

RESOLUTION NO. 2017-12-___ (R)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY,
TEXAS, AUTHORIZING THE CITY MANAGER TO RELEASE
DEVELOPMENT AGREEMENTS PREVIOUSLY EXECUTED IN
ASSOCIATION WITH THE 2017 MUNICIPAL ANNEXATION POLICY**

WHEREAS, the annexation of land into the corporate limits of the city is governed by Chapter 43 of the Texas Local Government Code;

WHEREAS, on January 17, 2017, the City Council of the City of McKinney, Texas adopted Ordinance No. 2017-01-012, establishing the 2017 Municipal Annexation Policy;

WHEREAS, included in the 2017 Municipal Annexation Policy was the proposed annexation of approximately 218 acres of land into the corporate limits of the city pursuant to Section 43.052 of the Texas Local Government Code;

WHEREAS, the approximately 218 acres of land identified for annexation in the 2017 policy document can generally be described as an area located north and east of the intersection of US Highway 380 and FM 2478; and an area being along the north side of US Highway 380 and east of FM 1827 (New Hope Road);

WHEREAS, in conformance with Section 43.035 of the Texas Local Government Code, the City of McKinney, Texas offered and executed development agreements with qualified property owners within the proposed 218 acre annexation area;

WHEREAS, following the approval of the 2017 Municipal Annexation Policy, the proposed annexation of approximately 218 acres of land into the corporate limits and the execution of associated development agreements, the Texas Legislature approved Senate Bill 6 which modified the Chapter 43 of the Texas Local Government Code and the procedures required for municipal annexations in Texas;

WHEREAS, properties identified for annexation in the 2017 Municipal Annexation Policy are now subject to the new procedures of state law as outlined in Senate Bill 6;

WHEREAS, as a result of the changes in state law regarding municipal annexation, the City of McKinney, Texas is no longer pursuing the municipal annexation of the 218 acres of land identified in the 2017 Municipal Annexation Policy at this time; and

WHEREAS, in light of the fact that the City of McKinney, Texas is no longer pursuing municipal annexation of the properties identified in the 2017 Municipal Annexation Policy, development agreements executed as part of this policy document should be released, if requested by the signing property owner.

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 City Manager to execute the release of any development agreement previously executed as part of the City's 2017 Municipal Annexation Policy if such release is requested by the signing property owner.

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 5TH DAY OF DECEMBER, 2017.

CITY OF MCKINNEY, TEXAS

GEORGE F. FULLER
Mayor

ATTEST:

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

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney