone number (512) 239-6673, or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76719-7807, telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader
Permits Section
Municipal Solid Waste Division

MDG:jlg/ff

cc: TNRCC Region 9
Mr. William Mack Parker, P.E., Roming-Parker Associates, Inc.
3513 SW H.K. Dodgen Loop, Suite 101, Temple, Texas 76502
Bell County Health District
Temple Director of Public Works ✓

RONALD CARROLL SURVEYORS
5302 SOUTH 31ST STREET
TEMPLE TEXAS 76502

EXHIBIT "A"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

TRACT 1A

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Thence south 16 degrees-40 minutes-10 seconds west continuing along said common line of both City tracts, 87-45/100 feet to a 1/2 inch iron rod found for the southwest corner of said second mentioned City tract, for the northwest corner of another tract described in the deed to the City of Temple recorded in volume 1637, page 529 of said Deed Records.

Thence south 16 degrees-22 minutes-55 seconds west continuing along the east line of said first mentioned City tract, for the west line of said last mentioned City tract, 2060 feet to a 1/2 inch iron rod found. (deed call is south 18 degrees-27 minutes west).

Thence north 32 degrees-36 minutes-20 seconds west 610-3/10 feet to a 1/2 inch iron rod found.

Thence north 42 degrees-54 minutes-50 seconds west 456-65/100 feet to a 1/2 inch iron rod found.

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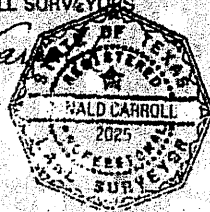
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Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll



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RONALD CARROLL SURVEYORS
5302 SOUTH 31ST STREET
TEMPLE TEXAS 76502

EXHIBIT "B"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

TRACT 1B

Part of the MAXIMO MORENO SURVEY, Abstract Number 14, situated in east Temple, in Bell County, Texas, and embracing a portion of the tract described in the deed to the City of Temple recorded in volume 754, page 395 of the Bell County Deed Records.

Beginning at a 3/4 inch pipe found for the southerly northeast corner of said City tract, being the southeast corner of a tract described in the deed to Texas Utilities Electric Company recorded in volume 2619, page 512 of said Deed Records, and being in the west line of another tract described in the deed to the City of Temple recorded in volume 2588, page 310 of said Deed Records.

Thence south 16 degrees-40 minutes-10 seconds west along the common line of said both mentioned City tracts, 307-3/10 feet to a 5/8 inch iron rod set. (deed call is south 18 degrees-41 minutes west).

Thence north 73 degrees-14 minutes-30 seconds west 1377 feet to a 5/8 inch iron rod set.

Thence north 2 degrees-51 minutes west 346-3/10 feet to a 1/2 inch iron rod found.

Thence north 52 degrees-15 minutes east 22-7/10 feet to a 1/2 inch iron rod found for a re-entrant corner of said first mentioned City tract, being the southeast corner of a tract described in the deed to Texas Power & Light Company of Dallas, Texas recorded in volume 1273, page 227 of said Deed Records, and being the southwest corner of a tract described in the deed to Texas Power & Light Company recorded in volume 649, page 467 of said Deed Records.

Thence south 74 degrees-07 minutes-10 seconds east along a southerly north line of said first mentioned City tract, for the north line of said last mentioned Texas Power & Light Co. tract, at 534-05/100 feet pass a point for the southeast corner of said last mentioned Texas Power & Light Co. tract, for the southwest corner of a tract described in the deed to Texas Power & Light Company recorded in volume 1254, page 587 of said Deed Records, from said point a 1/2 inch iron rod found bears north 15 degrees-53 minutes east 1-1/10 feet, and continue along the south line of said last mentioned Texas Power & Light Co. tract, at 549-15/100 feet pass a point for the southeast corner of said last mentioned Texas Power & Light Co. tract, for the southwest corner of said Texas Utilities tract, from said point a 1/2 inch iron rod found bears north 15 degrees-53 minutes east 1-1/10 feet; and continue along the south line of said Texas Utilities tract, in all, 1479-65/100 feet to the place of beginning and containing 11-75/100 acres, (deed call is south 71 degrees-58 minutes east).

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Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll



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SEP 28 PM 4 29

035115



ROMING-PARKER ASSOCIATES
CONSULTING ENGINEERS

3513 Southwest H.K. Dodge Loop, Suite 103
Temple, Texas 76702

(817) 773 3731

Fax (817) 773 6667

W. CLAY ROMING, P.E.
WM. MACK PARKER, P.E.
RICK N. KASBERG, P.E.

October 18, 1994

Mr. Jerry L. Garnett, P.E.
Texas Natural Resource Conservation Commission
The Colonnade Building
12015 Park 35 Circle
Austin, Texas 78753

Re: City of Temple
Municipal Landfill - Permit No. MSW-692
Closure of Tracts 1A and 1B
Temple, Texas

Dear Mr. Garnett:

Enclosed is a certified copy of the "Affidavit To The Public" regarding the closure of a portion of the above referenced landfill. This submittal should satisfy your request for said document.

Sincerely,

Wm. Mack Parker, P.E.

WMP/tmm
93-102-40

cc: Mr. Leonard C. Henry, P.E., City of Temple
Mr. Kenneth Morgan, City of Temple

CERTIFICATION

I, Clydette Entzminger, City Secretary of the City of Temple, Texas, do hereby certify that the foregoing instrument is a true and correct copy of the *Affidavit to the Public*, filed in the Bell County Courthouse on September 29, 1994, the original of which is on file in the Office of the City Secretary, City of Temple, Texas.

Dated this 17th day of October, 1994.



Clydette Entzminger
City Secretary

CITY OF TEMPLE, TEXAS

STATE OF TEXAS

COUNTY OF BELL

AFFIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared David Taylor who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

The undersigned further states that from the year 1980 to the year 1992 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

EXHIBIT "A" (field notes)

EXHIBIT "B" (field notes)

Further, the undersigned, City of Temple, Texas was the operator of such Solid Waste Disposal Site.

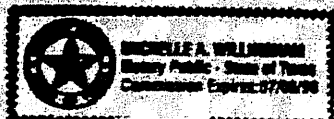
Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

WITNESS MY/OUR HAND(S) on this the 26th day of September, 19 94.

David Taylor
Owner
CITY OF TEMPLE, TEXAS
David Taylor, City Manager

Operator

SWORN TO AND SUBSCRIBED before me on this the 26th day of September, 19 94.



Michelle A. Williamson
Notary Public in and for
Bell County, Texas

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35115

AFFIDAVIT TO THE PUBLIC
CITY OF TEMPLE, TEXAS

Please bill & return to:
City Attorney's Office
Municipal Building
Temple, TX 76501

10 cc Bill

STATE OF TEXAS COUNTY OF BELL
I hereby certify that this instrument was FILED on the
date and at the time stamped hereon by me, and was
duly RECORDED in Vol. 3250
Page 308 of the Official Public Record of
Real Property of Bell County, Texas, on 7-23-77



WADA SUTTON, County Clerk
Bell County, Texas
By: [Signature] Deputy

John Hall, Chairman
Paul Reed, Commissioner
Peggy Garner, Commissioner
Dale Pearson, Executive Director



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

November 16, 1994

Honorable J.W. Perry
Mayor of Temple
Municipal Building
Temple, Texas 76501

Re: Municipal Solid Waste - Bell County
City of Temple - Permit No. MSW-692
SE of Temple, Approx. 2.25 Miles E of US-190, 0.5 Mile S of SH-51
and S of County Road

Dear Mayor Perry:

This is in response to a letter, dated October 12, 1994, from Mr. Wm. Mack Parker, P.E., Roming-Parker Associates, submitting the soil evaluation for the final cover on an 74.86 acre portion of the subject site. A review of the submittal finds it to be acceptable. The document submitted fulfills the requirements of 30 Texas Administrative Code Sections (5)(5) 330.253(b)(2), 330.253(b)(3) and 330.253(a)(6) for the above portion of the subject site.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Philip A. Sperry, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6794 or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807; telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader
Permits Section
Municipal Solid Waste Division

MDG:RAS:jad

cc: TNRCC Region 9
Bell County Health District
Temple Sanitation Superintendent
Temple Director of Public Works

OCT-13-94 THU 09:30

TNRCC-REG 9-AIR PROG

FAX NO. 8177729241

P. 02/22



Texas Natural Resource Conservation Commission **Municipal Solid Waste Division** **Inspection Report: Closed Site**

Inspection Date: 09/27/94
 Pictures Taken? Yes / No

Time: 10:00 A.M.
 Copy To: Ground Water / Permit

Permit/ID MSW-492 Type: 1 Region: 9 County Name: Bell
 Permittee / Business Name: City of Temple/Temple landfill
 Responsible Person: Mayor of Temple J. W. Perry
 Operation Description: The City of Temple has recently completed the final cover for Tracts 1 and 1A.
 All work has been completed and the cover has been seeded and / or

Primary Contact(s): Ken Morgan, City of Temple
 Telephone Number(s): (817) 774-8334
 Person(s) Contacted: Ken Morgan
 Person(s) Participating:

TNRCC Representative(s): J. Hoyt Childers

Purpose of Inspection:

- ☐ Routine ☐ Central Office Follow Up
☐ Complaint ☐ Court Order
☐ Post Closure ☒ Pre Closure
☐ Regional Follow Up ☐ Technical Support/Other

Next Inspection: 9/95

Last Inspection: / /

Weather: Partly cloudy, dry, and warm

INSPECTION RESULTS

Year	Mo	Day	Article	Description
1	X		330.111	General Requirements
2	X		330.113	Record Keeping Required
3	X		330.113(b)(3)	Methane Monitoring
4	X		330.113(b)(4)	Leachate Disposal
5	X		330.113(b)(5)	Groundwater Monitoring
6	X		330.125	Air Criteria Requirements
7	X		330.253(e)(7)	Signs Posted
8	X		330.253(e)(8)	Affidavit Received
9	X		330.254(a)	Post Closure Requirements
10	X		330.254(a)	Cover Erosion
11	X		330.254(a)	Subsidence/Ponding of Wtr
12	X		330.254(a)	Additional Vegetation Req
13	X		330.252(a,b)	Final Cover Completed
14	X		26.121(a)	All Discharges
15	X		26.121(a)(3)	Other Activities

* Yes indicates that no violation was observed or that this rule is not applicable to this site.

18/03/94



Texas Natural Resource Conservation Commission
Municipal Solid Waste Division
Inspection Report: Closed Site

Comments Page for: MSW692

Violation Number	Comments
General Inspection Comment:	This inspection was done with Ken Morgan and Mack Parker, consultant. WMI reps Ed Myers and Steve Blackburn accompanied us on the inspection. WMI will assume the post closure maintenance responsibility once it is put into post closure care. The inspection revealed that all required cover work has been completed in accordance with the approved plan. Mack Parker provided quality control for the work that was done by contract. This included grade and thickness control by land surveying, compaction and permeable tests on the cover material. Also daily monitoring of the contractor's work was provided by the consultant. The consultant will submit a report that documents his quality control work including a copy of the test results, the final grading plan, and the affidavit to public for Tracts 1 and 1A. Once this report is received recommend the MSWD send the City of Temple a letter putting these two tracts into post closure care.

TNRCC Representative's Signature: *[Signature]*Date: 10-5-94Approved By: *[Signature]*Date: 10-6-94

{ STATE OF TEXAS

{ COUNTY OF BELL

AFFIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared David Taylor who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

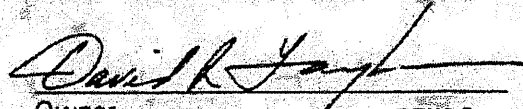
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EXHIBIT "A" (Field notes)
EXHIBIT "B" (Field notes)

Further, the undersigned, City of Temple, Texas was the operator of such Solid Waste Disposal Site.

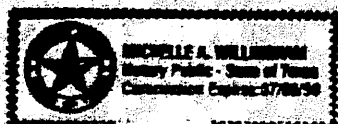
Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

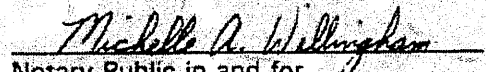
WITNESS MY/OUR HAND(S) on this the 26th day of September, 19 94.


Owner CITY OF TEMPLE, TEXAS
David Taylor, City Manager

Operator _____

SWORN TO AND SUBSCRIBED before me on this the 26th day of September, 19 94.




Notary Public in and for
Bell County, Texas

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John Hall, Chairman
Paul Reed, Commissioner
Peggy Garner, Commissioner
Anthony Grigsby, Executive Director



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

MAR - 1 1994

Honorable J.W. Perry
Mayor of Temple
Municipal Building
Temple, TX 76501

Re: Municipal Solid Waste - Bell County
City of Temple - Permit No. MSW-692
SE of Temple

Dear Mayor Perry:

This will acknowledge receipt of a letter, dated February 11, 1994, from Wm. Mack Parker, P.E., Roming-Parker Associates, concerning the closure of Tract 1 or "A" of the referenced landfill. This will also confirm a meeting between Mr. Parker and Mr. Jerry L. Garnett, P.E. of my staff on February 8, 1994, regarding the proposed closure of Tract 1. Mr. Parker transmitted copies of several drawings and a set of calculations regarding the volume of space authorized for landfilling in Tract 1 and the volume of the waste that has been landfilled in (and outside) of Tract 1. The waste landfilled outside the permitted area will have to be relocated onto the permitted site. He also provided contour maps showing the present contours of Tract 1, the original proposed final contours and revised proposed final contours as approved by the Texas Department of Health in 1987.

Based upon our review of the information submitted it appears that the proposed closure of the Tract 1 area could be considered as a modification to the Site Development Plan for the facility. Please submit your proposed plan for the closure of Tract 1 to this office for our review. In order to complete the closure of this area you will need to prepare and submit a certified copy of an "Affidavit to the Public" filed in the County Deed Records. You should also be aware that any landfilled area closed after October 9, 1993 must have a final cover applied that satisfies the "Subtitle D" requirements.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Jerry L. Garnett, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6673 or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807 telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader
Permits Section
Municipal Solid Waste Division

MDG/JLG/jad

cc: TNRCC Region 9
Roming-Parker Associates
Bell County Health District
Temple Sanitation Superintendent
Temple Director of Public Works