

RESOLUTION NO. 12-1391

A RESOLUTION SUPPORTING THE APPLICATION OF BALL STREET JOINT VENTURE TOWERS OF GRAPEVINE FOR A MUNICIPAL SETTING DESIGNATION FOR THE PROPERTY LOCATED AT 1271, 1281, 1293, 1301, 1303 AND 1401 WILLIAM D. TATE AVENUE AND 800 AND 900 WEST STATE HIGHWAY 114 IN GRAPEVINE, 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 2505 North Main Street and 1400 North Main Street in the City of Euless situated within a five (5) mile radius of the proposed MSD location; and

WHEREAS, the City of Grapevine has passed a resolution and ordinance (dated May 1, 2012) in support of the MSD application and restricted 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 1271, 1281, 1293, 1301, 1303 and 1401 William D. Tate Avenue and 800 and 900 West State Highway 114, Grapevine, Texas, (see ***Exhibit "A" and Exhibit "B"***), will have no effect upon the quality of water produced from the groundwater supply well located at 2505 North Main Street and 1400 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 1271, 1281, 1293, 1301, 1303 and 1401 William D. Tate Avenue and 800 and 900 West State Highway 114 in the City of Grapevine, Texas, and as described in the attached Exhibit "A" and Exhibit "B".

APPROVED AND ADOPTED at a regular meeting of the Euless City Council on the 22nd day of May 2012, by a vote of _____ ayes, _____ nays, and _____ abstentions.

APPROVED:

Mary Lib Saleh
Mayor

ATTEST:

Kim Sutter, TRMC
City Secretary

EXHIBIT "A"

MUNICIPAL SETTING DESIGNATION A PORTION OF THE HAYLEY ADDITION

* METES & BOUNDS DESCRIPTION *

BEING a lot, tract or parcel of land located in the Heirs J. B. Fay Survey, Abstract No. 530 and the Heirs of Ambrose Foster Survey, Abstract No. 518, City of Grapevine, Tarrant County, Texas, and being all of Lot 1R-1, Block 1, Hayley Addition, an addition to the City of Grapevine, Tarrant County, Texas, according to the plat filed for record in Cabinet A, Slide 753, Plat Records, Tarrant County, Texas (P.R.T.C.T.), and all of Lots 1R2R-1 and 1R2R-2, Block 1, Hayley Addition, filed for record in Cabinet A, Slide 1506, P.R.T.C.T., and all of Lots 2R-1 and 3R-1, Block 1, Hayley Addition, filed for record under the County Clerk's File No. D211154731, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.), and all of Lots 3R-3 and 3R-4, Block 1, Hayley Addition, filed for record in Cabinet A, Slide 246, P.R.T.C.T., and all of Lot 4, Block 1, Hayley Addition, filed for record in Volume 388-212, Page 16, P.R.T.C.T., and all of Lot 5R-A, Block 1 Hayley Addition, filed for record in Cabinet A, Slide 754, P.R.T.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in concrete found at the northerly end of a corner clip located at the intersection of the northerly right-of-way line of State Highway No. 114 (a variable width right-of-way) and the southeasterly right-of-way line of William D. Tate Avenue (a variable width right-of-way);

THENCE N25°50'05"E, along the southeasterly right-of-way line of said William D. Tate Avenue, a distance of 189.81 feet, to a 5/8 inch iron rod found with a cap stamped "RPLS 5894";

THENCE N34°49'51"E, continuing along said southeasterly right-of-way line, at a distance of 220.13 feet, passing an "X" cut in concrete found (Controlling Monument) at the most northerly northwest corner of the aforementioned Lot 3R-1, Block 1, and continuing in all a distance of 481.13 feet, to a 1/2 inch iron rod found (Controlling Monument) at the most northerly corner of the aforesaid Hayley Addition, and being the southwest corner of U.S. Postal Service Addition, an addition to the City of Grapevine, Tarrant County, Texas, according to the plat filed for record in Volume 388-168, Page 64, P.R.T.C.T.;

THENCE S54°56'34"E, along the common line of said Hayley Addition and said U.S. Postal Service Addition, a distance of 218.93 feet, to a 1/2 inch iron rod found;

THENCE S65°07'09"E, continuing along said common line, a distance of 246.02 feet, to a 5/8 inch iron rod set with a cap stamped "JDJR" (hereinafter referred to as an iron rod set) at the most northerly northeast corner of said Hayley Addition, and being at the northwest corner of Ball Street Substation Addition, an addition to the City of Grapevine, Tarrant County, Texas, according to the plat filed for record in Cabinet A, Slide 3417, P.R.T.C.T.;

THENCE S00°04'19"E, along the west line of said Ball Street Substation Addition, at a distance of 208.00 feet, passing the southeast corner of said Ball Street Substation Addition and the northwest corner of a called 0.37 acre tract of land described in the deed filed for record in Volume 9097, Page 436, Deed Records, Dallas County, Texas, and continuing along the west line of said 0.37 acre tract, in all a distance of 358.00 feet, to an iron rod set on the north line of Lot 5R-1B, Block 1, Hayley Addition, filed for record in Cabinet A, Slide 792, P.R.T.C.T.;

THENCE S89°55'01"W, along the north line of said Lot 5R-1B, a distance of 24.50 feet, to an iron rod set at the northwest corner of said Lot 5R-1B;

THENCE S00°04'19"E, along the west line of said Lot 5R-1B, a distance of 129.41 feet, to an angle point in said west line;

CONTINUED ON SHEET 2 OF 2

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JDJR	ENGINEERS & CONSULTANTS, INC.
	ENGINEERS • LAND PLANNERS • SURVEYORS
2500 Texas Drive, Suite 100 Irving, Texas 75062	
Tel. 972-252-6357 Fax 972-252-8958	

JDJR PROJECT NO. 105-13-10 MSD EXHIBIT

SHEET 1 OF 2

EXHIBIT "A"

**MUNICIPAL SETTING DESIGNATION
A PORTION OF THE HAYLEY ADDITION**

*** METES & BOUNDS DESCRIPTION ***

CONTINUED FROM SHEET 1 OF 2

THENCE S19°36'53"W, along the northwesterly line of said Lot 5R-1B, a distance of 225.43 feet, to a 1/2 inch iron rod found (Controlling Monument) on the northerly right-of-way line of the aforementioned State Highway No. 114, and being on a curve to the right whose center bears N14°03'17"E, a distance of 1879.65 feet;

THENCE along said curve to the right and in a northwesterly direction with said northerly right-of-way line, through a central angle of 14°04'40" for an arc length of 461.84 feet to an iron rod set at the southeast corner of Lot 3R-3, Block 1, Hayley Addition, filed for record in Cabinet A, Slide 246, P.R.T.C.T.;

THENCE N38°34'43"E, along the southeast line of said Lot 3R-3, a distance of 223.25 feet, to a 1/2 inch iron rod found at the northeast corner of said Lot 3R-3;

THENCE N55°04'34"W, along the northeast line of said Lot 3R-3, a distance of 101.42 feet, to a 5/8 inch iron rod found with a cap stamped "RPLS 5894" at the northwest corner of said Lot 3R-3;

THENCE S34°49'22"W, along the northwest line of said Lot 3R-3, a distance of 45.97 feet, to a 5/8 inch iron rod found with a cap stamped "RPLS 5894";

THENCE S38°34'43"W, continuing along said northwesterly line, a distance of 186.35 feet, to a 5/8 inch iron rod found on the northerly right-of-way line of said State Highway No. 114, and being on a curve to the right whose center bears N31°09'47"E, a distance of 1879.65 feet;

THENCE along said curve to the right and in a northwesterly direction with the northerly right-of-way line of said State Highway No. 114, through a central angle of 04°05'19" for an arc length of 134.13 feet, to an iron rod set at the southerly end of the aforementioned corner clip;

THENCE N23°06'22"W, along the northeasterly line of said corner clip, a distance of 81.40 feet, to the **POINT OF BEGINNING**, and containing 10.0156 acres (436,280 square feet) of land, more or less.

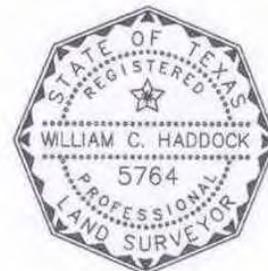
The bearings recited hereinabove are based on the found monumentation of the southeasterly right-of-way line of William D. Tate Avenue, as shown on the plat filed for record under the County Clerk's File No. D211154731, Official Public Records, Tarrant County, Texas.

This metes and bounds description is based a Boundary Survey of the subject property and was performed on the ground May 3, 2011.

William C. Haddock

William C. Haddock
Registered Professional Land Surveyor
Texas Registration No. 5764

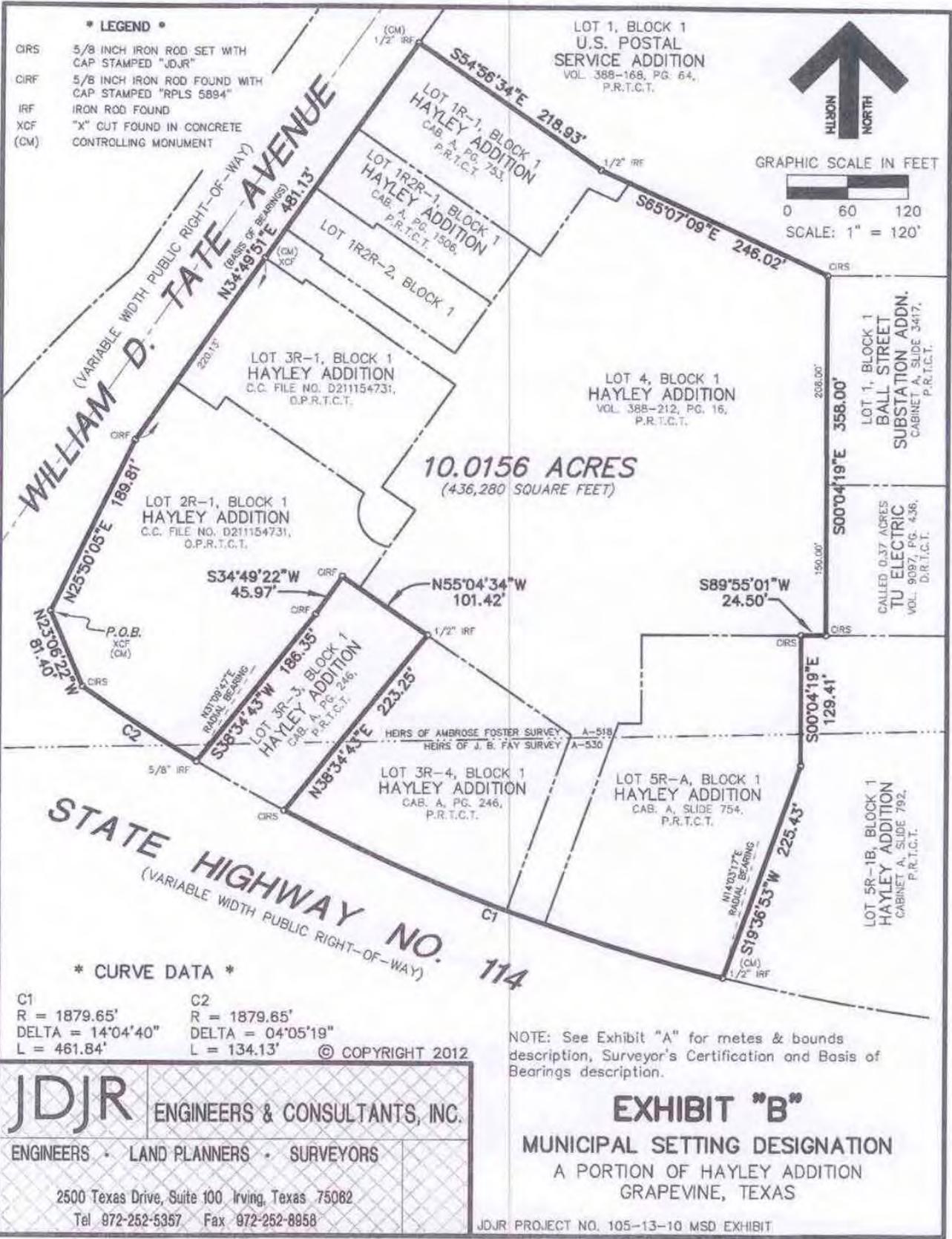
3-26-12
Date



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JDJR PROJECT NO. 105-13-10 MSD EXHIBIT SHEET 2 OF 2



*** LEGEND ***

- CIR5 5/8 INCH IRON ROD SET WITH CAP STAMPED "JDJR"
- CIRF 5/8 INCH IRON ROD FOUND WITH CAP STAMPED "RPLS 5894"
- IRF IRON ROD FOUND
- XCF "X" CUT FOUND IN CONCRETE
- (CM) CONTROLLING MONUMENT



WILLIAM D. TATE AVENUE
 (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)
 (BASE OF BEARINGS)
 N34°49'51"E 481.13'

STATE HIGHWAY NO. 114
 (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

*** CURVE DATA ***

C1	C2	
R = 1879.65'	R = 1879.65'	
DELTA = 14°04'40"	DELTA = 04°05'19"	
L = 461.84'	L = 134.13'	© COPYRIGHT 2012

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NOTE: See Exhibit "A" for metes & bounds description, Surveyor's Certification and Basis of Bearings description.

EXHIBIT "B"
MUNICIPAL SETTING DESIGNATION
 A PORTION OF HAYLEY ADDITION
 GRAPEVINE, TEXAS

JDJR PROJECT NO. 105-13-10 MSD EXHIBIT