

ORDINANCE NO. 2024-08-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, VACATING A PORTION OF BLOOMDALE ROAD LOCATED APPROXIMATELY 150 FEET WEST OF THE INTERSECTION OF BLOOMDALE ROAD AND RIDGE ROAD AND ON THE NORTH SIDE OF BLOOMDALE ROAD, AND CONTAINING APPROXIMATELY 0.362 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

WHEREAS, the City of McKinney, Texas (“City”) is a home rule municipality; and

WHEREAS, a home-rule municipality has exclusive control over and under the public highways, streets and alleys of the municipality, Texas Transportation Code § 311.001 and has the authority to vacate, abandon or close a street or alley pursuant to Texas Transportation Code § 311.007; and

WHEREAS, the owners of the properties immediately adjacent to a portion of Bloomdale Road (“Petitioners”), located 150 feet west of the intersection of Bloomdale Road and Ridge Road and on the north side of Bloomdale Road, and containing approximately 0.362 acres, in the City of McKinney, Collin County, Texas, which depicted and more fully described in Exhibit A, attached hereto and incorporated herein for all purposes allowed by law (“Right-of-Way”), have petitioned the City of McKinney to vacate, abandon, and close said Right-of-Way pursuant to Section 311 of the Unified Development Code, City of McKinney, Texas (“McKinney Code”); and

WHEREAS, the Right-of-Way is no longer needed for public roadway purposes and would serve a greater benefit by being reverted to private property and contributing to property tax revenues; and

WHEREAS, the City Council of the City (“City Council”) finds that notice of the public hearing for consideration of this petition was provided in accordance with Section 311 of the McKinney Code; and

WHEREAS, after public hearing held before the City Council, the City Council has determined and finds that the Right-of-Way is not needed for travel by the general public, and that the vacation, abandonment, and closure of the Right-of-Way is in the best interest of the City, and that the Right-of-Way should be vacated, abandoned, and closed.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

Section 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of McKinney, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. The Right-of-Way, which is depicted and more fully described in Exhibit A, attached hereto, is hereby vacated, abandoned, and closed.

Section 3. A variable width Utility Easement is to be retained by the City of McKinney over the entirety of the abandoned right-of-way.

Section 4. This ordinance shall become effective immediately upon adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 20TH DAY OF AUGUST, 2024.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

EMPRESS DRANE
City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

EXHIBIT A
PAGE 1 OF 2

LEGAL DESCRIPTION

BEING a tract of land located in the City of McKinney, Collin County, Texas, being part of the Thomas Stallcup Survey, Abstract No. 846, being part of that called 0.434 acre tract of land described in deed recorded as Instrument No. 2023000014544, being a portion of the right-of-way of Bloomdale Road (County Road No. 123) as dedicated by the plat of Highland Lakes, Phase 1 recorded as Document No. 2023-493, Plat Records, Collin County, Texas; and being more particularly described as follows:

COMMENCING at a "P-K" nail found for the southeast corner of said Highland Lakes, Phase 1, said point being at the intersection of the centerline of County Road No. 163 (unrecorded right-of-way) and County Road No. 123;

THENCE along the south line of said Highland Lakes, Phase 1 and the centerline of said County Road No. 123, North 89 degrees 59 minutes 48 seconds West, a distance of 118.08 feet to a point;

THENCE, departing said centerline, over and across said right-of-way dedication tract as follows:

North 00 degrees 00 minutes 12 seconds East, a distance of 36.00 feet to a point;

North 89 degrees 59 minutes 48 seconds West, a distance of 135.87 feet to a one-half inch iron rod with cap stamped "JBI" set, the **POINT OF BEGINNING**;

North 89 degrees 59 minutes 48 seconds West for a distance of 370.18 feet to a one-half inch iron rod with yellow plastic cap stamped "JBI" set;

North 83 degrees 43 minutes 11 seconds West for a distance of 100.61 feet to a one-half inch iron rod with yellow plastic cap stamped "JBI" set;

North 89 degrees 59 minutes 48 seconds West for a distance of 45.92 feet to a point in the northerly line of said right-of-way dedication tract;

THENCE, along the north line of said right-of-way dedication tract as follows:

North 00 degrees 03 minutes 35 seconds West for a distance of 29.00 feet to a point;

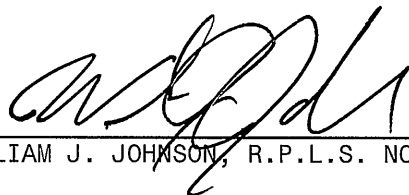
South 89 degrees 59 minutes 48 seconds East for a distance of 46.33 feet to a point;

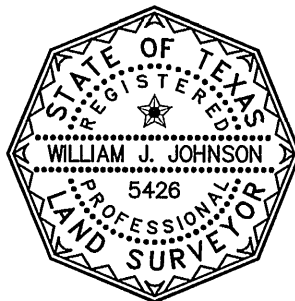
South 83 degrees 43 minutes 11 seconds East for a distance of 100.61 feet to a point;

South 89 degrees 59 minutes 48 seconds East for a distance of 425.45 feet to a point, being westerly line of a right-of-way tract described in deed to the State of Texas recorded as Document No. 2024000016981, Official Public Records, Collin County, Texas, the beginning of a non-tangent curve to the right;

THENCE along said curve to the right having a central angle of 01 degrees 10 minutes 33 seconds, a radius of 3,058.00 feet, an arc length of 62.76 feet, a chord bearing of South 62 degrees 28 minutes 56 seconds West and a chord distance of 62.76 feet to the **POINT OF BEGINNING** and containing 15,764 square feet or 0.362 acre of land.

Bearings are derived from the Texas State Plane Coordinate System, North Central Zone (4202) NAD-83 based on GPS Observations.


WILLIAM J. JOHNSON, R.P.L.S. NO. 5426




SCALE:	DATE 05/07/2024	DRAWN WJJ	PROJECT WCD056 0.362ac ROW Abandonment.dwg	 2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000
--------	--------------------	--------------	---	--

EXHIBIT A PAGE 2 OF 2

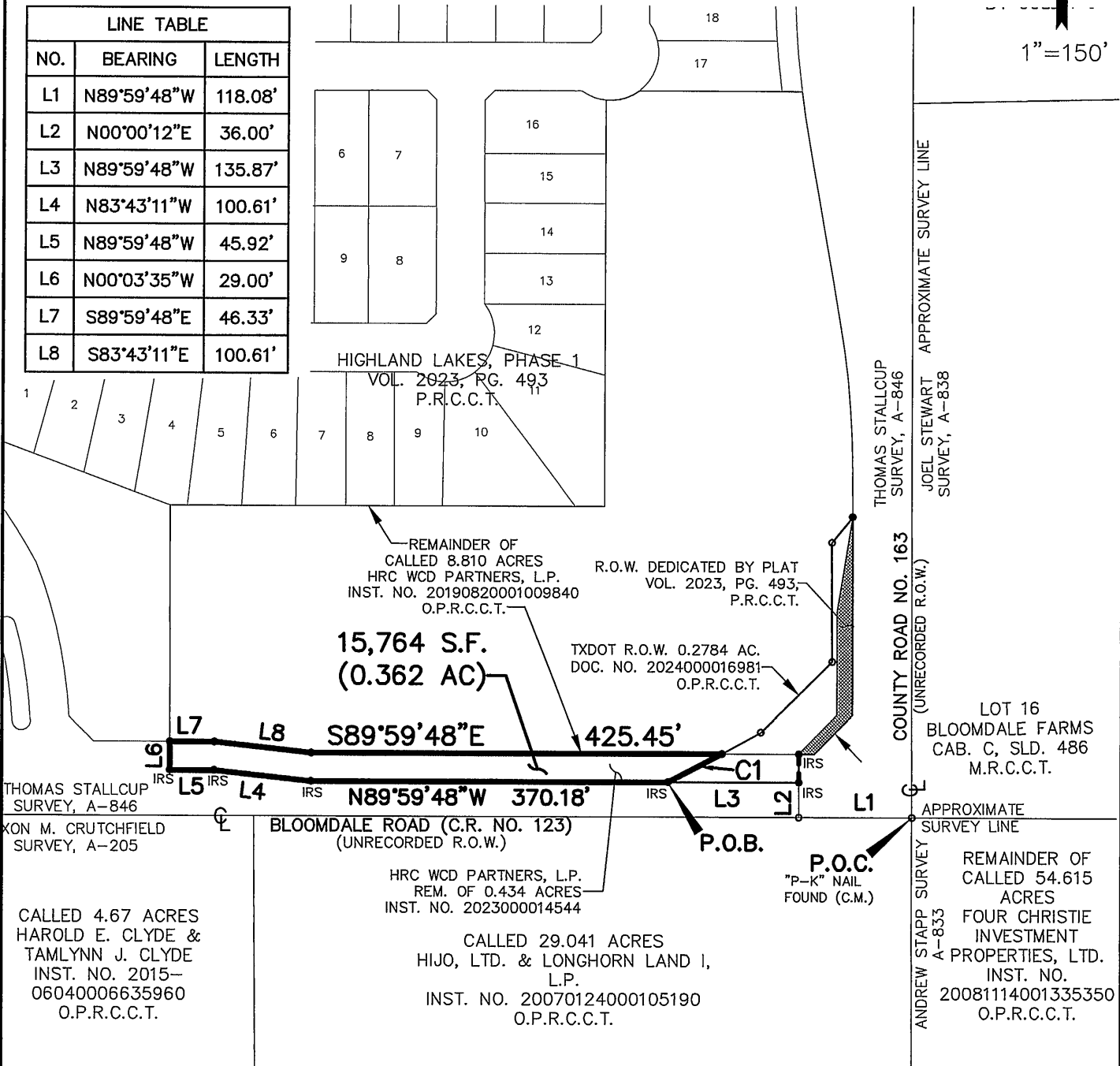
LEGEND

POC POINT OF COMMENCING
 POB POINT OF BEGINNING
 IRS 1/2" IRON ROD WITH YELLOW
 PLASTIC CAP STAMPED "JBI" SET
 CM CONTROL MONUMENT
 S.F. SQUARE FEET


Bearings are derived from the Texas State Plane
 Coordinate System, North Central Zone (4202)
 NAD-83 based on GPS Observations.



LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°59'48"W	118.08'
L2	N00°00'12"E	36.00'
L3	N89°59'48"W	135.87'
L4	N83°43'11"W	100.61'
L5	N89°59'48"W	45.92'
L6	N00°03'35"W	29.00'
L7	S89°59'48"E	46.33'
L8	S83°43'11"E	100.61'



CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	62.76'	001°10'33"	3058.00'	31.38'	S62°28'56"W	62.76'

SCALE: 1" = 150'	DATE 05/07/2024	DRAWN WJJ	PROJECT WCD056 0.362ac ROW Abandonment.dwg		2121 Midway Road Suite 300 Carrollton, Texas 75006 972.248.7676 TBPE No. F-438 TBPLS No. 10076000
---------------------	--------------------	--------------	---	---	--