

**RESOLUTION NO. 2015-03-\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE DEVELOPMENT AGREEMENTS ASSOCIATED WITH THE CITY OF MCKINNEY'S ANNEXATION OF PROPERTY GENERALLY LOCATED AT AND AROUND THE INTERSECTION OF LAUD HOWELL PARKWAY (F.M. 543 CONNECTOR), TRINITY FALLS PARKWAY (F.M. 543), AND CENTRAL EXPRESSWAY (U.S. HIGHWAY 75)**

**WHEREAS,** the City Council of the City of McKinney, Texas, agrees that portions of its Extraterritorial Jurisdiction (ETJ) generally located at and around the intersection of Laud Howell Parkway (F.M. 543 Connector), Trinity Falls Parkway (F.M. 543), and Central Expressway (U.S. Highway 75) should be annexed into its corporate limits;

**WHEREAS,** Section 43.035 of the Texas Local Government Code outlines that before a municipality may annex property which is subject to an agricultural, wildlife management or timber land ad valorem tax exemption, the municipality shall first offer to enter into a development agreement pursuant to Section 212.172 of the Texas Local Government Code;

**WHEREAS,** Section 212.172 of the Texas Local Government Code, among other things, guarantees (1) the ETJ status of the property will continue for a stated period of time unless any type of development plat or related development document for the property is filed with a government agency, whichever date occurs first; and (2) authorizes the enforcement of all regulations and planning authority of the City that do not interfere with the use of the property for agricultural, wildlife management or timber land purposes;

**WHEREAS,** several property owners generally located at and around the intersection of Laud Howell Parkway (F.M. 543 Connector), Trinity Falls Parkway (F.M. 543), and Central Expressway (U.S. Highway 75) have executed development agreements in accordance with Section 212.172 of the Texas Local Government Code;

**WHEREAS,** the City Council of the City of McKinney, Texas agrees that the City's interests are served by executing these aforementioned development agreements; and

**WHEREAS,** the City Council of the City of McKinney, Texas authorizes the Interim City Manager to execute all development agreements associated with the annexation of land generally located at and around the intersection of Laud Howell Parkway (F.M. 543 Connector), Trinity Falls Parkway (F.M. 543), and Central Expressway (U.S. Highway 75).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

Section 1. The City Council of the City of McKinney, Texas hereby authorizes the Interim City Manager to execute all development agreements associated with the City's efforts to annex land generally located at and around the intersection of Laud Howell Parkway (F.M. 543 Connector), Trinity Falls Parkway (F.M. 543), and Central Expressway (U.S. Highway 75).

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS ON THE 17<sup>TH</sup> DAY OF MARCH, 2015.**

CITY OF McKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary  
DENISE VICE, TRMC  
Assistant City Secretary

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney