

A Resolution
IN SUPPORT OF THE APPLICATION OF
THE FORT WORTH TRANSPORTATION AUTHORITY
TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
FOR A MUNICIPAL SETTING LOCATED AT:

**200 AND 212 CARROLL STREET AND 2708, 2709 AND 2712 WEISENBERGER STREET,
FORT WORTH, TEXAS**

NO. _____

WHEREAS, the Asana Partners, LLC (Applicant) has filed an application for support of a resolution seeking a Municipal Setting Designation for the site known as The Foundry AP FW located at 200 and 212 Carroll Street and 2708, 2709 and 2712 Weisenberger Street, 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 2, 2023, and a public hearing was held in Fort Worth on May 25, 2023, 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 _____ 2023.

ATTEST:

By: _____

Jannette Goodall, City Secretary



EXHIBIT A

SITE

THE FOUNDRY AP FW
200 AND 212 CARROLL STREET AND 2708 AND 2709 WEISENBERGER STREET
FORT WORTH, TEXAS

DESCRIPTION, of a 1.373 acre (59,800 square feet) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lots 8 - 10, Lots 17-20, Block 7, all of Lot 8, Block 12, and part of Weisenberger Street (a 60-foot wide right-of-way) all of Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-A Page 120 of the Official Deed Records of Tarrant County, Texas; said 1.373 acre (59,800 square feet) tract being more particularly described as follows (Bearing system for this survey is based on the Texas Coordinate System of 1983 (2011 adjustment), Texas North Central Zone 4202 based on observations made on April 4, 2023 with an applied combined scale factor of 1.00012):

BEGINNING, at a 1/2-inch iron rod with "GRANT ENG RPLS 4151" cap found for the northeast corner of said Block 7 and the intersection of the west right-of-way line of Carroll Street (a 60-foot wide right-of-way) and the south right-of-way line of Whitmore Street (a 60-foot wide right-of-way);

THENCE, South 00 degrees, 15 minutes, 35 seconds West, along the east line of said Block 7 and said west line of Carroll Street, at distance of 142.00 feet passing an 1/2 inch iron rod with "PACHECO KOCH" cap found for the southeast corner of said Lot 10, the northeast corner of said Lot 20, continuing in all a total distance of 284.00 feet to a "+" cut in concrete found for the southeast corner of said Block 7;

THENCE, North 89 degrees, 44 minutes, 25 seconds West, along the south line of said Block 7 and the north right of way line of Weisenberger Street (a 60-foot wide right-of-way), a distance of 100.00 feet to a 1/2 inch iron rod with "PACHECO KOCH" cap found for the southwest corner of said Lot 19, Block 7 and the southeast corner of said Lot 18, Block 7;

THENCE, South 00 degrees, 15 minutes, 35 seconds West, departing said south line of Block 7 and said north line of Weisenberger Street over and across said Weisenberger Street, at a distance of 60.00 feet passing a 1/2-inch iron rod found for the northeast corner of said Lot 8 Block 12, in the south right-of-way line of Weisenberger Street and the north line of said Block 12, continuing in all a total distance of 202.00 feet to a 1/2 inch iron rod with "WESTWOOD PS" cap set for the southeast corner of said Lot 8, Block 12; said point being in the north line of Lot 6R1, Block 8, Linwood Addition, an addition to the City of Fort Worth recorded in Instrument No. D212283045 of the Official Public Records of Tarrant County, Texas;



THENCE, North 89 degrees, 44 minutes, 25 seconds West, along said south line of Lot 8, Block 12 and said north line of Lot 6R1, a distance of 50.00 feet to 1/2-inch iron rod found for southwest corner of said Lot 8, Block 12;

THENCE, North 00 degrees, 15 minutes, 35 seconds East, departing said south line of Block 12, said north line of Lot 6R1 and along the west line of said Lot 8, Block 12, at a distance of 142.00 feet passing a 1/2 inch iron rod with "WESTWOOD PS" cap set for the northwest corner of said Lot 8, Block 12; said point being in said south line of Wiesnerberger Street, continuing in all a total distance of 202.00 feet, over and across said Wiesnerberger Street to a point for the southwest corner of said Lot 18, Block 7; said point being in said north line of Weisenberger Street;

THENCE, North 89 degrees, 44 minutes, 25 seconds West, along said south line of Block 7 and said north line of Weisenberger Street, a distance of 50.00 feet to a point for the southwest corner of said Lot 17, Block 7;

THENCE, North 00 degrees, 15 minutes, 35 seconds East, departing said south line of Block 7, said north line of Weisenberger Street and along the west line of said Lot 17, Block 7, a distance of 142.00 PAGE 2 OF 2 feet to an 1/2 inch iron rod with "PACHECO KOCH" cap found for the northwest corner of said Lot 17, Block 7;

THENCE, South 89 degrees, 44 minutes, 25 seconds East, along the north line of said Lot 17, Block 7, a distance of 50.00 feet to a "+" cut in concrete for the northeast corner of said Lot 17, the northwest corner of said Lot 18, the southwest corner of said Lot 8, all of said Block 7;

THENCE, North 00 degrees, 15 minutes, 35 seconds East, along the west line of said Lot 8, Block 7, a distance of 142.00 feet to a 1/2-inch iron rod with "GRANT ENG RPLS 4151" cap found for the northwest corner of said Lot 8, Block 7, said point being in said south line of Whitmore Street;

THENCE, South 89 degrees, 44 minutes, 25 seconds East, along said north line of Block 7, and said south line of Whitmore Street, a distance of 150.00 feet to the **POINT OF BEGINNING**;
CONTAINING: 59,800 square feet or 1.373 acres of land, more or less.

Tract 1: Being a 14,200 square foot (0.326 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lots 17 and 18, Block 7, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-A, Page 120 of the Plat Records of Tarrant County, Texas; said tract also being all of that tract of land described as Tract 1 in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306408 of the Official Public Records of Tarrant County, Texas.

Tract 2: Being a 21,300 square foot (0.489 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lots 8, 9, and 10, Block 7, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-A, Page 120 of the Plat Records of Tarrant County, Texas; said tract also being all of that



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tract of land described as Tract 2 in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306408 of the Official Public Records of Tarrant County, Texas.

Tract 3: Being a 7,100 square foot (0.163 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lots 8, Block 12, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-A, Page 120 of the Plat Records of Tarrant County, Texas; said tract also being all of that tract of land described in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306408 of the Official Public Records of Tarrant County, Texas.

Tract 4: Being a 14,200 square foot (0.326 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lots 19, and 20, Block 7, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-A, Page 120 of the Plat Records of Tarrant County, Texas; said tract also being all of that tract of land described as Tract 4 in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306409 of the Official Public Records of Tarrant County, Texas.

Tract 7: Being a 56,800 square foot (01.304 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lots 2, 3, 4, 5, 6, 14, and 15, Block 8, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-A, Page 120 of the Plat Records of Tarrant County, Texas; said tract also being all of that tract of land described as Tract 7 in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306410 of the Official Public Records of Tarrant County, Texas.

Tract 8: Being a 14,200 square foot (0.326 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lot 12R, Block 8, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-113, Page 757 of the Plat Records of Tarrant County, Texas; said tract also being all of that tract of land described as Tract 8 in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306410 of the Official Public Records of Tarrant County, Texas.

Tract 9: Being a 14,200 square foot (0.326 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lot 4R, Block 13, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded in Volume 388-113, Page 757 of the Plat Records of Tarrant County, Texas; said tract also being all of that tract of land described as Tract 9 in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306410 of the Official Public Records of Tarrant County, Texas.

Tract 13: Being a 14,200 square foot (0.326 acre) tract of land situated in the William Bussell Survey, Abstract No. 151, City of Fort Worth, Tarrant County, Texas; said tract being all of Lot 16R, Block 8, Weisenberger Addition, an addition to the City of Fort Worth according to the plat recorded instrument No. D220215045 of the Official Public Records of Tarrant County, Texas; said tract also being all of that land described as Tract 13 in Special Warranty Deed with Vendor's Lien to Master Foundry, LP recorded in Instrument No. D220306413 of the Official Public Records of Tarrant County, Texas.

NOTES ADDRESSING SCHEDULE "B" EXCEPTIONS



The Property Described as Tract I & Tract II in Instrument No. D215246536 of the Official Public Records of Tarrant County, Texas is the same property as Tract 1 & Tract 2.

10(e). The following easements and/or building lines, as shown on the plat recorded in Volume 388 A, Page 120 of the Play Records of Tarrant County, Texas affects Tracts 1, 2, 3, as shown hereon

- 25-foot building line
- 4-foot utility easement

10(f). Tract 2 is the same property described in Oil, Gas, and Mineral Release recorded Instrument No. D206342367 of the Official Public Records of Tarrant County, Texas is part of Tract 1.

10(g). The property described in Special Warranty Deed with Vendor's Lien recorded in Instrument No. D211137661 of the Official Public Records of Tarrant County, Texas is part of Tract 1.

10(h). The property described as Tract I in Instrument No. D21546536 of the Official Public Records of Tarrant County, Texas is part of Tract 1. The property described as Tract II in Instrument No. D21546536 of the Official Public Records of Tarrant County, Texas is part of Tract 2.

10(i). Tract 3 is the same property described as Tract 2 in Oil, Gas, and Mineral Release in Instrument No. D206365546 of the Official Public Records of Tarrant County, Texas.

10(j). Tract 3 is the same property described in the Warranty Deed with Vendors' Lien recorded in Instrument No. D215245616 of the Official Public Records of Tarrant County, Texas.

10(k). Tract 1 is the same property as described in The Carroll Entities in the Parking Agreement recorded in Instrument No. D219090299 of the Official Public Records of Tarrant County, Texas.

10(l). The following easements and/ or building lines, as shown on the plat recorded in Volume 388 A, Page 120 of the Play Records of Tarrant County, Texas affects Tract 4 as shown hereon.

- 25-foot building line
- 4-foot utility easement
- 10-foot building line

10(m). Tract 4 is the same property described in Oil, Gas and Mineral Lease recorded Instrument No. D206292614 of the Official Public Records of Tarrant County, Texas.

10(n). The following easements and/ or building lines, as shown on the plat recorded in Volume 388 A, Page 120 of the Play Records of Tarrant County, Texas affects Tract 7 as shown hereon.

- 25-foot building line
- 4-foot utility easement

10(o). Tract 7, 8, and 9 are the same properties described as Tracts I, II, and II respectively in the Special Warranty Deed with Vendors Lien recorded in Instrument No. D21654623 of the Official Public Records of Tarrant County, Texas.

10(p). The property described in Oil, Gas and Mineral Lease recorded in Instrument NO. D206334285 of the Official Public Records is part of Tract 7.



10(q). The following easements and/ or building lines, as shown on the plat recorded in Volume 388 A, Page 635 of the Plat Records of Tarrant County, Texas affects Tract 8 as shown hereon.

- 25-foot building line
- 4-foot utility easement

10(r). The following easements and/ or building lines, as shown on the plat recorded in Volume 388 A, Page 757 of the Plat Records of Tarrant County, Texas affects Tract 9 as shown hereon.

- 25-foot building line
- 4-foot utility easement

10(s). The property described as Tract 1 is part of Tract 7, the property described as Tracts 2 and 3 are the same as Tracts 8 and 9 respectively. All in the Oil, Gas, and Mineral Lease recorded in Instrument NO. 206342438 as affected by Instrument No. D216154624 of the Official Public Records of Tarrant County, Texas.

10(v). The right-of-way Encroachment Agreement recorded in Instrument NO. D217037775 of the Official Public Records of Tarrant County, Texas affects Tract 7.

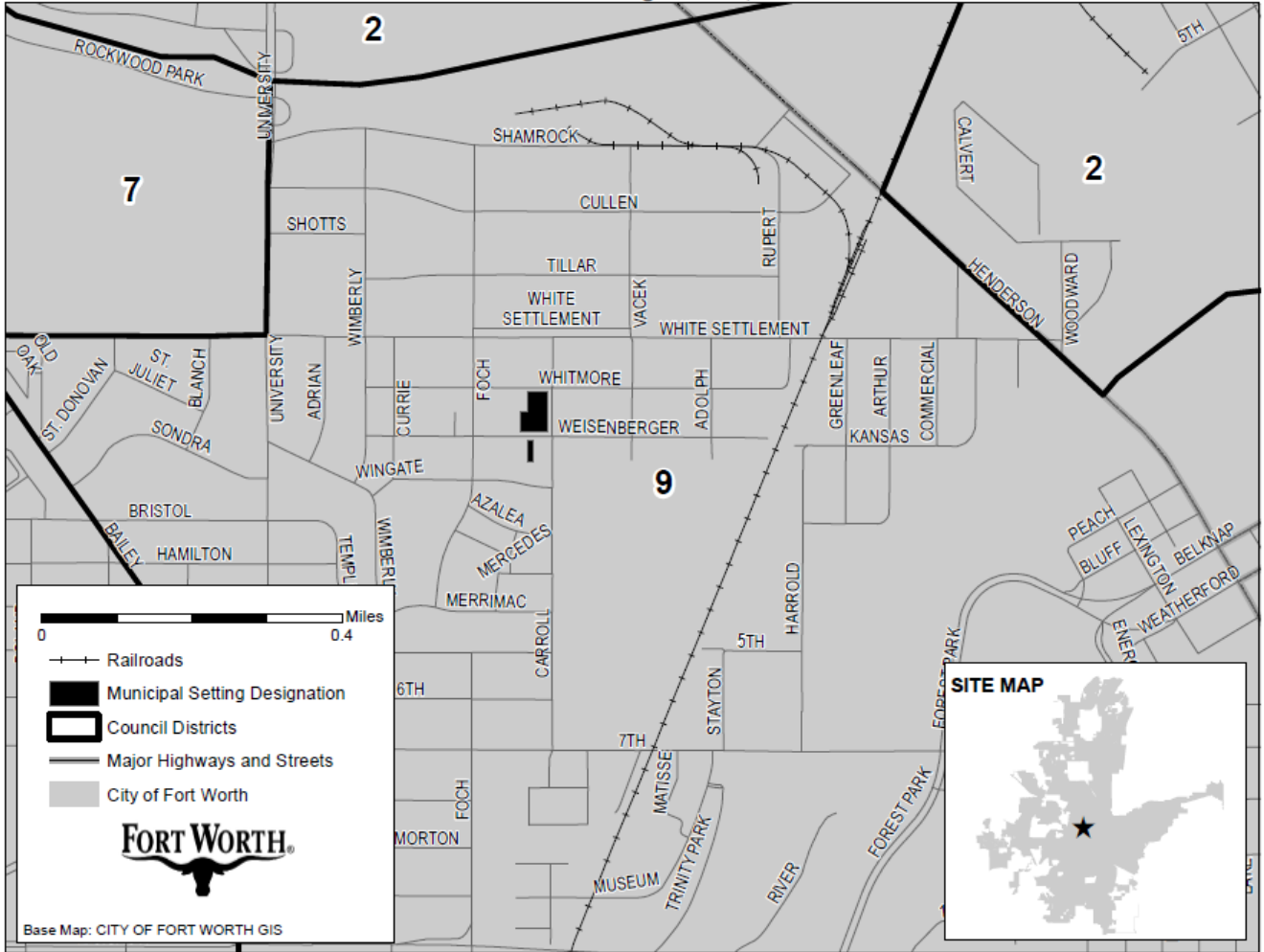
10(ac). The following easements and/ or building lines, as shown on the plat recorded in Instrument No. D220215045 of the Official Records of Tarrant County, Texas affects Tract 13 as shown hereon.

- 25-foot building line
- 8-foot utility easement
- 4-foot floodplain easement
- 42-foot floodplain easement



EXHIBIT B MAP

200 and 212 Carroll Street and 2708 and 2709 Weisenberger Street, MUNICIPAL SETTING DESIGNATION MSD-032



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