

**ORDINANCE NO. 2012-08-\_\_\_\_**

**AN ORDINANCE VACATING AN UNIMPROVED EAST/WEST RIGHT-OF-WAY, HOWELL STREET, APPROXIMATELY 0.087 ACRES, LOCATED BETWEEN CHURCH STREET AND WOOD STREET, NORTH OF LOT 1, BLOCK A OF THE GARCIA ADDITION AND SOUTH OF LOT 1B, BLOCK 58 OF THE CITY OF MCKINNEY ORIGINAL DONATION, PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS**, the owners of the properties immediately adjacent to an unimproved east/west right-of-way, Howell Street, approximately 0.087 acres, located between Church Street and Wood Street, north of Lot 1, Block A or the Garcia Addition and south of Lot 1B, Block 58 of the City of McKinney Original Donation, in the City of McKinney, Collin County, Texas, have petitioned the City of McKinney to vacate said right-of-way; and

**WHEREAS**, after due notice was sent to all persons owning properties adjacent to such right-of-way and all persons affected thereby; and

**WHEREAS**, after due notice and hearing held before the City Council of the City of McKinney, the City Council has determined and finds that the right-of-way is not needed for travel by the general public, and that the same should be vacated.

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

Section 1. The unimproved east/west right-of-way, Howell Street, approximately 0.087 acres, located between Church Street and Wood Street, north of Lot 1, Block A or the Garcia Addition and south of Lot 1B, Block 58 of the City of McKinney Original Donation, in the City of McKinney, which is more fully depicted in Exhibit A and more fully described in Exhibit B, attached hereto, is hereby closed and vacated for public travel.

Section 2. The City of McKinney reserves a 15 foot wide exclusive, perpetual drainage and utility easement within the vacated right-of-way, which is more fully depicted on Exhibit C, attached hereto.

Section 3. This ordinance shall become effective immediately upon adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 21<sup>ST</sup> DAY OF AUGUST, 2012.**

CITY OF MCKINNEY, TEXAS

\_\_\_\_\_  
BRIAN LOUGHMILLER  
Mayor

CORRECTLY ENROLLED:

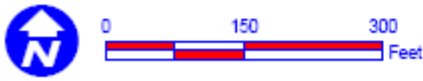
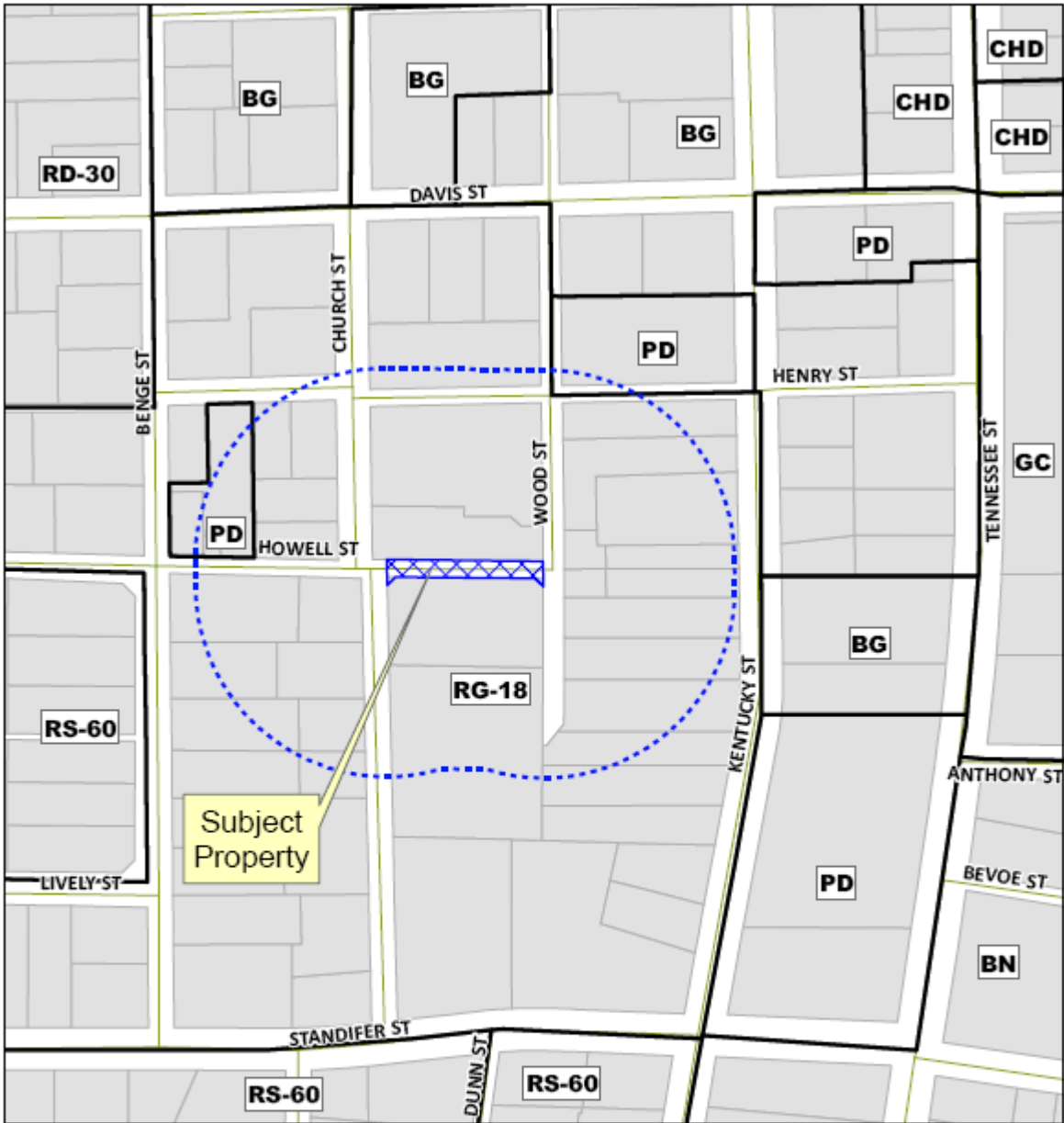
\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary  
BLANCA I. GARCIA  
Assistant City Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

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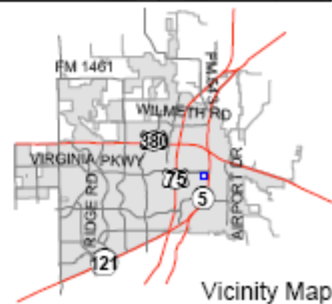
MARK S. HOUSER  
City Attorney



**Notification Map**

Case: 12-135AA

--- 200' Notification Buffer



**EXHIBIT A**

Being a tract of land situated in the Ed Bradley Survey, Abstract No. 85, in the City of McKinney, Collin County, Texas and being a part of the corner clip right-of-way dedications as shown at the northeast and northwest corner of Lot 1, Block A, of the GARCIA ADDITION, as recorded in Volume 2006, Page 488, of the Map Records of Collin County, Texas, and also being a portion of Howell Street (not in use), said tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" found (herein after referred to as a capped iron rod found) at the most westerly northwest corner of said Lot 1, same being the southwesterly corner of a corner clip at the intersection of the easterly monumented line of Church Street and the southerly monumented line of Howell Street;

THENCE North 00°00'00" West, along the easterly line of said corner clip, passing a 1/2" iron rod found at a distance of 10.00' and continuing over and across said Howell Street, a total distance of 30.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" set in the northerly monumented line of Howell Street, same being the southerly line of Lot 1B, Block 58 of the City of McKinney Original Donation;

THENCE South 88°52'48" East, along said northerly monumented line of Howell Street, a distance of 183.48' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" set in the westerly monumented line of Wood Street;

THENCE South 00°00'00" West, along said westerly monumented line of Wood Street, same being over and across said Howell Street, a distance of 30.00' to a capped iron rod found at the southeasterly corner of a corner clip at the intersection of said Howell Street and Wood Street, same being the most easterly northeast corner of said Lot 1, Block A;

THENCE along the northerly line of said Lot 1, the following courses and distances:

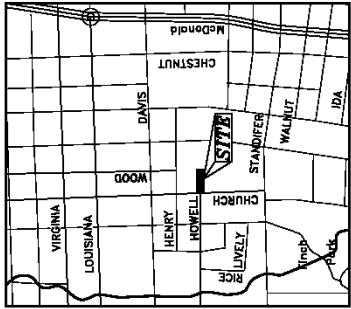
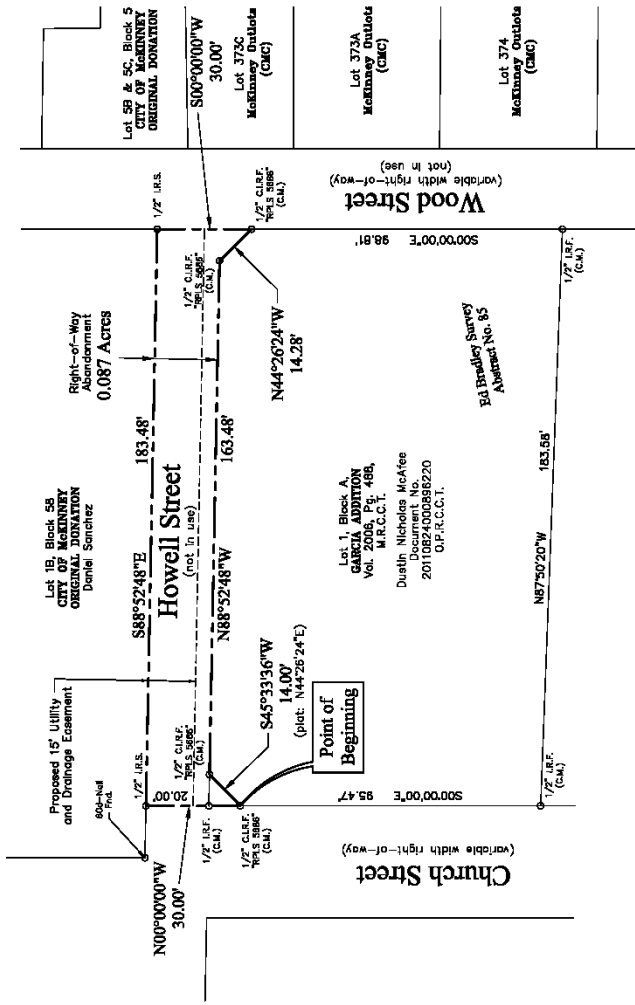
North 44°26'24" West, a distance of 14.28' to a capped iron rod found for corner;

North 88°52'48" West, a distance of 163.48' to a capped iron rod found for corner;

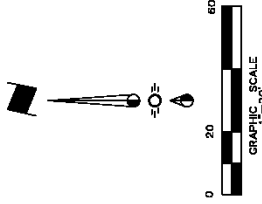
South 45°33'36" West, a distance of 14.00' to the POINT OF BEGINNING and containing 0.087 of one acre of land, more or less.

## **EXHIBIT B**

EXHIBIT C



VICINITY MAP  
N.T.S.



Being a tract of land alloted in the Ed Bradley Survey, Abstract No. 85, in the City of McKinney, Collin County, Texas and being a part of the corner cap right-of-way monumentations on all lots of the Ed Bradley Survey, Abstract No. 85, in the City of McKinney, Collin County, Texas, and also being a portion of Howell Street (not in use), said tract being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5688" found (wherein other referred to as a capped iron rod found) at the most westerly northwest corner of said Lot 1, Block A, McKinney Addition, Vol. 2006, Pp. 488, M.R.C.C.T., the southerly monumented line of Howell Street;

**THENCE** North 09°03'00" West, along the westerly line of said corner cap, passing a 1/2" iron rod found at a distance of 10.00' and continuing over and across said Howell Street, a total distance of 30.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5688" set in the northerly monumented line of Howell Street, same being the southerly line of Lot 1B, Block 58 of the City of McKinney Original Donation;

**THENCE** South 89°32'46" East, along said northerly monumented line of Howell Street, a distance of 14.28' to a yellow plastic cap stamped "RPLS 5688" set in the westerly monumented line of Wood Street;

**THENCE** South 03°03'00" West, along said westerly monumented line of Wood Street, same being over and across said Howell Street, a distance of 30.00' to a capped iron rod found at the southeasterly corner of a corner cap at the intersection of said Howell Street and Wood Street, same being the most easterly northeast corner of said Lot 1, Block A;

**THENCE** along the northerly line of said Lot 1, the following courses and distances:  
North 44°28'24" West, a distance of 14.28' to a capped iron rod found for corner;  
North 89°52'46" West, a distance of 163.48' to a capped iron rod found for corner;

South 45°33'36" West, a distance of 14.00' to the **POINT OF BEGINNING** and containing 0.087 of one acre of land, more or less.

Iron Discs	Reference	Date
1		
2		
3		
4		
5		
6		

**CROSS ENGINEERING CONSULTANTS**  
 100 W. Lindberg Street  
 McKinney, Texas 75068  
 972.562.4499 Fax 972.562.4471

Drawn By: DJC  
 Checked By: DJC  
 Scale: 1" = 20'

**ABANDONMENT EXHIBIT**

**HOWELL STREET**  
 Dusty McAfee  
 CITY OF MCKINNEY, TEXAS

Project No. 12085  
 AE