

**RESOLUTION NO. 2021-09-XXX (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A ROADWAY IMPACT FEE CREDIT AGREEMENT WITH W/J WILMETH RIDGE, LP, FOR THE CONSTRUCTION OF TWO LANES OF RIDGE ROAD (EXTENDING 1,625 LINEAR FEET), SERVING THE WILMETH RIDGE SOUTH SUBDIVISION, GENERALLY LOCATED ON THE EAST SIDE OF RIDGE ROAD AND ON THE SOUTH SIDE OF WILMETH ROAD**

**WHEREAS,** Ridge Road is an arterial that will serve Developer's property known as Wilmeth Ridge South Addition, which property is located in an area south of Wilmeth Road and along the east side of Ridge Road; and

**WHEREAS,** Developer has constructed Roadway Improvements on Ridge Road, identified herein below that are eligible for roadway impact fee credits which credits shall be applied to the "Property," defined below; and

**WHEREAS,** Developer has dedicated to the City the necessary right-of-way and completed construction of approximately one thousand six hundred twenty-five (1,625) linear feet of the two eastern or northbound lanes of Ridge Road in an area South of Wilmeth Road adjacent to the Property; and

**WHEREAS,** City has previously identified the portion of Ridge Road Developer has constructed on the City's Impact Fee Roadway Improvement Plan ("IFRIP"), which IFRIP is a part of the City's Roadway Impact Fee Ordinance; and

**WHEREAS,** Developer has requested and the City has agreed to reimburse to Developer roadway impact fee credits in an amount equal to the roadway impact fees that are paid to the City for the single-family residential units for which a building permit is issued on the Property before this Agreement is fully executed by the Parties; and

**WHEREAS,** the City will apply the balance of the roadway impact fee credits available to the Developer to the remaining single-family residential units for which a building permit is issued on the Property after this Agreement is fully executed by the Parties up to an aggregate number of eighty-nine single-family residential units within the Property; and

**WHEREAS,** upon final permitting of eighty-nine (89) single-family residential units on the Property any unused credits, subject to any changes in the number of single-family residential units permitted on the Property, shall be reimbursed to the Developer; and

**WHEREAS,** The City Council of the City of McKinney concurs that the agreement is in the best interests of both the City and the Developer, and it is deemed mutually beneficial to each that the construction of the Project proceed.

**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 enter into a Roadway Impact Fee Credit Agreement with W/J Wilmeth, LP.
- Section 2. The Developer shall receive roadway impact fee credits in an amount not to exceed 430.87 Service Units for the dedication of right-of-way and construction of two lanes of Ridge Road, extending 1,625 linear feet.
- 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 21<sup>st</sup> DAY OF SEPTEMBER, 2021.**

CITY OF McKINNEY, TEXAS

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GEORGE C. FULLER  
Mayor

ATTEST:

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EMPRESS DRANE  
City Secretary  
JOSHUA STEVENSON  
Deputy City Secretary

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney