

RESOLUTION NO. 09-1308

A RESOLUTION SUPPORTING THE APPLICATION OF JOHN FLAVIN FOR A MUNICIPAL SETTING DESIGNATION FOR THE PROPERTY LOCATED AT 924 AVENUE J EAST IN GRAND PRAIRIE, TEXAS.

WHEREAS, Chapter 361, Subchapter W of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality (TCEQ) to certify Municipal Setting Designations (MSDs) for properties upon receipt and approval of a properly submitted application to TCEQ; and,

WHEREAS, the Texas Legislature, in enacting the MSD Legislation, found that an action by a municipality in support of or to facilitate an MSD advances a substantial and legitimate state interest; and

WHEREAS, as part of the application process for a MSD, the applicant is required to provide documentation of support from each municipality owning and operating a groundwater supply well within a five (5) mile radius of the proposed MSD location; and

WHEREAS, the City of Euless owns well sites containing unused, plugged water wells situated within a five (5) mile radius of the proposed MSD location; and

WHEREAS, the City of Euless owns and operates three groundwater supply wells located at 1400 North Main Street, 116 West Fuller Drive and 2700 North Main Street in the City of Euless situated outside a five (5) mile radius of the proposed MSD location; and

WHEREAS, the City of Grand Prairie has enacted an ordinance (dated February 17, 2009) in support of the MSD application and restricting the use of groundwater at the proposed MSD location; and

WHEREAS, the Director of Public Works for the City of Euless has determined that certification of an MSD for the property located at 924 Avenue J East, Grand Prairie, Texas, (see Exhibit "A"), will have no effect upon the quality of water produced from the groundwater supply wells located at 1400 North Main Street, 116 West Fuller Drive and 2700 North Main Street in the City of Euless.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS, THAT:

SECTION 1

The City of Euless supports and does not oppose the establishment of a Municipal Setting Designation for the property located at 924 Avenue J East in the City of Grand Prairie, Texas, and as described in Exhibit "A".

APPROVED AND ADOPTED at a regular meeting of the Euless City Council on the 14th day of April, 2009, by a vote of _____ ayes, _____ nays, and _____ abstentions.

APPROVED:

Mary Lib Saleh, Mayor

ATTEST:

Susan Crim, TRMC, City Secretary

Exhibit A

LEGAL DESCRIPTION OF MUNICIPAL SETTING DESIGNATION
924 AVENUE J EAST, GRAND PRAIRIE, TEXAS

"Being Site 3, Block 4, Industrial Community No. 1, Great Southwest Industrial District, an addition to the City of Grand Prairie as recorded in Volume 388-17, Page 465, Plat Records of Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod at the northeast corner of Site 3, said point being in south line of Ave. J East, (a 100 foot R.O.W.);

THENCE, S 13° 00' 00" E, 518.85 feet along the east line of Site 3 to a 5/8" iron rod;

THENCE S 77° 00' 00" W, 396.04 feet along the south line of Site 3 to a 5/8" iron rod;

THENCE N 13° 00' 00" W, 491.16 feet along the west line of Site 3 to a 5/8" iron rod in the south line of Ave. J East;

THENCE N 73° 00' 00" E, 397.01 feet along the north line of Site 3, with the south line of Ave. J East, to the POINT OF BEGINNING and containing 200,002 square feet or 4.591 acres of land more or less."

