

RESOLUTION NO. 10-1330

A RESOLUTION SUPPORTING THE APPLICATION OF TPRF/SEVILLE, LP AND SEVILLE COMMONS JOINT VENTURE FOR A MUNICIPAL SETTING DESIGNATION FOR THE PROPERTY LOCATED AT 2101 N. COLLINS STREET IN ARLINGTON, 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 one (1) groundwater supply well located at 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 Arlington has enacted an ordinance (dated September 22, 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 2101 N. Collins Street, Arlington, Texas, (see Exhibit "A"), will have no effect upon the quality of water produced from the groundwater supply well located at 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 2101 N. Collins Street in the City of Arlington, Texas, and as described in Exhibit "A".

APPROVED AND ADOPTED at a regular meeting of the Euless City Council on the 12th day of January, 2010, by a vote of _____ ayes, _____ nays, and _____ abstentions.

APPROVED:

Mary Lib Saleh
Mayor

ATTEST:

Susan Crim, TRMC
City Secretary

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

BEING a 9.293 acre tract of land situated in the City of Arlington, Tarrant County, Texas, and being all of Lot 1, Block 1, David Moritz Addition, an addition to the City of Arlington, according to the plat recorded in Volume 388-112, Page 10, Plat Records of Tarrant County, Texas, said 9.293 acre tract of land being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with yellow cap stamped "Dunaway Assoc. Inc." set for the point of intersection of the easterly right-of-way line of State Highway 157 (a variable width right-of-way) and the southerly right-of-way line of Cantor Drive (a variable width right-of-way) for the northwesterly corner of said Lot 1, Block 1;

THENCE the southerly right-of-way line of Cantor Drive the following:

East, a distance of 499.59 feet to a 1/2 inch iron rod found for corner;

South 68°07'26" East a distance of 80.54 feet to an "X" in concrete found for the point of curvature of a curve to the left having a radius of 153.30 feet;

Southeasterly along said curve through a central angle of 25°28'20" an arc distance of 68.15 feet with a chord bearing of South 80°51'36" East and a chord distance of 67.59 feet to a 5/8 inch iron rod with yellow cap stamped "Dunaway Assoc. Inc." set in the westerly right-of-way line of Winton Road (a 55 foot wide right-of-way) for the northeasterly corner of Lot 1, Block 1;

THENCE departing the southerly right-of-way line of Cantor Drive with the westerly right-of-way line of Winton Road, South a distance of 599.95 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Dunaway Assoc, Inc." set in the northerly right-of-way line of Harwell Drive (a 65 foot wide right-of-way) for the southeasterly corner of said Lot 1, Block 1;

THENCE departing the westerly right-of-way line of Winton Road with the northerly right-of-way line of Harwell Drive, West a distance of 638.00 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Dunaway Assoc, Inc." set in the easterly right-of-way line of State Highway 157 for the southwesterly corner of said Lot 1, Block 1;

THENCE departing the northerly right-of-way line of Harwell Drive with the easterly right-of-way line of State Highway 157, North 00°16'30" West a distance of 638.70 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 9.293 acres (404,812 square feet) of land.