

**A Resolution**  
**IN SUPPORT OF THE APPLICATION OF**  
**FORT WORTH GEAR & AXLE**  
**TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**FOR A MUNICIPAL SETTING LOCATED AT:**

**3409, 3412, 3413, and 3417 KELLI COURT,**  
**FORT WORTH, TEXAS**

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

**WHEREAS**, the Kelli Court, LLC (Applicant) has filed an application for support of a resolution seeking a Municipal Setting Designation for the site known as Fort Worth Gear and Axle located at 3409, 3412, 3413, and 3417 Kelli Court (Fort Worth Gear and Axle), 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 May 21, 2024, and a public hearing was held in Fort Worth on June 11, 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

FORT WORTH GEAR & AXLE PROPERTY  
3409, 3412, 3413, AND 3417 KELLI COURT  
FORT WORTH, TEXAS

#### LOT #3

Legal Description for Lot 3, Block 1-R, Diamond Heights Industrial Addition, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-42, Page 59-A, Plat Records, Tarrant County, Texas.

**BEGINNING** at a 1/2 inch capped iron rod inscribed "Barron Stark" set at the northeast corner of Lot 1, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas.

**THENCE** SOUTH 52°09'44" WEST, a distance of 309.50 to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the northwest corner of Lot 2, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas;

**THENCE** NORTH 00°59'16" WEST, a distance of 251.50 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the southwest corner of Lot 4, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas;

**THENCE** NORTH 83°31'44" EAST, a distance of 211.57 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the southeast corner of said Lot 4 same being the beginning of a curve to the left (concave northeasterly) having a radius of 163.89 feet;

**CONTINUING** along the arc of said curve to the left an arc length of 82.11 feet, passing through a central angle of 28°42'26" (having a chord bearing of SOUTH 22°08'38" EAST, a chord distance of 81.26 feet) to a set 1/2 inch capped iron rod inscribed "Barron Stark";

**THENCE** SOUTH 37°50'16" EAST, passing a found 1/2 inch iron rod at a distance of 10.95 feet in all a distance of 12.90 feet returning to the **POINT OF BEGINNING** and enclosing 0.92 Acres (40,165 Square Feet) more or less.

#### LOT #4

Legal Description for Lot 4, Block 1-R, Diamond Heights Industrial Addition, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-42, Page 59-A, Plat Records, Tarrant County, Texas.



**BEGINNING** at a 1/2 inch capped iron rod inscribed "Barron Stark" set at the northeast corner of Lot 3, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas.

**THENCE** SOUTH 83°31'44" WEST, a distance of 211.57 to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the northwest corner of Lot 3, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas;

**THENCE** NORTH 00°59'16" WEST, a distance of 134.60 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the southwest corner of Lot 5, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas;

**THENCE** NORTH 89°00'44" EAST, a distance of 181.69 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the southeast corner of said Lot 5 same being the beginning of a curve to the left (concave northeasterly) having a radius of 59.86 feet;

**THENCE** with the west right-of-way line of Kelly Court (a 60' public right of way) the following calls:

**CONTINUING** along the arc of said curve to the left an arc length of 36.84 feet, passing through a central angle of 35°15'49" (having a chord bearing of SOUTH 18°00'59" EAST, a chord distance of 36.26 feet) to a set 1/2 inch capped iron rod inscribed "Barron Stark" same being the beginning of a reverse curve to the right (concave southwesterly) having a radius of 77.80 feet;

**CONTINUING** along the arc of said curve to the right a arc length of 54.62 feet, passing through a central angle of 40°13'22" (having a chord bearing of SOUTH 19°55'26" EAST, a chord distance of 53.50 feet) to a set 1/2 inch capped iron rod inscribed "Barron Stark"; SOUTH 00°13'05" EAST, a distance of 13.50 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the beginning of a curve to the left (concave easterly) having a radius of 205.35 feet;

**CONTINUING** along the arc of said curve to the left an arc length of 15.65 feet, passing through a central angle of 4°21'57" (having a chord bearing of SOUTH 05°03'17" EAST, a chord distance of 15.64 feet) returning to the **POINT OF BEGINNING** and enclosing 0.57 Acres (24,991 Square Feet) more or less.

### **LOT #5-R**

Legal Description for Lot 5-R, Block 1-R, Diamond Heights Industrial Addition, an addition to the City Of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-42, Page 59-A, Plat Records, Tarrant County, Texas.

**BEGINNING** at a 1/2 inch capped iron rod inscribed "Barron Stark" set at the northeast corner of Lot 4, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas;



**THENCE** SOUTH 89°00'44" WEST, a distance of 181.69 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the northwest corner of Lot 4, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas;

**THENCE** NORTH 00°59'16" WEST, a distance of 177.71 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the southwest corner of the tract described in the deed to Fort Worth Transportation Authority as recorded under instrument number 0216268818 Official Public Records, Tarrant County, Texas;

**THENCE** NORTH 69°35'01" EAST, a distance of 255.94 feet to a set 1/2 inch capped iron rod inscribed "Barron Stark";

**THENCE** SOUTH 00°59'16" EAST, with the west line of Lot 6-A, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas a distance of 203.58 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set at the southwest corner of the said Lot 6-A same being the beginning of a curve to the left (concave southeasterly) having a radius of 60.00 feet;

**CONTINUING** along said arc to the left with the west right-of-way line of Kelly Court (a 60' public right of way) an arc length of 93.19 feet, passing through a central angle of 88°59'16" {having a chord bearing of SOUTH 44°12'35" WEST, a chord distance of 84.10 feet) returning to the **POINT OF BEGINNING** and enclosing 1.16 Acres (50,403 Square Feet) more or less.

#### **LOT #6-A**

Legal Description for Lot 6-A, Block 1-R, Diamond Heights Industrial Addition, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-178, Page 36, Plat Records, Tarrant County, Texas.

**BEGINNING** at a 1/2 inch capped iron rod inscribed "Barron Stark" set at the southwest corner of Lot 6-A, Block 1-R Diamond Heights Industrial Addition as recorded in Volume 388-42, Page 59 Plat Records, Tarrant County, Texas.

**THENCE** North 00° 59' 16" West a distance of 206.42 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set for the northwest corner of Lot 6-A;

**THENCE** South 77° 01' 16" East a distance of 4.94 feet;

**THENCE** South 72° 58' 16" East a distance of 50.00 feet;

**THENCE** South 68° 46' 16" East a distance of 50.00 feet;

**THENCE** South 64° 52' 16" East a distance of 50.00 feet;



**THENCE** South 60° 42' 16" East a distance of 50.00 feet;

**THENCE** South 56° 21' 16" East a distance of 41.30 feet;

**THENCE** South 50° 10' 16" East a distance of 50.00 feet;

**THENCE** South 45° 49' 16" East a distance of 8.03 feet to a 1/2 inch capped iron rod inscribed "Barron Stark" set for the northeast corner of Lot 6-A;

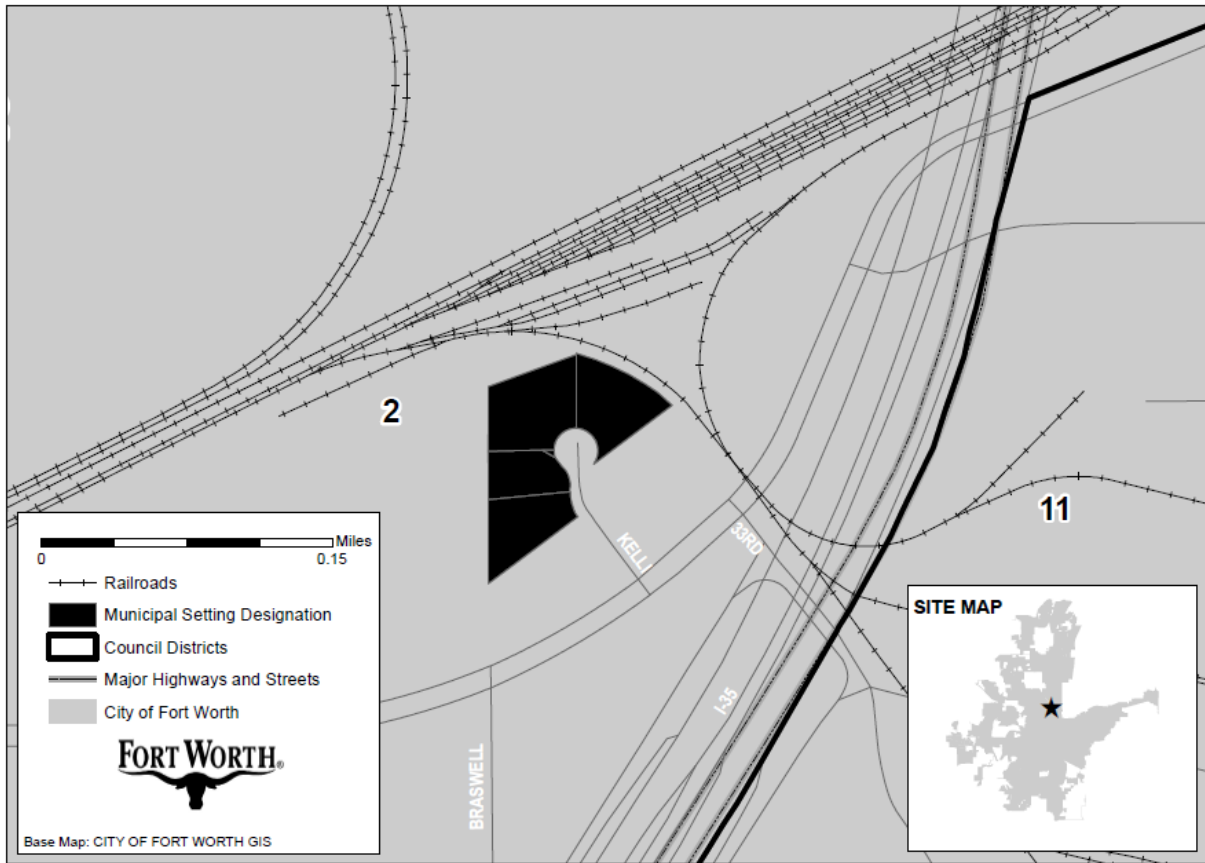
**THENCE** South 53° 09' 00" West a distance of 268.54 feet to a 1/2" iron rod found with cap stamped "CBG SURVEYING" for the most southerly 1 corner of Lot 6-A, said point lying in a curve, concave to the southwest, having a radius of 58.70 feet, and a long chord which bears North 26° 58' 03" West a distance of 106.27 feet;

**THENCE** Northerly along said curve a distance of 132.89 feet returning to the **POINT OF BEGINNING** and enclosing 0.97 Acres (42,443 Square Feet) more or less.



# EXHIBIT B MAP

3409, 3412, 3413, and 3417 Kelli Court MUNICIPAL SETTING DESIGNATION  
MSD 034 Fort Worth Gear and Axle



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