

**A Resolution**  
**IN SUPPORT OF THE APPLICATION OF**  
**BIP BRENNAN PROPERTY, LLC**  
**TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**FOR A MUNICIPAL SETTING LOCATED AT:**

**2201 BRENNAN AVENUE,**  
**FORT WORTH, TEXAS**

**NO. \_\_\_\_\_**

**WHEREAS**, the BIP Brennan Property, LLC (Applicant) has filed an application for support of a resolution seeking a Municipal Setting Designation for the site known as BIP Brennan Property located at 2201 Brennan Avenue, Fort Worth, Texas, the metes and bounds description being attached hereto as Exhibit “A” (Site) to the Texas Commission on Environmental Quality; and

**WHEREAS**, a public meeting on the application for support was held in Fort Worth on December 19, 2023, and a public hearing was held in Fort Worth on January 23, 2024, and the affected community was duly notified of same and allowed the opportunity to comment; and

**WHEREAS**, an approved public drinking water supply system exists that supplies or is capable of supplying drinking water to the Site and to locations within one-half mile of the Site; and

**WHEREAS**, Applicant has filed documentation with the city stating that a contaminant identified within the designated groundwater, associated with historical uses of the Site, that has been detected in concentrations exceeding residential assessment levels for potable use is arsenic; and

**WHEREAS**, Applicant has further filed documentation with the city stating that this contamination is contained within the shallow, perched groundwater beneath the Site; and

**WHEREAS**, the City of Fort Worth, by ordinance, shall, upon adoption of this ordinance, prohibit the use of designated groundwater beneath the Site for potable purposes as well as for irrigation; and

**WHEREAS**, upon passage of this supporting resolution by the City Council, Applicant intends to file an application with the Texas Commission on Environmental Quality for certification of a Municipal Setting Designation for the Site pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W; and

**WHEREAS**, Applicant has continuing obligations to satisfy applicable statutory and regulatory provisions concerning groundwater contamination investigation and response actions at the Site; and



**WHEREAS**, the certification of a Municipal Setting Designation for the Site is in the best interests of the community.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

That the City of Fort Worth City Council supports Applicant's request to the Texas Commission on Environmental Quality for a Municipal Setting Designation of the Site described in Exhibit A.

The property for which designation is sought is subject to an ordinance that prohibits the use of designated groundwater from beneath the property as potable water and that appropriately restricts other uses of and contact with that groundwater.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTEST:

By: \_\_\_\_\_

Jannette Goodall, City Secretary



## **EXHIBIT A**

### **SITE**

BIP BRENNAN PROPERTY  
2201 BRENNAN AVENUE  
FORT WORTH, TEXAS

#### **TRACT #1**

**BEING** A 2.246 ACRE TRACT OF LAND SITUATED IN THE EDMUND LITTLE SURVEY, ABSTRACT NUMBER 954, TARRANT COUNTY, TEXAS AND BEING ALL OF LOT 2 AND A PORTION OF LOT 1, BLOCK 1 OF THE GORBETT INDUSTRIAL ADDITION, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS RECORDED IN VOLUME 388-23, PAGE 98 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS AND BEING ALL OF THAT CALLED 2.25 ACRE TRACT OF LAND CONVEYED TO HERTEL GENERAL TIRE COMPANY IN VOLUME 3620, PAGE 642 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 1/2" IRON ROD FOUND IN THE NORTH LINE OF BRENNAN AVENUE FOR THE SOUTHEAST CORNER OF SAID 2.246 ACRE TRACT, ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 2 AND BEING THE SOUTHWEST CORNER OF LOT 4, BLOCK 1 OF THE GORBETT INDUSTRIAL ADDITION RECORDED IN VOLUME 388-216, PAGE 4 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS, FROM WHICH A 5/8" IRON ROD FOUND BEARS S 71°55'14" E, A DISTANCE OF 937.92 FEET. SAID 1/2" IRON ROD FOUND BEING FURTHER REFERRED TO AS POINT OF BEGINNING 'A', HAVING A TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, U.S. SURVEY FOOT, GRID COORDINATE VALUE OF N:6972095.46, E: 2328022.63 FEET FOR REFERENCE;

**THENCE FROM SAID POINT OF BEGINNING 'A'**, WITH THE NORTH LINE OF BRENNAN AVENUE, N 71°55'14" W, PASSING THE SOUTHWEST CORNER OF SAID LOT 2 AT A DISTANCE OF 200.00 FEET AND CONTINUING IN ALL A DISTANCE OF 208.06 FEET TO A 5/8" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 2.246 ACRE TRACT, ALSO BEING THE SOUTHEAST CORNER OF LOT 1-R-B, BLOCK 1 OF THE GORBETT INDUSTRIAL ADDITION AS RECORDED IN VOLUME 388-109, PAGE 102 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS;

**THENCE**, DEPARTING THE NORTH LINE OF BRENNAN AVENUE, N 18°56'54" E, A DISTANCE OF 432.82 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "RPLS 6870" SET FOR THE NORTHWEST CORNER OF SAID 2.246 ACRE TRACT, ALSO BEING A POINT IN THE EAST LINE OF SAID LOT 1-R-B;

**THENCE**, S 71°33'43" E, A DISTANCE OF 244.87 FEET TO A 2" STEEL BEAM FOUND FOR THE NORTHEAST CORNER OF SAID 2.246 ACRE TRACT, ALSO BEING A POINT



IN THE WEST LINE OF SAID LOT 4, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1 BEARS N 23°49'17" E, A DISTANCE OF 200.05 FEET;

**THENCE**, S 23°49'17" W, A DISTANCE OF 433.41 FEET TO THE POINT OF BEGINNING 'A', CONTAINING 2.246 ACRES OR 97,851 SQ. FEET OF LAND, MORE OR LESS.

**TRACT #2**

**BEING** A 1.145 ACRE TRACT OF LAND SITUATED IN THE EDMUND LITTLE SURVEY, ABSTRACT NUMBER 954, TARRANT COUNTY, TEXAS AND BEING A PORTION OF LOT 1, BLOCK 1 OF THE GORBETT INDUSTRIAL ADDITION, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS RECORDED IN VOLUME 388-23, PAGE 98 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND CONVEYED TO HERTEL GENERAL TIRE COMPANY IN VOLUME 3737, PAGE 625 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY FOR THE NORTHEAST CORNER OF SAID 1.145 ACRE TRACT, ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1 AND BEING THE NORTHWEST CORNER OF LOT 4, BLOCK 1 OF THE GORBETT INDUSTRIAL ADDITION RECORDED IN VOLUME 388-216, PAGE 4 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS. SAID 1/2" IRON ROD FOUND BEING FURTHER REFERRED TO AS **POINT OF BEGINNING 'B'**, HAVING A TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, U.S. SURVEY FOOT, GRID COORDINATE VALUE OF N:**6972674.96**, E: **2328278.48** FEET FOR REFERENCE;

**THENCE FROM SAID POINT OF BEGINNING 'B'**, S 23°49'17" W, A DISTANCE OF 200.05 FEET TO A 2" STEEL BEAM FOUND FOR THE SOUTHEAST CORNER OF SAID 1.145 ACRE TRACT, FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 4 BEARS S 23°49'17" W, A DISTANCE OF 433.41 FEET;

**THENCE**, N 71°33'43" W, A DISTANCE OF 244.87 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "RPLS 6870" SET FOR THE SOUTHWEST CORNER OF SAID 1.145 ACRE TRACT, ALSO BEING A POINT IN THE EAST LINE OF LOT 1-R-B, BLOCK 1 OF THE GORBETT INDUSTRIAL ADDITION AS RECORDED IN VOLUME 388-109, PAGE 102 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS;

**THENCE**, N 18°56'54" E, A DISTANCE OF 194.18 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 1.145 ACRE TRACT, ALSO BEING THE NORTHEAST CORNER OF LOT 1-R-A OF THE GORBETT INDUSTRIAL ADDITION AS



RECORDED IN VOLUME 388-109, PAGE 102 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS AND BEING A POINT IN THE SOUTH LINE OF SAID UNION PACIFIC RAILROAD RIGHT-OF-WAY;

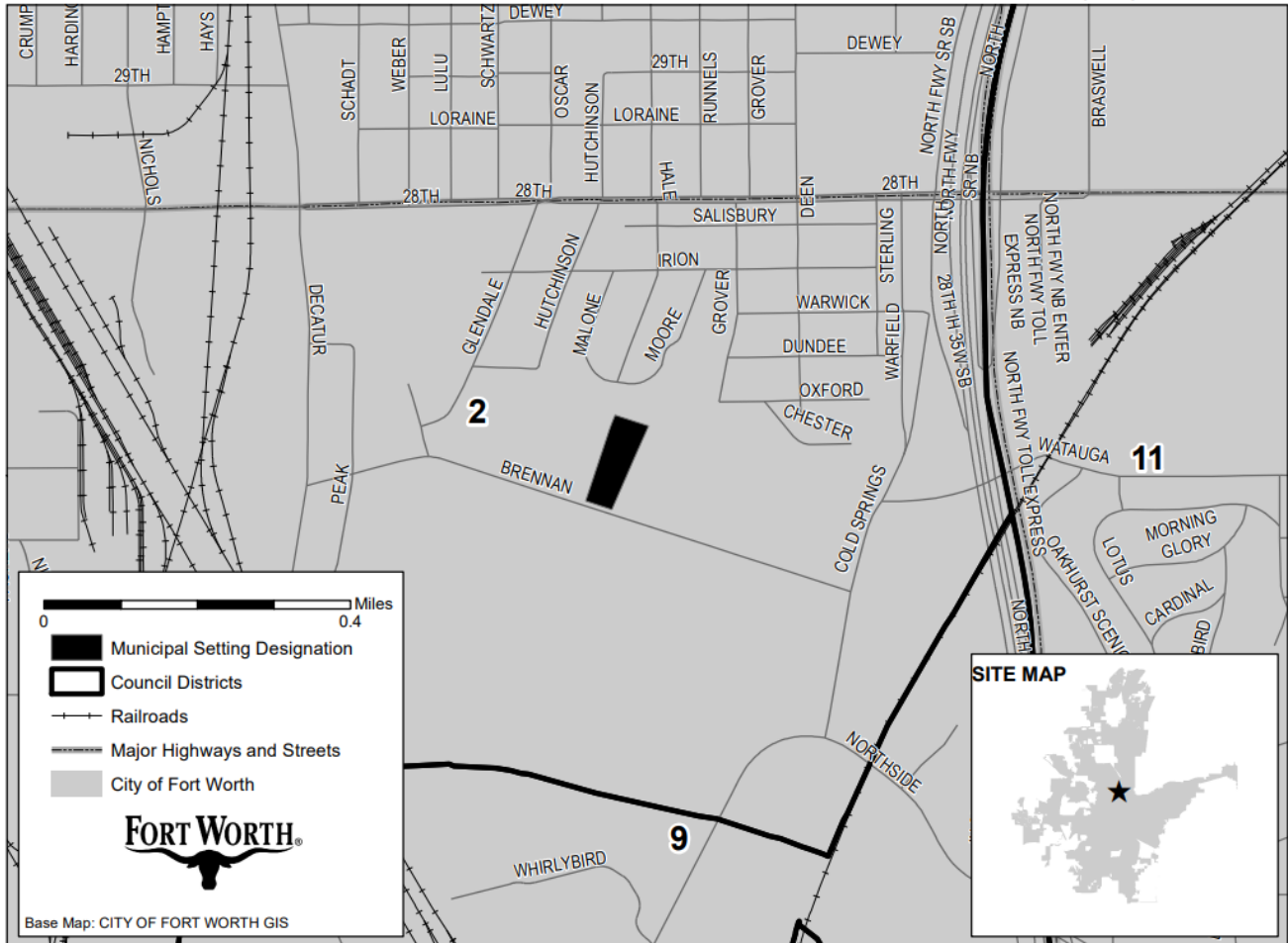
**THENCE**, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1333.40 FEET, ARC LENGTH OF 42.36 FEET, CENTRAL ANGLE OF  $01^{\circ}49'12''$ , CHORD BEARING OF S  $73^{\circ}25'07''$  E AND A CHORD DISTANCE OF 42.36 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "RPLS 6870" SET FOR CORNER;

**THENCE**, S  $72^{\circ}30'31''$  E, A DISTANCE OF 219.60 FEET TO THE POINT OF BEGINNING 'B', CONTAINING 1.145 ACRES OR 49,886 SQ. FEET OF LAND, MORE OR LESS.



## EXHIBIT B MAP

2201 Brennan Avenue, MUNICIPAL SETTING DESIGNATION MSD 033 BIP Brennan Property



**FORT WORTH**