

RESOLUTION NO. 2016-12-___ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE SALE OF APPROXIMATELY 6.28 ACRES OF VACATED RIGHT-OF-WAY FOR F.M. 543 TO CENTRAL & 543, L.L.C.

WHEREAS, the City Council of the City of McKinney, Texas, has considered the need to retain vacated right-of-way (ROW) for F.M. 543 generally located north and west of Central Expressway (U.S. Highway 75) and Laud Howell Parkway and determined that this land is no longer needed by the City; and

WHEREAS, an appraisal of approximately 6.28 acres of vacated ROW for F.M. 543 was conducted and the value of said land was determined to be \$158,000; and

WHEREAS, the adjacent property owner, Central & 543, L.L.C., has agreed to pay the City \$158,000 for the vacated ROW in exchange for fee simple ownership of the land subject to any easements that may be needed by the City of McKinney; and

WHEREAS, the City Council of the City of McKinney, Texas, in accordance with Section 272.001(b) of the Texas Local Government Code, grants the City Manager the authority to execute the sale of this vacated ROW to Central & 543, L.L.C.

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 sale of approximately 6.28 acres, described more fully by Exhibits A and B, attached hereto, of vacated ROW for F.M. 543 generally located to the north and west of Central Expressway (U.S. Highway 75) and Laud Howell Parkway to Central & 543, L.L.C. for \$158,000.

Section 2. The City of McKinney reserves the right to encumber this vacated ROW with any easements determined to be necessary.

Section 3. 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, 2016.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

ATTEST:

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

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

EXHIBIT A

LEGAL DESCRIPTION

0.818 ACRE

BEING a tract of land out of the Meredith Hart Survey, Abstract No. 371, in the City of McKinney, Collin County, Texas, being part of the 2.2475 acre tract of land described in deed to the City of McKinney recorded in Instrument No. 20130418000524560 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found in the west right-of-way line of F.M. Highway 543 (variable width ROW), said iron rod being the southeast corner of a 0.94 acre tract of land described in deed to Central 543, LLC, recorded in Instrument No. 20140822000902750 of the Official Public Records of Collin County, Texas;

THENCE with said west right-of-way line, the following courses and distances to wit:
 South 62°15'00" West, a distance of 148.95 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner;
 South 0°05'15" West, a distance of 257.81 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner;

THENCE leaving said west right-way line, the following courses and distances to wit:
 North 26°58'46" West, a distance of 15.76 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner;
 North 28°30'32" West, a distance of 17.76 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" at the beginning of a tangent curve to the left having a central angle of 11°42'54", a radius of 1365.00 feet, a chord bearing and distance of North 34°21'59" West, 278.61 feet;
 In a northwesterly direction, with said curve to the left, an arc distance of 279.10 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner in the east line of a 155.12 acre tract of land described in deed to Central and Fannin Wilson 155, LLLP recorded in Instrument No. 20071113001536620 of the Official Public Records of Collin County, Texas;

THENCE with said east line, North 1°31'56" East, a distance of 59.63 feet to a 1/2" iron rod found for the southwest corner of said 0.89 acre tract;

THENCE with the south line of said 0.94 acre tract, North 88°30'13" East, a distance of 303.62 feet to the **POINT OF BEGINNING** and containing 35,644 square feet or 0.818 acre of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

DANA BROWN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5336
 12750 MERIT DRIVE, SUITE 1000
 DALLAS, TEXAS 75251
 PH. 972-770-1300
 dana.brown@kimley-horn.com



EXHIBIT DRAWING
 MEREDITH HART SURVEY,
 ABSTRACT NO. 371
 CITY OF MCKINNEY,
 COLLIN COUNTY, TEXAS

Kimley»Horn
 12750 Merit Drive, Suite 1000 Dallas, Texas 75251 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

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EXHIBIT A CONTINUED

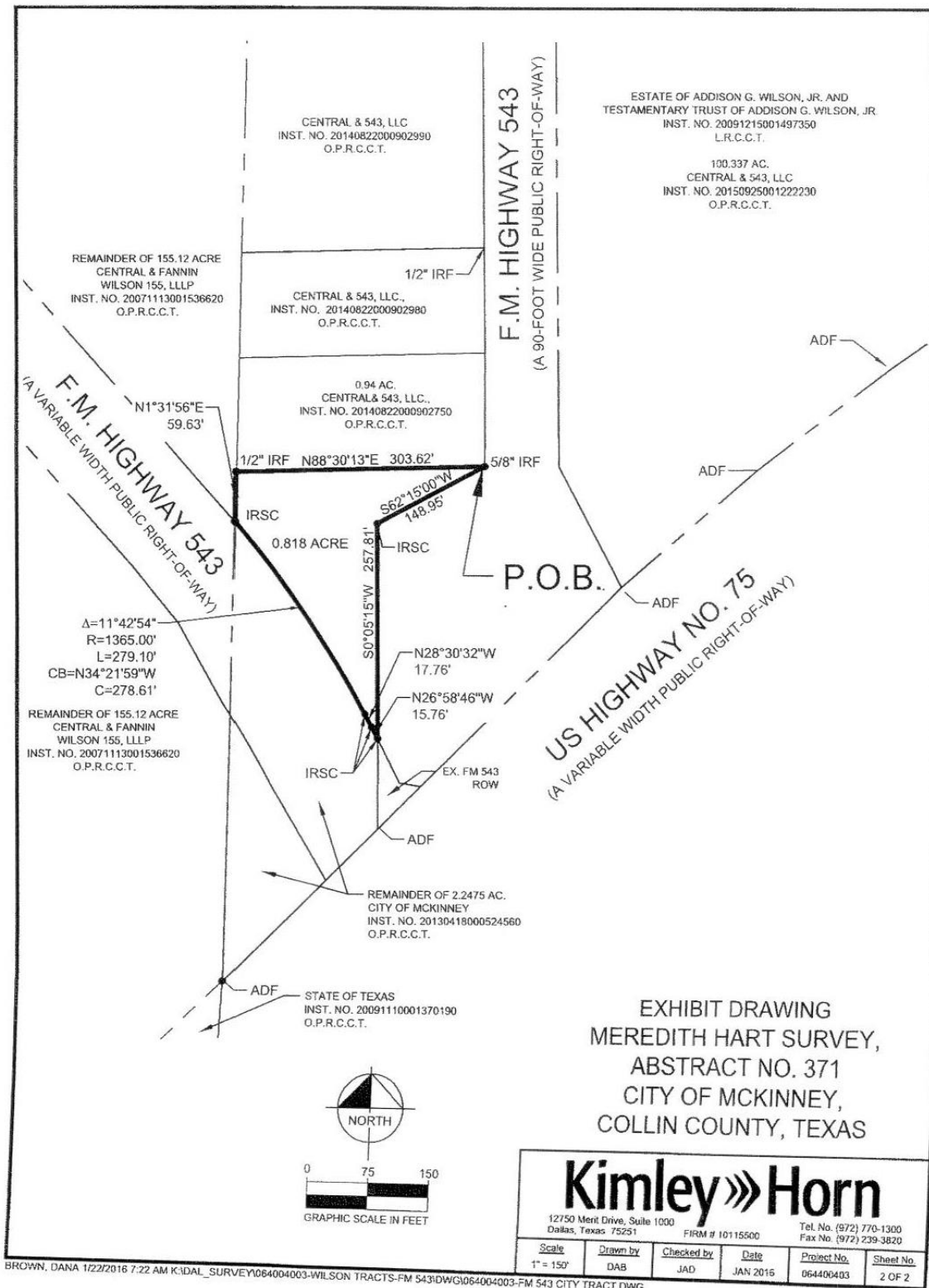


EXHIBIT B

LEGAL DESCRIPTION
5.4620 ACRES

BEING a tract of land out of the Meredith Hart Survey, Abstract No. 371, in the City of McKinney, Collin County, Texas, being part of the F. M. 543 right-of-way and being part of the tracts of land described in Transfer of Right Of Way recorded in Instrument No. 20140217000146290 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a TXDOT aluminum disk found in the north right-of-way line of U.S. Highway No. 75 (variable width ROW) for the south corner of a 100.337 acre tract of land described in deed to Central and 543, LLC recorded in Instrument No. recorded in Instrument No. 20150925001222230 of the Official Public Records of Collin County, Texas;

THENCE with the north right-of-way line of said U.S. Highway No. 75, South 45°44'56" West, a distance of 343.76 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner;


THENCE leaving said north right-of-way line, the following courses and distances to wit:
 North 81°14'14" West, a distance of 26.34 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner;
 North 26°58'46" West, a distance of 59.42 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner in the east line of a 2.2475 acre tract of land described in deed to the City of McKinney recorded in Instrument No. 20130418000524560 of the Official Public Records of Collin County, Texas;

THENCE with the east line of said 2.2475 acre tract, the following courses and distances to wit:
 North 0°05'15" East, a distance of 257.81 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner;
 North 62°15'00" East, a distance of 148.95 feet to a 5/8" iron rod found for the southeast corner of a 0.94 acre tract of land described in deed to Central and 543, LLC recorded in Instrument No. 20140822000902750 of the Official Public Records of Collin County, Texas;

THENCE with the west right-of-way line of said F.M. 543 and with the east line of said 0.94 acre tract, North 0°21'14" East, a distance of 135.83 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for the southeast corner of a 0.86 acre tract of land described in deed to Central and 543, LLC, recorded in Instrument No. 20140822000902980, Official Public Records of Collin County, Texas;

THENCE continuing with said west right-of-way line and with the east line of the said 0.86 acre tract, the east line of a 2.0 acre tract of land described in deed to Central and 543, LLC, recorded in Instrument No. 201408222902990, and with the east line of a tract of land described in deed to Corey Michelle Wallis, etal, recorded in Instrument No. 20130227000265710 Official Public Records of Collin County, Texas, North 0°11'12" West, a distance of 573.88 feet to a 1/2" iron rod found for the southeast corner of a 1.17 acre tract of land described in deed to Central and 543, LLC, recorded in Instrument No. 20140822000902710, Official Public Records of Collin County, Texas;

RIGHT-OF-WAY ABANDONMENT
 MEREDITH HART SURVEY,
 ABSTRACT NO. 371
 CITY OF MCKINNEY,
 COLLIN COUNTY, TEXAS

		12750 Merit Drive, Suite 1000 Dallas, Texas 75251		FIRM # 10115500		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
		Scale N/A	Drawn by DAB	Checked by JAD	Date FEB 2016	Project No. 064400403	Sheet No. 1 OF 4

THENCE with the east line of said 1.17 acre tract, North 0°22'01" West, a distance of 180.92 feet to a 1/4" iron rod found for the northeast corner of said 1.17 acre tract;

THENCE continuing with said west right-of-way line, the east line of a 155.12 acre tract of land described in deed to Central & Fannin Wilson 155, LLLP recorded in Instrument No. 20071113001536620, Official Public Records of Collin County, Texas and the east line of the remainder of a tract of land described in deed to Rodger Lawler, Trustee of RL Trust recorded in Instrument No. 20140314000241690, Official Public Records of Collin County, Texas, North 0°13'45" West, a distance of 822.61 feet to a 1/2" iron rod found at the beginning of a non-tangent curve to the left having a central angle of 15°31'32", a radius of 1110.00 feet, a chord bearing and distance of North 16°59'29" East, 299.86 feet;

THENCE leaving said west right-of-way line and in a northeasterly direction, with said curve to the left, an arc distance of 300.78 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner in the east right-of-way line of said F.M. 543 and the west line of said 100.337 acre tract;

THENCE with the said east right-of-way line and the said west line of said 100.337 acre tract, the following courses and distances to wit:

South 0°15'10" East, a distance of 2000.19 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" for corner from which a 1/2" iron rod found bears South 38°04' East, 2.1 feet;

South 27°49'29" East, a distance of 162.92 feet to the **POINT OF BEGINNING** and containing 5.4620 acres or 237,924 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

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LAND SURVEYOR NO. 5336
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RIGHT-OF-WAY ABANDONMENT
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ABSTRACT NO. 371
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EXHIBIT B CONTINUED

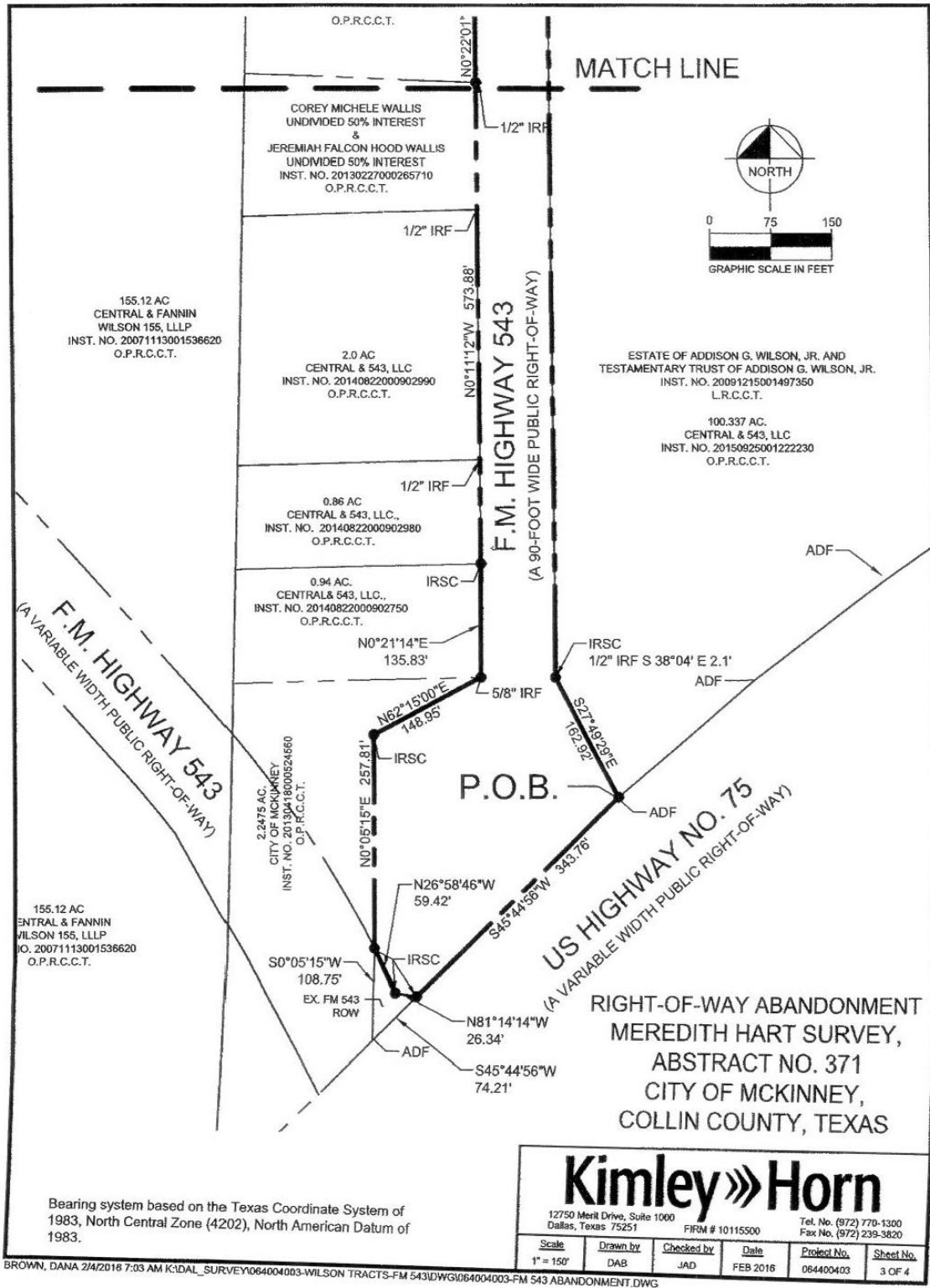


EXHIBIT B CONTINUED

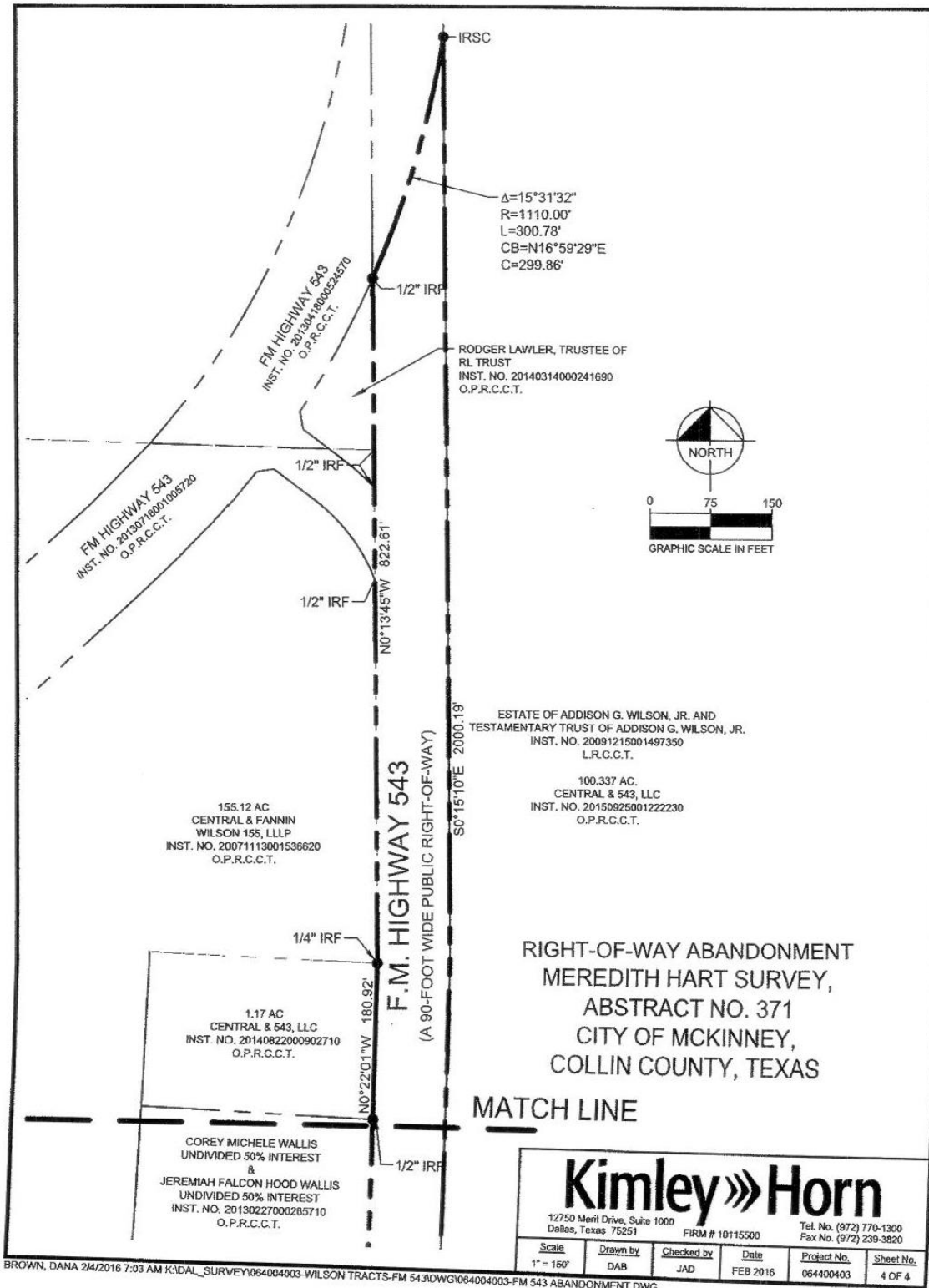


EXHIBIT B CONTINUED