

ORDINANCE NO. 2013-12-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ANNEXING CERTAIN TERRITORIES TO THE CITY OF MCKINNEY; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

WHEREAS, the City of McKinney, Texas has adopted an updated Comprehensive Plan to encourage and coordinate future physical development within its Ultimate Planning Area; and

WHEREAS, the City of McKinney recognizes that certain mechanisms are necessary to implement said Comprehensive Plan; and

WHEREAS, the Comprehensive Annexation Plan is such a mechanism to aid in the implementation of the Comprehensive Plan; and

WHEREAS, the specific purposes of the Comprehensive Annexation Plan are:

1. to aid in implementing the City of McKinney Comprehensive Plan,
2. to define and protect the ultimate boundaries of McKinney,
3. to ensure responsible planning,
4. to encourage quality development in the future, and
5. to ensure the continued attractive and efficient growth of the City; and

WHEREAS, the protection of the public health and general welfare of the people of the City of McKinney requires that such development be in an orderly manner and controlled by the City of McKinney; and

WHEREAS, two public hearings were held before the City Council of the City of McKinney, Texas, on the 4th day of November, 2013, at 5:30 p.m., and on the 5th day of November, 2013, at 6:00 p.m., which dates were not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, a third and final public hearing was held before the City Council of the City of McKinney, Texas, on the 3rd day of December, 2013, at 6:00 p.m., to consider the adoption of an ordinance to annex the subject property at the voluntary request of the property owners; and

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of McKinney, Texas, the 20th day of October, 2013, and the 17th day of November, 2013, which dates were not more than twenty (20) days nor less than ten (10) days prior to the day of such public hearings; and

WHEREAS, the territory lies adjacent to and adjoins properties within the City of McKinney, Texas;

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

Section 1. The following described and illustrated land and territories lying adjacent to and adjoining properties within the City of McKinney, Texas, are hereby added and annexed to the City of McKinney, Texas, to wit:

**SEE ATTACHED EXHIBIT A (LOCATION MAP)
SEE ATTACHED EXHIBIT B (LEGAL DESCRIPTION)
SEE ATTACHED EXHIBIT D (PROPERTY DESCRIPTION)**

- Section 2. The above described and illustrated territory lying adjacent to and adjoining said territory above, including the adjacent and/or abutting segments of Wilmeth Road and County Road 161 (Future Ridge Road) as required by State law, shall hereafter be included within the boundary limits of the City of McKinney, Texas, and the present boundary limits of said City, at the various point contiguous to the area described and illustrated above, are altered and amended so as to include said area within the corporate limits of the City of McKinney, Texas.
- Section 3. The Service Plan (Exhibit C) shall be adopted by the McKinney City Council and shall apply to all areas annexed.
- Section 4. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.
- Section 5. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 3rd DAY OF DECEMBER, 2013.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney