

## RESOLUTION NO. 09-1316

### **A RESOLUTION SUPPORTING THE APPLICATION OF FOUNTAIN PARKWAY, LTD. FOR A MUNICIPAL SETTING DESIGNATION FOR THE PROPERTY LOCATED AT 602 AND 906 FOUNTAIN PARKWAY 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 and operates two (2) groundwater supply wells located at 1400 North Main Street and 116 West Fuller Drive in the City of Euless situated within a five (5) mile radius of the proposed MSD location; and

**WHEREAS**, the City of Grand Prairie has enacted an ordinance (dated July 7, 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 602 and 906 Fountain Parkway, 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 and 116 West Fuller Drive 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 602 and 906 Fountain Parkway 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 25<sup>th</sup> day of August, 2009, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, and \_\_\_\_\_ abstentions.

**APPROVED:**

\_\_\_\_\_  
Mary Lib Saleh  
Mayor

**ATTEST:**

\_\_\_\_\_  
Susan Crim, TRMC  
City Secretary



## M.S.D. SURVEY

Being all of Site 12 of Great Southwest Industrial District, Industrial Community No. 5, an Addition to the City of Grand Prairie, Tarrant County, Texas, according to the map or plat hereof recorded in Volume 388-46, Page 735, Plat Records, Tarrant County, Texas, and being all of Site 2, Block 2, Second Installment, Industrial Community No.5, Great Southwest Industrial District Addition, an Addition to the City of Grand Prairie, Tarrant County, Texas, according to the map or plat thereof recorded in Volume 388-47, Page 562, Plat Records, Tarrant County, Texas, and being part of Fountain Parkway (100 foot right of way) and being the same tract of land conveyed to Fountain Parkway, Ltd., a Texas limited partnership by Deed recorded in Volume 9377, Page 1248, Deed Records, Tarrant County, Texas and being all of the land conveyed to Fountain Parkway Building Partnership, a Texas general partnership by Deed recorded in Volume 11836, Page 2210, Deed Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for corner, said corner being the Southwest corner of Site 1, Block 4, Third Installment, Industrial Community No.5, an Addition to the City of Grand Prairie, Tarrant County, Texas, according to the map or plat thereof recorded in Volume 388-71, Page 367, Plat Records, Tarrant County, Texas, and lying in the North right-of-way line of Fountain Parkway, (100 foot right-of-way);

THENCE North 89 degrees 27 minutes 30 seconds East, along the North line of said Fountain Parkway, a distance of 222.19 feet to a point for corner;

THENCE South 00 degrees 32 minutes 30 seconds East, a distance of 350.00 feet to a 1/2 inch iron rod found for corner at the Southeast corner of said Site 2, Block 2 on the North line of Lead Track 22, (53 foot right-of-way);

THENCE South 89 degrees 27 minutes 30 seconds West, along said North line of Lead Track 22, a distance of 260.68 feet to a 1/2 inch iron rod set with yellow plastic cap stamped JCA INC. at the Southeast corner of Site 1, Block 2, Second Installment, Industrial Community No.5, Great Southwest Industrial District Addition, an Addition to the City of Grand Prairie, Tarrant County, Texas, according to the map or plat thereof recorded in Volume 388-47, Page 293, Plat Records, Tarrant County, Texas;

THENCE North 00 degrees 32 minutes 30 seconds West, along the East line of said Site 1, Block 2, a distance of 250.00 feet to a 1/2 inch iron rod found lying in the South line of said Fountain Parkway, (100 foot right-of-way);

THENCE South 89 degrees 27 minutes 30 seconds West, along the South line of said Fountain Parkway, a distance of 559.91 feet to a 1/2 inch iron rod found at the Intersection of said South line of Fountain Parkway with the East line of the Chicago, Rock Island and Pacific Railroad, (50 foot right-of-way);

THENCE North 00 degrees 10 minutes 19 seconds West, along the East line of said railroad, a distance of 1334.40 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC lying in the South line of Lead Track 23, (53 foot right-of-way), and a nontangent curve to the left, having a radius of 482.28 feet, a delta of 65 degrees 02 minutes 46 seconds and a chord bearing and distance of South 58 degrees 08 minutes 31 seconds East, 518.58 feet;

THENCE along said South line of Lead Track 23 and said curve to the Left, an arc length of 547.52 feet to a 1/2 inch iron rod found;



**DOUG CONNALLY & ASSOCIATES, INC.**

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DRAWN BY: R.G.

## M.S.D. SURVEY

THENCE North 89 degrees 27 minutes 30 seconds East, continuing along said South line of Lead Track 23, a distance of 145.06 feet to a 5/8 inch Iron rod found for corner;

THENCE South 00 degrees 40 minutes 04 seconds East, a distance of 246.10 feet to an "X" found for corner;

THENCE South 01 degrees 22 minutes 01 seconds East, a distance of 237.51 feet to a fence post found for corner at the Northwest corner of Ford Cemetery;

THENCE South 01 degrees 21 minutes 06 seconds East, a distance of 106.58 feet to a fence post found for corner at the Southwest corner of said Ford Cemetery;;

THENCE South 00 degrees 45 minutes 38 seconds East, a distance of 366.35 feet to the POINT OF BEGINNING and containing 747,280.71 square feet or 17.1552 acres of land.



  
BRYAN CONNALLY  
R.P.L.S. NO. 5513

**DC&A**

**DOUG CONNALLY & ASSOCIATES, INC.**

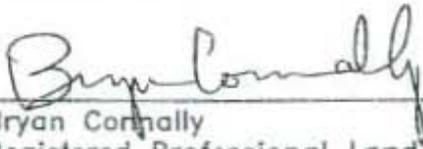
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# M.S.D. SURVEY

The undersigned Registered Professional Land Surveyor (Bryan Connally) hereby certifies that, (a) this survey and the property description set forth hereon were prepared from an actual on-the-ground survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; Use of this survey by any other parties and/or for other purposes shall be at User's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions are as indicated.

Executed this 2nd day of January, 2008



Bryan Connally  
Registered Professional Land Surveyor No. 5513



# DC&A

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