

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 17.785 ACRES OF LAND IN THE HUNT SURVEY, IS ZONED PLANNED CENTER DISTRICT AND RG-18, GENERAL RESIDENCE, 1,800 SQUARE FOOT PER UNIT MINIMUM; PROVIDING FOR SITE PLAN APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

THAT WHEREAS, the owner or owners of 17.785 acres of land in the Hunt Survey, have petitioned the City of McKinney to zone such property "Planned Center District and RG-18, General Residence, 1,800 Square Foot Per Unit Minimum", and

WHEREAS, after due notice of the requested rezoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that such zoning change should be made.

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

SECTION I: That 17.785 acres of land more fully described in the attached Exhibit "A" are hereby rezoned from its present classification of agricultural to Planned Center District and RG-18, General Residence, 1,800 Square Foot Per Unit Minimum, all in accordance with the zoning plan attached hereto and marked Exhibit "B".

SECTION II: The following special development regulations shall apply: A complete site plan shall be submitted to and receive the approval of the City Council of the City of McKinney, Texas, prior to development.

SECTION III: 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 IV: It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefor, shall be fined any sum not exceeding \$200.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

SECTION V: 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 the 18th day of June, 1985.

CORRECTLY ENROLLED:


JENNIFER CRAVENS
CITY SECRETARY

EXHIBIT A

SITUATED in Collin County, Texas in the W. H. Hunt Survey, Abstract #450 and being a consolidation of a called 15.203 acre tract, 22,864 square feet tract, 0.415 acre tract, 58,759 square feet tract, and a 11,395 square feet tract, said tracts being more particularly referenced as follows:

Registered Public Surveyor,
 at hereon represents an
 ground and that all lines
 n. There are no visible
 protrusions except as

DATE 4-19-85
 2818

1. All of a called 155.203 acre tract conveyed from C.W.W.W. Joint Venture to B. W. Joint Venture by deed filed February 1, 1985 and recorded in Volume 2062, Page 175 Deed Records, Collin County, Texas.
2. All of a called 22,864 square feet tract conveyed from C. A. Cain, Jr. to B. W. Joint Venture by deed filed February 1, 1985 and recorded in Volume 2062, Page 163 Deed Records, Collin County, Texas.
3. All of a called 0.415 acre tract conveyed from Richard Keith Hunter and wife to B. W. Joint Venture by deed filed February 1, 1985 and recorded in Volume 2062, Page 172 Deed Records, Collin County, Texas.
4. All of a called 58,759 square feet tract conveyed from Larry E. Ingram & Craig D. Nelson, Trustees for McKinney Bible Chapel to B. W. Joint Venture by deed filed February 1, 1985 and recorded in Volume 2062, Page 180 Deed Records, Collin County, Texas.
5. All of a called 11,395 square feet tract conveyed from Crim Watkins and wife to B. W. Joint Venture by deed dated February 19, 1985 and recorded in Volume 2071, Page 175 Deed Records, Collin County, Texas. Said consolidation being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found at the northeast corner of said 15.203 acre tract;

THENCE: S 0° 05' 27" E 693.78 feet with the east line of said 15.203 acre tract along and near a fence and hedgerow to a fence corner post;

THENCE: N 88° 45' 00" W 276.41 feet with the south line of said tract along and near a fence and hedgerow to a 1/2 inch iron rod for corner at the northeast corner of said 0.415 acre tract;

THENCE: S 0° 16' 51" E with the east line of said 0.415 acre tract passing an iron rod on line at 0.88 feet and continuing a total distance of 165.87 feet to a 1/2 inch iron rod for corner in the north right-of-way of U. S. Highway #380;

THENCE: N 88° 39' 40" W 682.48 feet with said right-of-way line and with the south boundary lines of said 0.415 acre tract, 22,864 square feet tract, 11,395 square feet tract and 58,759 square feet tract to an iron rod for corner at the southwest corner of said 58,759 square feet tract;

THENCE: N 1° 02' 05" E 164.75 feet with the west line of said tract to a 1/2 inch iron rod for corner in the south line of said 15.203 acre tract;

THENCE: N 88° 45' 00" W 17.46 feet with the south line of said 15.203 acre tract along and near a fence and hedgerow to a 1/2 inch iron rod for corner;

THENCE: N 0° 53' 35" W 151.80 feet along and near a fence to a 1/2 inch iron rod for corner in the south line of a cemetery recorded in volume 27 page 418 Deed Records, Collin County, Texas.

THENCE: N 89° 06' 25" E 61.00 feet with the south line of said cemetery to its most easterly southeast corner a 1/2 iron rod for corner;

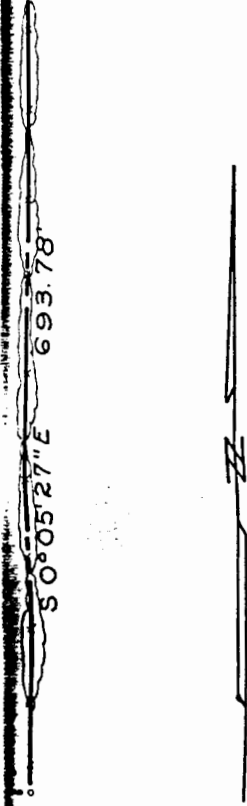
THENCE: N 0° 53' 35" W 132.00 feet with the east line of said cemetery to its northwest corner a 1/2 inch iron rod for corner;

THENCE: S 89° 06' 25" W 61.00 feet with the north line of said cemetery to a 1/2 inch iron rod for corner;

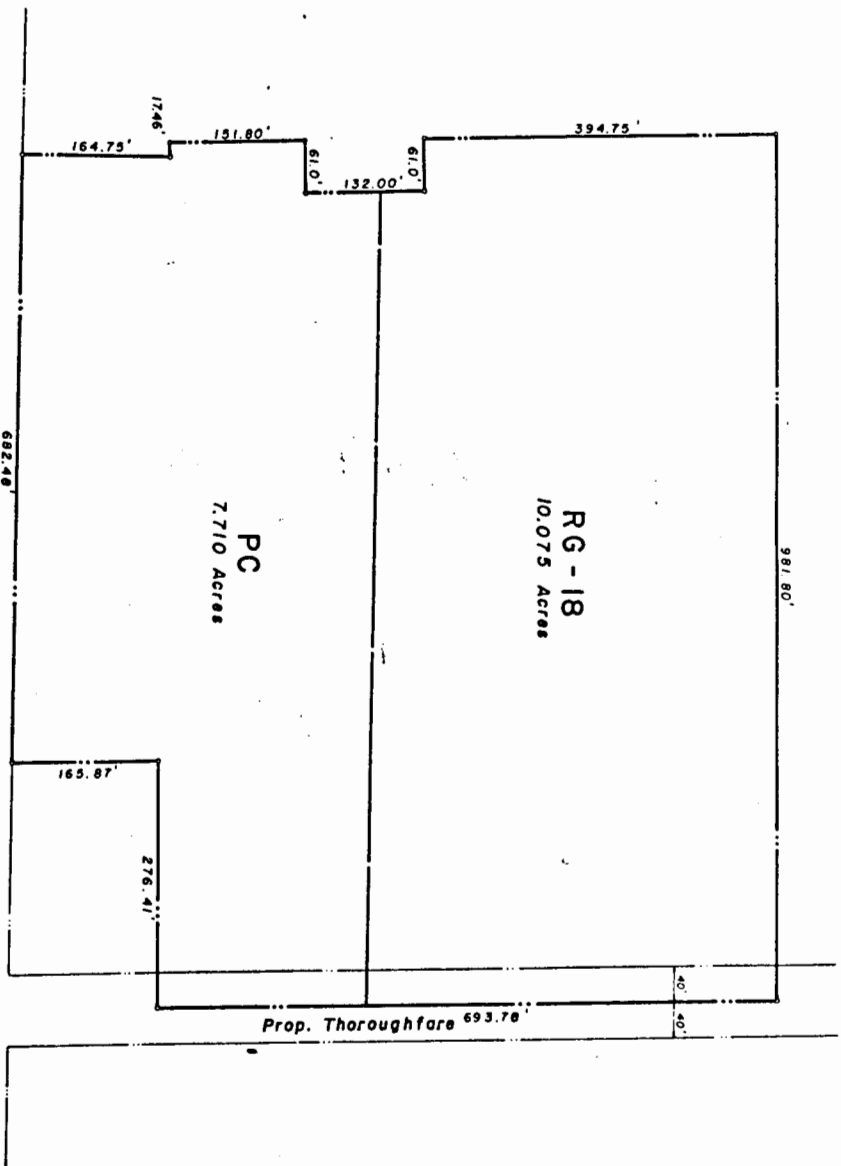
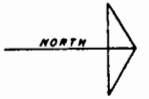
THENCE: N 0° 53' 35" W 394.75 feet along and near a fence to an old Bois d' Arc fence corner post;

THENCE: S 89° 39' 21" E 981.80 feet along and near a fence and hedgerow to the POINT OF BEGINNING and containing 17.785 acres of land more or less and having an easement 20 feet wide for the purpose of ingress and egress to the above referenced tract from Highway No. 380 North to the South boundary line of the said 15.203 acre tract which easement was conveyed to Lloyd E. Powers by Sam J. Sartain et ux by deed recorded in Volume 614, Page 360 of the Collin County Deed Records. Said 17.785 acre tract being subject to the following:

1. Easement to Danville Water Supply Corporation, as recorded in volume 703, page 498, Deed Records, Collin County, Texas.
2. Easement to Danville Water Supply Corporation, as recorded in volume 703, page 506, Deed Records, Collin County, Texas.
3. Electric line along the north lines of 22,864 square feet tract, 11,395 sq. ft. tract, 58,759 sq. ft. tract and 0.415 acre tract.
4. Easement to Danville Water Supply Corporation, as recorded in volume 703, page 512, Deed Records, Collin County, Texas.
5. Power line running through said 58,759 square feet tract



Scale: 1"=100'



PROPOSED ZONING PLAN
FOR
FRED WEHBA