

RESOLUTION NO. 2022-01-____(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE SALE OF THREE SMALL PARCELS OF LAND LOCATED IN THE WILLIAM DAVIS SURVEY, ABSTRACT NO. 248 TO THE TEXAS TRANSPORTATION COMMISSION FOR THE CONSTRUCTION OF THE STATE'S HIGHWAY 5 PROJECT, WHICH PARCELS OF LAND CONSIST OF 0.0035 ACRES (151 SQUARE FEET) OF LAND LOCATED AT THE NORTHWEST CORNER OF STATE HIGHWAY 5 AND DAVIS STREET ("PARCEL 55"), 0.0042 ACRES (183 SQUARE FEET) OF LAND LOCATED AT THE NORTHEAST CORNER OF STATE HIGHWAY 5 AND DAVIS STREET ("PARCEL 56"), AND 0.0023 ACRES (100 SQUARE FEET) OF LAND LOCATED AT THE NORTHWEST CORNER OF STATE HIGHWAY 5 AND HUNT STREET ("PARCEL 63"), ALL TOTALING APPROXIMATELY 0.0100 ACRES (434 SQUARE FEET) OF LAND; AND AUTHORIZING THE CITY MANAGER TO EXECUTE DEEDS AND DOCUMENTS REGARDING THE SALE OF SAID CITY-OWNED PROPERTY TO THE STATE OF TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

WHEREAS, the City of McKinney, Texas ("City"), owns approximately 0.0035 acres of land in the William Davis Survey, Abstract No. 248 ("Parcel 55"), more fully described and depicted in Exhibit B-1 attached hereto and incorporated herein by reference for all purposes allowed by law; and

WHEREAS, City owns approximately 0.0042 acres of land in the William Davis Survey, Abstract No. 248 ("Parcel 56"), more fully described and depicted in Exhibit B-2 attached hereto and incorporated herein by reference for all purposes allowed by law; and

WHEREAS, City owns approximately 0.0023 acres of land situated in the William Davis Survey, Abstract No. 248 ("Parcel 63"), more fully described and depicted in Exhibit B-3 attached hereto and incorporated herein by reference for all purposes allowed by law; and

WHEREAS, the Texas Department of Transportation ("TxDOT") is currently planning for the construction of State Highway 5 beginning at Spur 399 to Powerhouse Drive north of US HWY/University Drive ("SH 5 Project"); and

WHEREAS, City entered into an agreement with TxDOT to participate in right-of-way ("ROW") acquisition for the SH 5 Project with the City contributing ten percent (10%) of the cost of ROW acquisition and TxDOT contributing ninety percent (90%) of the cost of ROW acquisition; and

WHEREAS, TxDOT is currently acquiring ROW and easements necessary for the SH 5 Project to begin utility relocations and construction; and

WHEREAS, TxDOT wants to acquire Parcels 55, 56 and 63, identified herein-above and hereinafter referred to collectively as the “Property,” from the City for use as ROW with the SH 5 Project; and

WHEREAS, City Council, has determined that the Property is no longer necessary for municipal purposes; and

WHEREAS, Texas Local Government Code Section 272.001(b)(5) authorizes a city to convey property to a political subdivision having the power of eminent domain, such as the State of Texas, for the fair market value of such property without complying with the notice and bidding procedures set forth in Texas Local Government Code Section 272.001; and

WHEREAS, TxDOT obtained appraisals of the Property and the City has obtained reviews of said appraisals by a licensed real estate appraiser confirming the fair market value of the Property thereby meeting the requirements of Texas Local Government Code Section 272.001(b); and

WHEREAS, the Texas Transportation Commission has offered to pay City the fair market value of the Property for use as ROW in the SH 5 Project; and

WHEREAS, City Council, has determined that it would be in the best interest of the City to convey the Property to the State of Texas acting by and through the Texas Transportation Commission and TxDOT.

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

Section 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Property should be sold to the State of Texas, acting by and through the Texas Transportation Commission and TxDOT, for the total amount of Eighteen Thousand Ninety-Two and 00/100 Dollars (\$18,092.00), which amount is the appraised fair market value of the Property including additional monies for execution of the Possession and Use Agreements (“PUA”) broken down by parcel as follows:

- a. Parcel 55 containing approximately 0.0035 acres of land having a fair market value of \$3,344.00, plus PUA payment of \$3,000.00.
- b. Parcel 56 containing approximately 0.0042 acres of land having a fair market value of \$3,662.00, plus PUA payment of \$3,000.00.
- c. Parcel 63 containing approximately 0.0023 acres of land having a fair market value of \$2,086.00, plus PUA payment of \$3,000.00.

Section 3. The City Manager is hereby authorized to execute all documents necessary to the sale and conveyance of the Property, fully described on Exhibits B-1 through B-3, attached hereto, to the State of Texas for ROW to be used with the SH 5 Project.

Section 4. 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 18th DAY OF JANUARY 2022.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

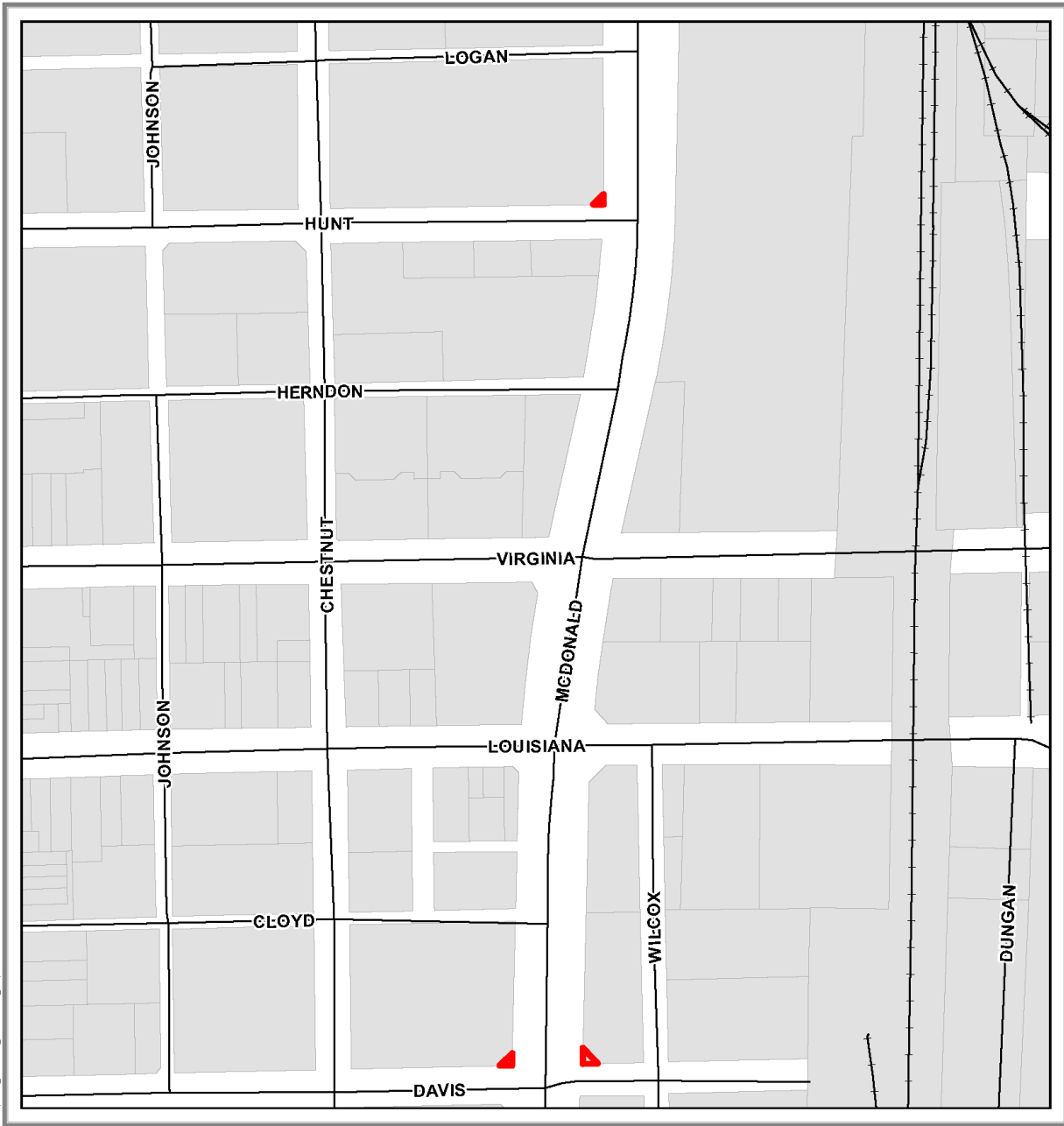
EMPRESS DRANE
City Secretary
JOSHUA STEVENSON
Deputy City Secretary

APPROVED AS TO FORM:

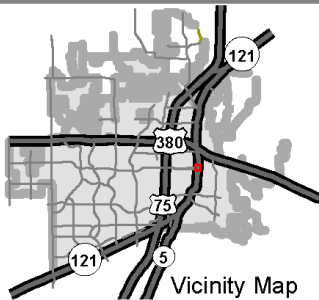
MARK S. HOUSER
City Attorney

EXHIBIT "A"

Location Map






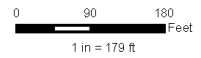
Document Path: \\GIS\GIS\Work\Hingraya\Map\Projects\LocationMap\Dev_Services_Notification_Map.mxd



Location Map

Subject Property

-  Corner of Davis (West of SH5) and SH5
-  Corner of Davis and SH5
-  Corner of Hunt and SH5



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

Source: City of McKinney GIS
Date: 12/17/2021



EXHIBIT "B-1"

Parcel 55

Depiction and Description of Fee Simple Right of Way

Exhibit "A"

County: Collin
Highway: State Highway 5
Parcel 55
STA. 179+83.59 to STA. 180+01.85
R.O.W. CSJ: 0047-05-056

Page 1 of 6
September 18, 2020

Description for Parcel 55

BEING 151 square feet tract of land, more or less, in the William Davis Survey, Abstract Number 248, City of McKinney, Collin County, Texas, and being a part of the western remainder of First Tract of land conveyed to City of McKinney, by a Warranty Deed, filed January 31, 1924, recorded in Volume 248, Page 291 of the Deed Records, Collin County, Texas (D.R.C.C.T.), and being Part of Block 43 of McKinney Old Donation, an unrecorded subdivision, said 151 square feet (0.0035 acres) of land being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2 inch iron rod with cap stamped "RPLS 4701" at an angle point in the northern line of tract of a land conveyed to Playful Building One, LLC, by a Special Warranty Deed, filed July 18, 2017, recorded in Document Number 20170718000941560 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.) and being Lot 1R, called 2.134 acres, in Block C of the Amending Plat, Downtown McKinney Mixed Use Addition, an addition to the City of McKinney, filed October 22, 2018, recorded in Volume 2018, Page 818 of the Plat Records of Collin County, Texas (P.R.C.C.T.), and being in the existing southern line of E. Davis Street (Called 50 feet right of way, no deed of record found), from which a found 1/2 inch iron rod with cap stamped "RPLS 4701" bears South 44 degrees 54 minutes 35 seconds East, 20.69 feet, and from which an angle point in the eastern line of said Lot 1R, being in the intersection of the existing eastern right of way line of said E. Davis Street and the existing western right of way line of State Highway 5 (100 feet right of way) as conveyed to the State of Texas in Right-of-Way Deed recorded in Volume 411, Page 74, D.R.C.C.T. bears South 44 degrees 54 minutes 35 seconds East (CALLED South 44 degrees 55 minutes 53 seconds East (Lot 1R)), 21.43 feet (CALLED 20.73 feet (Lot 1R));

THENCE, North 00 degrees 28 minutes 40 seconds West, across said E. Davis Street for a distance of 50.00 feet to a set 5/8 inch iron rod with pink plastic cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MONUMENT" (hereafter referred to as a set TxDOT monument) in the southern line of said western remainder of First Tract, and in the existing northern right of way line of said E. Davis Street, and being in the new western right of way line of State Highway 5, at the **POINT OF BEGINNING**, and being 69.66 feet Left of Station 179+83.59, and having a N.A.D. 83 (2011 Adjustment), Texas State Plane North Central Zone (4202) surface coordinate of Northing 7,124,334.27 and Easting 2,546,161.16, from which a found 1/2 inch iron rod with red cap stamped "Reference Point" bears North 75 degrees 11 minutes 42 seconds East, 13.25 feet;

- 1) **THENCE**, North 45 degrees 10 minutes 41 seconds East, along the new western right of way line of said State Highway 5, a distance of 25.19 feet to a set Magnail** in the eastern line of said western remainder of First Tract and in the existing western right of way line of State Highway 5 (100 feet Right of Way), as conveyed to the State of Texas in Right-of-Way Deed recorded in Volume 413, Page 556, D.R.C.C.T and being 52.31 feet Left of Station 180+01.85;
- 2) **THENCE**, South 01 degrees 36 minutes 15 seconds West, along the eastern line of said western remainder of First Tract and the existing western right of way line of said State Highway 5, a distance of 17.40 feet to a point at the southeast corner of said western remainder of First Tract and being the intersection of existing western right of way line of said State Highway 5 and the existing northern right of way line of said E. Davis Street;

Exhibit "A"

County: Collin
Highway: State Highway 5
Parcel 55
STA. 179+83.59 to STA. 180+01.85
R.O.W. CSJ: 0047-05-056

Page 2 of 6
September 18, 2020

Description for Parcel 55

- 3) **THENCE**, South 88 degrees 47 minutes 37 seconds West (CALLED East (western remainder of First Tract)), along the southern line of said western remainder of First Tract and existing northern right of way line of said E. Davis Street, for a distance of 17.38 feet to the **POINT OF BEGINNING** and containing 151 square feet (0.0035 acres) of land, more or less.

** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

The Basis of Bearings is the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum (NAD83) 2011 Adjustment, EPOCH 2010. All distances and coordinates shown are surface, unless otherwise noted, and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000152710. Unit of measure is the U. S. Survey Foot.

Station and Offset Information refers to the proposed baseline described in the Project Schematic dated April 2, 2019 Control-Section-Number 0047-05-054.

Survey plat of even date herewith accompanies the legal description.

I, Jonathan Cox, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.


Jonathan Cox, R.P.L.S. Date 9/18/2020
Texas Registration No. 5227

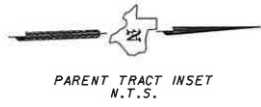
Lina T. Ramey & Associates
3320 Belt Line Road
Farmers Branch, Texas 75234
Ph. 214-979-1144
TBPELS Firm No. 10140700



EXHIBIT "A"



AREA TABLE (ACRE)			
EXISTING (CALCULATED)	ACQUISITION	REMAINDER (CALCULATED)	
		LEFT	RIGHT
1.0575	0.0035	1.0540	



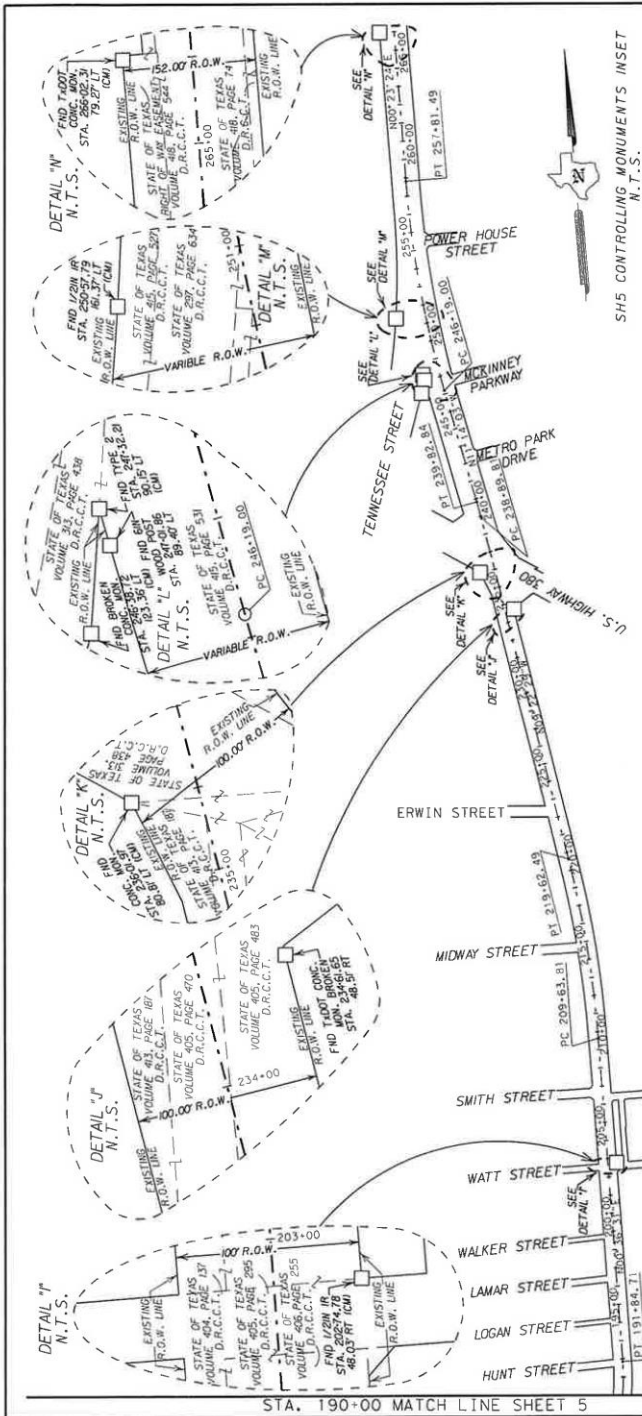
- LEGEND**
- EXISTING ROW PROPERTY LINE
 - NEW ROW SURVEY LINE
 - PROPOSED ACCESS DENIAL LINE
 - POINT OF COMMENCING
 - POINT OF BEGINNING
 - SET 5/8 INCH IRON ROD WITH PINK PLASTIC CAP STAMPED "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" (UNLESS OTHERWISE NOTED)
 - SET 5/8 INCH IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL" FOUND (AS NOTED)
 - SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LTRA" (UNLESS OTHERWISE NOTED)
 - CONTROLLING MONUMENT
 - UNABLE TO SET DUE TO NO RIGHT OF ENTRY. TO BE SET UPON NOTIFICATION OF ACQUISITION.
 - O.P.R.R.P.C.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, COLLIN COUNTY, TEXAS
 - O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
 - P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY, TEXAS
 - D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY, TEXAS
 - M.R.C.C.T. MAP RECORDS OF COLLIN COUNTY, TEXAS

- NOTES:**
- CALLS SHOWN IN PARENTHESIS ARE AS PREVIOUSLY RECORDED.
 - ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN OF 1983 (NAD 1983), 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.000152710
 - ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
 - STATION AND OFFSET INFORMATION REFERS TO THE PROPOSED BASELINE DESCRIBED IN THE PROJECT SCHEMATIC DATED APRIL 2, 2019; CONTROL-SECTION-NUMBER 0047-05-054.
 - A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

**A PLAT OF A SURVEY OF
 PARCEL 55
 FOR STATE HIGHWAY 5
 RIGHT OF WAY CSJ: 0047-05-056
 A 151 SQ.FT. (0.0035 AC.)
 TRACT OF LAND
 IN THE WILLIAM DAVIS SURVEY
 ABSTRACT 248
 COLLIN COUNTY, TEXAS**

PAGE 3 OF 6	
REVISION	
DATE	DESCRIPTION
LINA T. RAMEY & ASSOCIATES, INC. 3320 Belt Line Road Farmers Branch, Texas 75234 TBPELS FIRM NO. 10140700 PHONE 214-979-1144	

9/14/2020



**A PLAT OF A SURVEY OF
PARCEL 55
FOR STATE HIGHWAY 55
RIGHT OF WAY CSJ:
0047-05-056
A 151 SQ. FT. (0.0035 AC.)
TRACT OF LAND
IN THE WILLIAM DAVIS SURVEY
ABSTRACT 248
COLLIN COUNTY, TEXAS**

PAGE 6 OF 6

DATE	REVISION	DESCRIPTION

LINA T. RAMSEY & ASSOCIATES, INC.
3720 BELLEVILLE
FARMERS' BRANCH, TEXAS 75234
TPEL'S FIRM NO. F-782, 10140700
PHONE 214-379-1144

NOTES:

CALLS SHOWN IN PARENTHESIS ARE AS PREVIOUSLY RECORDED, EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH AMERICAN OF 1983 (NAD 1983) 2011 ADJUSTMENT, EPOCH-4 COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID COORDINATES USING THE NATIONAL ADJUSTMENT FACTOR OF 1.000152710.

** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TxDOT TYPE 15 RIGHT-OF-WAY MONUMENT UNDER THE SUPERVISION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TxDOT.

STATION AND OFFSET INFORMATION REFERRED TO IN PROPOSED BASELINE SCHEMATIC DATED APRIL 21, 2019, CONTAINS 55-551

EXISTING R.O.W. AS ACQUIRED BY THE STATE IS DEPICTED ON TxDOT PLAT NO. 151-151-09-15-09 WA 9 SH 5 COLLIN COUNTY ROW MAPPING DGN\PARCEL55\Parcel 55 (90 - C1-y)\MRF004705056.CONTROL.MONUMENT_2.P55.dgn

LEGEND

EXISTING ROW
PROPERTY LINE
NEW ROW
SURVEY LINE
PROPOSED ACCESS-DENIAL LINE
POINT OF BEGINNING
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TxDOT SURVEY MARKER RIGHT OF WAY MONUMENT" (UNLESS OTHERWISE NOTED)
SET 5/8" IRON ROD WITH TxDOT ACCESS DENIAL (AS NOTED)
SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LTRA" (UNLESS OTHERWISE NOTED)
CONTROLLING MONUMENT
UNABLE TO SET DUE TO NO. RIGHT OF ENTRY, TO BE SET UPON NOTIFICATION OF REAL
O.P.R. P.C.C.T. PROPERTY, COLLIN COUNTY, TEXAS
O.P.R. C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY, TEXAS
M.R.C.C.T. MAP RECORDS OF COLLIN COUNTY, TEXAS

0202/01/6

EXHIBIT "B-2"

Parcel 56

Depiction and Description of Fee Simple Right of Way

Exhibit "A"

County: Collin
Highway: State Highway 5
Parcel 56
STA. 179+89.21 to STA. 180+07.52
R.O.W. CSJ: 0047-05-056

Page 1 of 6
September 18, 2020

Description for Parcel 56

BEING 183 square feet tract of land, more or less, in the William Davis Survey, Abstract Number 248, City of McKinney, Collin County, Texas, and being a part of the eastern remainder of First Tract of land conveyed to City of McKinney, by a Warranty Deed, filed January 31, 1924, recorded in Volume 248, Page 291 of the Deed Records, Collin County, Texas (D.R.C.C.T.), said 183 square feet (0.0042 acres) of land being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2 inch iron rod with red cap stamped "RPLS 3258" (Controlling Monument (CM)) at the southwest corner of a called 0.280 acres tract of land conveyed to Huntington Series, an individual series of McKinney Rental Apartments, LLC, by a Special Warranty Deed, filed July 02, 2018, recorded in Document Number 20180702000825420 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being at the northwest corner of a tract of land conveyed to Charles O. Monroe by a Warranty Deed, filed April 09, 2002, recorded in Volume 5143, Page 4345, D.R.C.C.T., and being in the existing eastern right of way line of State Highway 5 (100 feet right of way) as conveyed to the State of Texas in Right-of-Way Deeds recorded in Volume 404, Page 482, and in Volume 405, Page 04, D.R.C.C.T.;

THENCE, North 01 degrees 36 minutes 15 seconds East, along the western line of said Huntington Series tract and the existing eastern right of way line of said State Highway 5, a distance of 133.54 feet to the northwest corner of said Huntington Series tract and being the intersection of the existing eastern right of way line of said State Highway 5 and the existing southern right of way line of Davis Street (40 feet right of way, no deed of record found), from which a found 1/2 inch iron rod with cap stamped "RPLS 5686" bears South 89 degrees 26 minutes 31 seconds West, 0.43 feet and from which a found Magnail at the northeast corner of said called 0.280 acres tract, bears North 89 degrees 26 minutes 31 seconds East, 87.99 feet;

THENCE, North 26 degrees 53 minutes 01 seconds East, across said Davis Street for a distance of 45.07 feet to a set 5/8 inch iron rod with pink plastic cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MONUMENT"*** (hereafter referred to as a set TxDOT monument) in the southern line of said eastern remainder of First Tract and in the existing northern right of way line of said Davis Street and being in the new eastern right of way line of State Highway 5, at the **POINT OF BEGINNING**, and being 66.95 feet Right of Station 179+89.21, and having a N.A.D. 83 (2011 Adjustment), Texas State Plane North Central Zone (4202) surface coordinate of Northing 7,124,336.01 and Easting 2,546,297.87;

1) **THENCE**, South 89 degrees 26 minutes 31 seconds West (Called East (eastern remainder of First Tract)), along the southern line of said eastern remainder of First Tract and existing northern right of way line of said Davis Street, a distance of 19.26 feet to the southwest corner of said eastern remainder of First Tract and intersection of the existing eastern right of way line of said State Highway 5 as conveyed to the State of Texas in Right-of-Way Deed recorded in Volume 413, Page 556, D.R.C.C.T., and the existing northern right of way line of said Davis Street from which a found "X-cut" bears South 33 degrees 46 minutes 57 seconds West, 2.72 feet;

Exhibit "A"

County: Collin
Highway: State Highway 5
Parcel 56
STA. 179+89.21 to STA. 180+07.52
R.O.W. CSJ: 0047-05-056

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September 18, 2020

Description for Parcel 56

- 2) **THENCE**, North 01 degrees 36 minutes 15 seconds East, along the western line of said eastern remainder of First Tract and the existing right of way line of said State Highway 5 a distance of 19.04 feet to a set "X-cut" in the new eastern right of way line of said State Highway 5 and being 47.69 feet Right of Station 180+07.52;
- 3) **THENCE**, South 44 degrees 49 minutes 19 seconds East, along the new eastern right of way line of said State Highway 5, for a distance of 26.57 feet to the **POINT OF BEGINNING** and containing 183 square feet (0.0042 acres) of land, more or less.

** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

The Basis of Bearings is the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum (NAD83) 2011 Adjustment, EPOCH 2010. All distances and coordinates shown are surface, unless otherwise noted, and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000152710. Unit of measure is the U. S. Survey Foot.

Station and Offset Information refers to the proposed baseline described in the Project Schematic dated April 2, 2019 Control-Section-Number 0047-05-054.

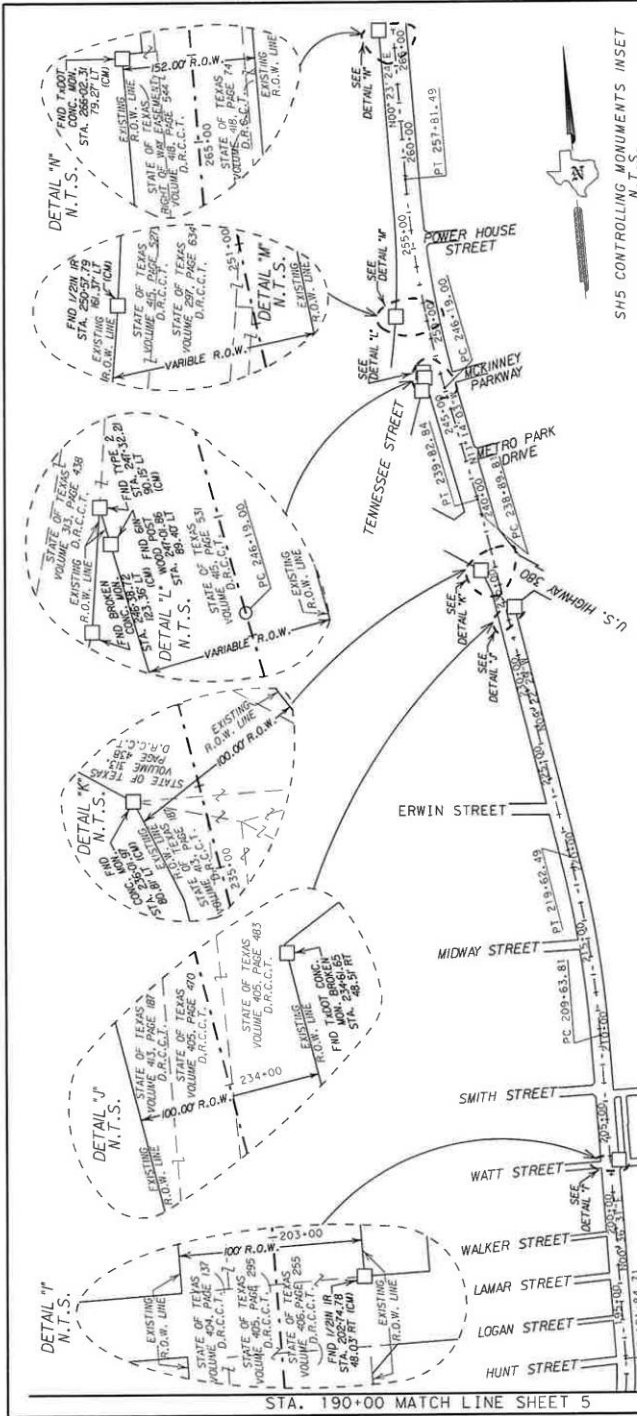
Survey plat of even date herewith accompanies the legal description.

I, Jonathan Cox, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

 9/18/2020
Jonathan Cox, R.P.L.S. Date
Texas Registration No. 5227

Lina T. Ramey & Associates
3320 Belt Line Road
Farmers Branch, Texas 75234
Ph. 214-979-1144
TBPELS Firm No. 10140700





SHS CONTROLLING MONUMENTS INSET
N.T.S.

**A PLAT OF A SURVEY OF
PARCEL 56
FOR STATE HIGHWAY 5
RIGHT OF WAY C.S.J:
0047-05-056
A 183 SQ.FT. (0.0042 AC.)
IN THE WILLIAM DAVIS SURVEY
ABSTRACT 248
COLLIN COUNTY, TEXAS**

PAGE 6 OF 6

DATE	REVISION	DESCRIPTION



LINA T. BAUFY & ASSOCIATES, INC.
3320 BELLEVILLE BOULEVARD
FARMERS BRANCH, TEXAS 75234
TBPELS FIRM NO. F-782, 10140700
PHONE 214-979-1144

A PROPERTY DESCRIPTION OF
EVEN DATE WAS PREPARED IN
CONJUNCTION WITH THIS PARCEL
PLAT.

NOTES:
ALL S'S SHOWN IN PARALLELS
ARE AS PREVIOUSLY RECORDED.
SHOWING BEING AND COORDINATES
COORDINATE SYSTEM OF 1983,
NORTH AMERICAN OF 1983 (NAD
1983) & 2011 ADJUSTMENT, EPOCH
COORDINATE SHOWN ARE SURFACE
AND MAY BE CONVERTED TO GRID
ADJUSTMENT FACTOR OF 1.000152710.

- LEGEND
- EXISTING ROW
- PROPERTY LINE
- NEW ROW
- SURVEY LINE
- PROPOSED ACCESS DENIAL LINE
- POINT OF BEGINNING
- 5/8" I.N.C.H. IRON ROD WITH T-XDOT
MARKER RIGHT OF WAY MONUMENT
(UNLESS OTHERWISE NOTED)
- SET 5/8" I.N.C.H. IRON ROD WITH T-XDOT
ALUMINUM CAP STUMPED ACCESS DENIAL
FOUND 145 INCHES WITH YELLOW
PLASTIC CAP STAMPED "LTRA" UNLESS
OTHERWISE NOTED
- CONTROLLING MONUMENT
- UNABLE TO SET DUE TO NO RIGHT OF ENTRY, TO
BE SET UPON NOTIFICATION OF ACQUISITION.
- PROPERTY RECORDS OF REAL
O.P.R.H.P.-C.C.T.
- OFFICIAL PUBLIC RECORDS OF
COLLIN COUNTY, TEXAS
- P.R.C.C.T.
- PLAT RECORDS OF COLLIN COUNTY, TEXAS
- D.R.C.C.T.
- DEED RECORDS OF COLLIN COUNTY, TEXAS
- M.R.C.C.T.

05: (136) (142-15) T-XDOT Dc1108 78-17(DP10)0.20.142-15.09 WA 9 SH 5 Collin County ROW mapping\GONN\PARCELS\Parcel 95 (89-c1ty)\MRF004705056.CONTROL MONUMENT2.P56.dgn

EXHIBIT "B-3"

Parcel 63

Depiction and Description of Fee Simple Right of Way Parcel

Exhibit "A"

County: Collin
Highway: State Highway 5
Parcel 63
STA. 191+99.30 to STA. 192+15.25
R.O.W. CSJ: 0047-05-056

Page 1 of 6
September 18, 2020

Description for Parcel 63

BEING 100 square feet tract of land, more or less, in the William Davis Survey, Abstract Number 248, City of McKinney, Collin County, Texas, and being a part of a called 1.708 acres tract of land conveyed to City Of McKinney, Texas by a Special Warranty Deed, filed March 03, 2003, in Volume 5366, Page 1585, of the Official Public Records of Real Property, Collin County, Texas (O.P.R.R.P.C.C.T), and being Block 1, called 75,400.29 square feet, of McKinney Lumber Addition, an Addition to the City of McKinney, as filed June 08, 1995 in Volume I, Page 612 of the Plat Records of Collin County, Texas (P.R.C.C.T.) said 100 square feet (0.0023 acres) of land being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2 inch iron rod (Controlling Monument (CM)), at the northeast corner of a called 0.895 acres tract of land conveyed to City Of McKinney, Texas by a Special Warranty Deed, filed March 03, 2003, in Volume 5366, Page 1585, O.P.R.R.P.C.C.T, and being Block 2, called 40,000 square feet of McKinney Lumber Addition, an Addition to the City of McKinney, as filed June 08, 1995 in Volume I, Page 612, P.R.C.C.T., and being the intersection of the existing southern right of way line of Logan Street (Monumented variable right of way, no deed of record found) and the existing western right of way line of Chestnut Street (50.00 feet right of way, with Right of Way Dedications per Volume I, Page 612, Deed Records of Collin County, Texas (D.R.C.C.T.);

THENCE, North 88 degrees 49 minutes 32 seconds East (CALLED North 89 degrees 55 minutes 00 seconds East (Block 1)), across said Chestnut Street passing at a distance of 50.00 feet the northwest corner of said Block 1 and being the intersection of the existing southern right of way line of said Logan Street and the existing eastern right of way line of said Chestnut Street and continuing along the northern line of said Block 1 and the existing southern right of way line of said Logan Street for a total distance of 425.20 feet to the northeast corner of said Block 1 and being the intersection of the existing southern right of way line of said Logan Street and existing western right of way line of State Highway 5 (Variable right of way), as conveyed to the State of Texas in Right-of-Way Deed recorded in Volume 404, Page 487, D.R.C.C.T.;

THENCE, South 00 degrees 44 minutes 21 seconds West (CALLED South 01 degrees 49 minutes 49 seconds West (Block 1)), along the eastern line of said Block 1 and the existing western right of way line of said State Highway 5 for a distance of 186.30 feet to a set "X-cut" in the eastern line of said Block 1 and in the existing western right of way line of said State Highway 5, and being in the new western right of way line of State Highway 5, at the **POINT OF BEGINNING**, and being 52.84 feet Left of Station 192+13.93, and having a N.A.D. 83 (2011 Adjustment), Texas State Plane North Central Zone (4202) surface coordinate of Northing 7,125,553.48 and Easting 2,546,300.93;

1) **THENCE**, South 00 degrees 44 minutes 21 seconds West (CALLED South 01 degrees 49 minutes 49 seconds West (Block 1)), along the eastern line of said Block 1 and the existing western right of way line of said State Highway 5, a distance of 14.20 feet to the southeast corner of said Block 1 and the intersection of the existing western right of way line of said State Highway 5 and the existing northern right of way line of Hunt Street (40.00 feet right of way, no deed of record found);

Exhibit "A"

County: Collin
Highway: State Highway 5
Parcel 63
STA. 191+99.30 to STA. 192+15.25
R.O.W. CSJ: 0047-05-056

Page 2 of 6
September 18, 2020

Description for Parcel 63

- 2) **THENCE**, South 88 degrees 49 minutes 32 seconds West (CALLED South 89 degrees 55 minutes 00 seconds West (Block 1)), along the southern line of said Block 1 and the existing northern right of way line of said Hunt Street for a distance of 14.09 feet to a set 5/8 inch iron rod with pink plastic cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MONUMENT" in the new western right of way line of said State Highway 5 and being 66.96 feet Left of Station 191+99.30 from which a found 3/8 inch iron rod bears South 88 degrees 49 minutes 32 seconds West, 232.66 feet and bears North 01 degrees 10 minutes 28 seconds West, 1.25 feet;
- 3) **THENCE**, North 44 degrees 34 minutes 12 seconds East, along the new western right of way line of said State Highway 5 for a distance of 20.33 feet to the **POINT OF BEGINNING** and containing 100 square feet (0.0023 acres) of land, more or less.


** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

The Basis of Bearings is the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum (NAD83) 2011 Adjustment, EPOCH 2010. All distances and coordinates shown are surface, unless otherwise noted, and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000152710. Unit of measure is the U. S. Survey Foot.

Station and Offset Information refers to the proposed baseline described in the Project Schematic dated April 2, 2019 Control-Section-Number 0047-05-054.

Survey plat of even date herewith accompanies the legal description.

I, Jonathan Cox, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.


Jonathan Cox, R.P.L.S. Date 9/18/2020
Texas Registration No. 5227

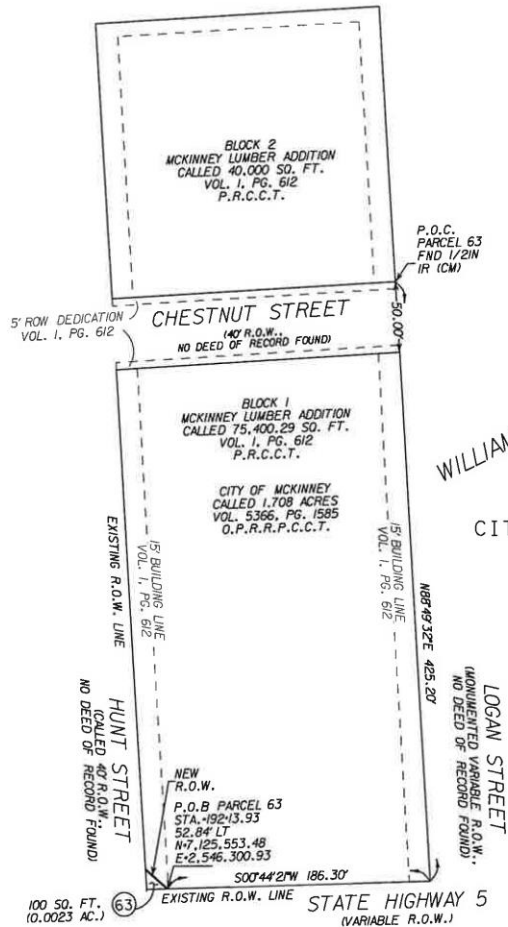
Lina T. Ramey & Associates
3320 Belt Line Road
Farmers Branch, Texas 75234
Ph. 214-979-1144
TBPELS Firm No. 10140700



EXHIBIT "A"



PARENT TRACT INSET
N.T.S.



WILLIAM DAVIS SURVEY
A-248

CITY OF MCKINNEY

AREA TABLE			
EXISTING (CALLED)	ACQUISITION	REMAINDER (CALCULATED)	
		LEFT	RIGHT
1.7310 AC.	0.0023 AC.	1.7287 AC.	

100 SQ. FT. (0.0023 AC.)

STATE HIGHWAY 5 (VARIABLE R.O.W.)

LEGEND

- EXISTING ROW
- PROPERTY LINE
- NEW ROW
- SURVEY LINE
- PROPOSED ACCESS DENIAL LINE
- POINT OF COMMENCING
- POINT OF BEGINNING
- SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" (UNLESS OTHERWISE NOTED)
- SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL" FOUND (AS NOTED)
- SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LTRA" (UNLESS OTHERWISE NOTED)
- CONTROLLING MONUMENT
- UNABLE TO SET DUE TO NO RIGHT OF ENTRY. TO BE SET UPON NOTIFICATION OF ACQUISITION.
- O.P.R.R.P.C.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, COLLIN COUNTY, TEXAS
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
- P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY, TEXAS
- D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY, TEXAS
- M.R.C.C.T. MAP RECORDS OF COLLIN COUNTY, TEXAS

- NOTES:
- CALLS SHOWN IN PARENTHESIS ARE AS PREVIOUSLY RECORDED.
 - ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN OF 1983 (NAD 1983), 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.000152710
 - ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
 - STATION AND OFFSET INFORMATION REFERS TO THE PROPOSED BASELINE DESCRIBED IN THE PROJECT SCHEMATIC DATED APRIL 2, 2019; CONTROL-SECTION-NUMBER 0047-05-054.
 - A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

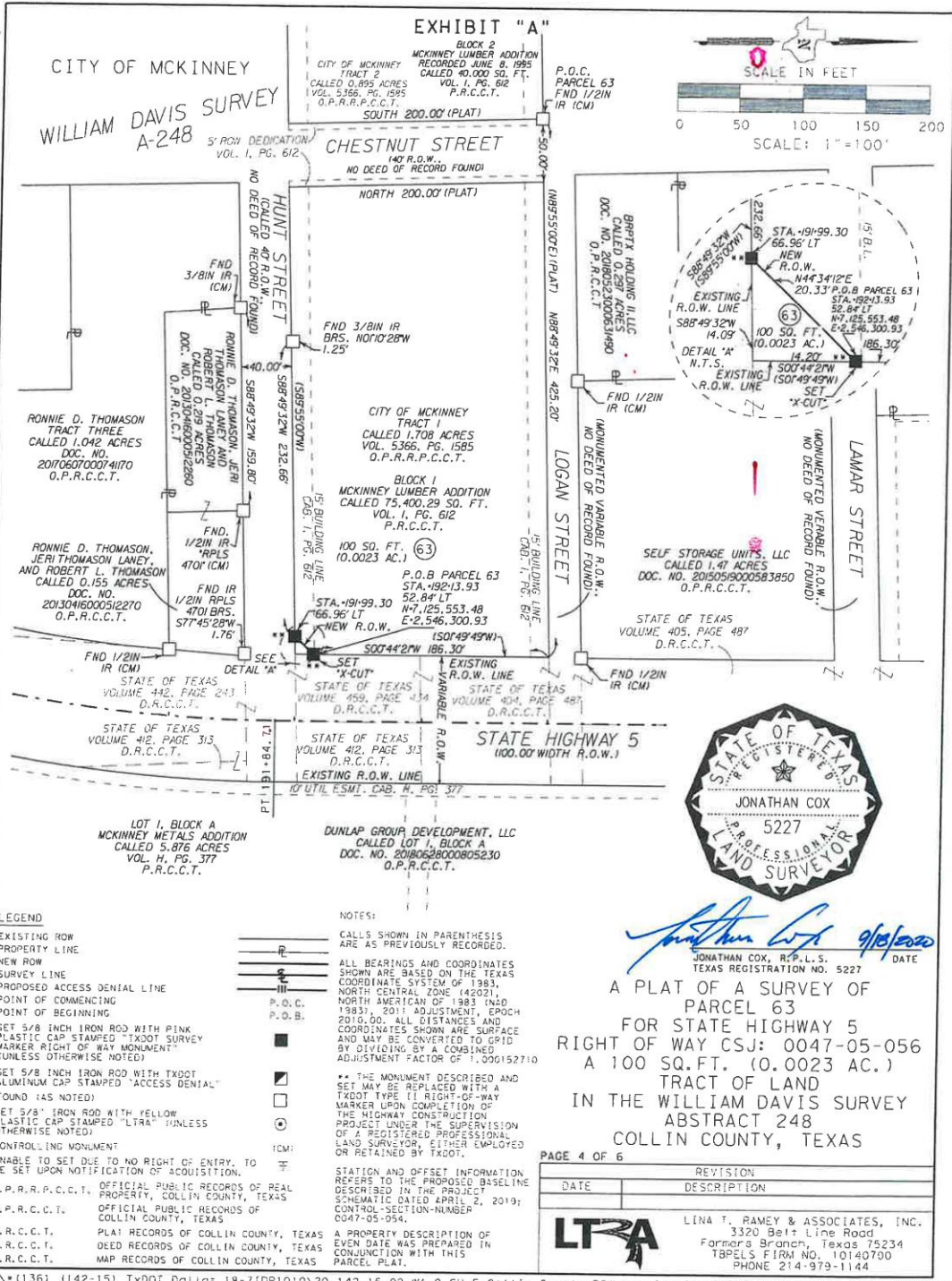
A PLAT OF A SURVEY OF
PARCEL 63
FOR STATE HIGHWAY 5
RIGHT OF WAY CSJ: 0047-05-056
A 100 SQ.FT. (0.0023 AC.)
TRACT OF LAND
IN THE WILLIAM DAVIS SURVEY
ABSTRACT 248
COLLIN COUNTY, TEXAS

PAGE 3 OF 6

REVISION	
DATE	DESCRIPTION
	LINA T. RAMEY & ASSOCIATES, INC. 3320 Belt Line Road Farmers Branch, Texas 75234 TBPELS FIRM NO. 10140700 PHONE 214-979-1144



18/18/2020



LEGEND

EXISTING ROW
PROPERTY LINE
NEW ROW
SURVEY LINE
PROPOSED ACCESS DENIAL LINE
POINT OF COMMENCING
POINT OF BEGINNING

SET 5/8 INCH IRON ROD WITH PINK PLASTIC CAP STAMPED "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" (UNLESS OTHERWISE NOTED)

SET 5/8 INCH IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL" FOUND (AS NOTED)

SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LTRA" (UNLESS OTHERWISE NOTED)

CONTROLLING MONUMENT
UNABLE TO SET DUE TO NO RIGHT OF ENTRY. TO BE SET UPON NOTIFICATION OF ACQUISITION.

O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, COLLIN COUNTY, TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY, TEXAS
M.R.C.C.T. MAP RECORDS OF COLLIN COUNTY, TEXAS

NOTES:

CALLS SHOWN IN PARENTHESIS ARE AS PREVIOUSLY RECORDED.

ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (42002), NORTH AMERICAN OF 1983 (NAD 1983), 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GSD BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.000152710

THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

STATION AND OFFSET INFORMATION REFERS TO THE PROPOSED BASELINE DESCRIBED IN THE PROJECT SCHEMATIC DATED APRIL 2, 2019; CONTROL SECTION-NUMBER 0047-05-054.

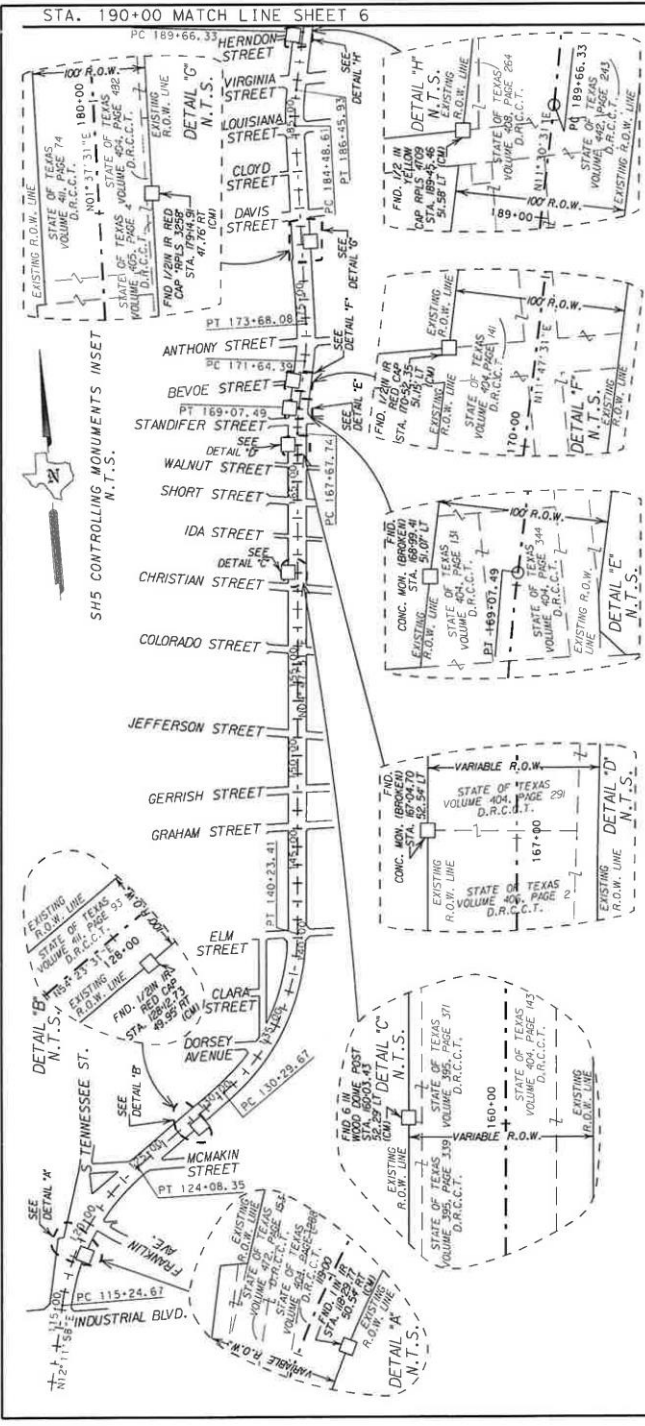
A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONNECTION WITH THIS PARCEL PLAT.

PAGE 4 OF 6

REVISION	
DATE	DESCRIPTION

LTRA LINA T. RAMEY & ASSOCIATES, INC.
3320 Belt Line Road
Farmers Branch, Texas 75234
TBP&L FIRM NO. 10140700
PHONE 214-973-1144

19/18/2020/19



**A PLAT OF A SURVEY OF
PARCEL 63
FOR STATE HIGHWAY 5
RIGHT OF WAY CSJ:
0047-05-056
A 100 SQ.FT. (0.0023 AC.)
IN THE WILLIAM DAVIS SURVEY
TRACT OF LAND
ABSTRACT 248
COLLIN COUNTY, TEXAS**

DATE: _____ REVISION: _____
DESCRIPTION: _____

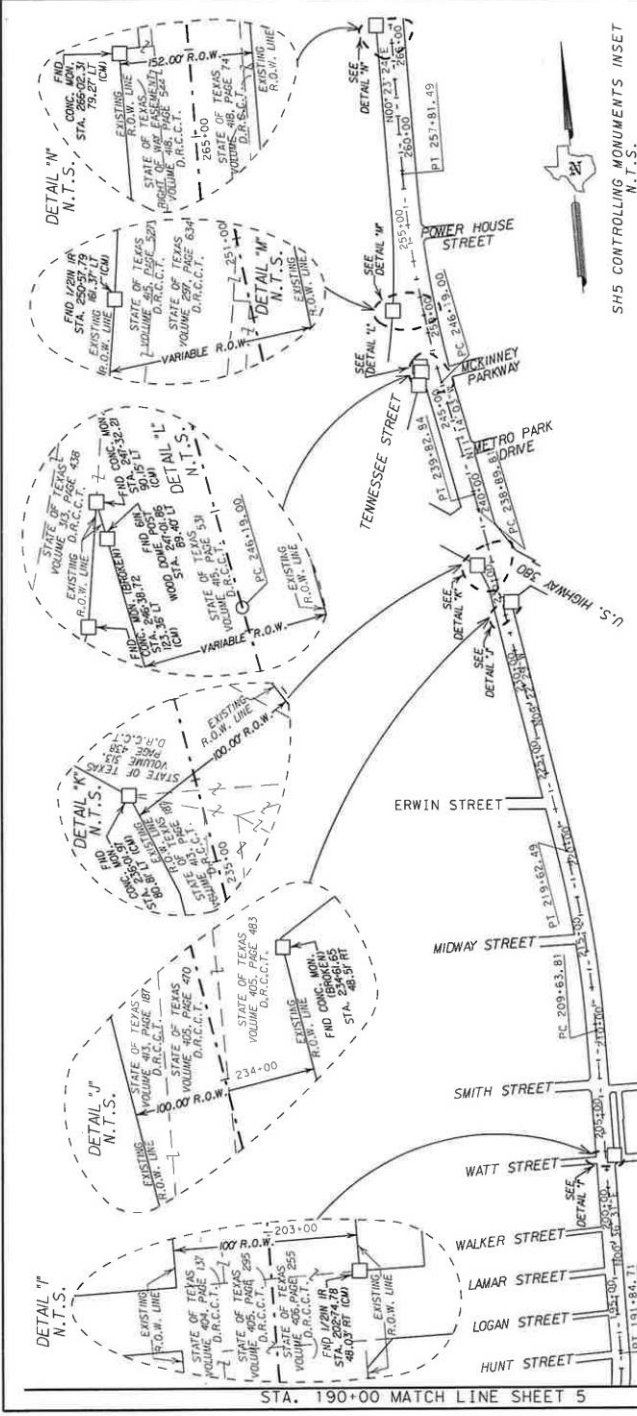
DATE: 1/17/2020
DRAWN BY: _____
CHECKED BY: _____
APPROVED BY: _____

NOTES:

- ALL SURVEYS IN PARERESSES ARE S'S PREVIOUSLY RECORDED.
- REMARKS ARE AS SHOWN ON THIS PLAT.
- COORDINATE SYSTEM OF 1983.
- ADJUSTMENT FACTOR OF 0.000152710.
- THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH AN XDOT TYPE 'T' RIGHT-OF-WAY MONUMENT.
- THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) IS TO BE EITHER EMPLOYED OR RETAINED BY TxDOT.
- STATION AND OFFSET INFORMATION REFERS TO THE PROPOSED BASELINE MONUMENT.
- SCHEMATIC DATED APRIL 21, 2019, CONTROL SECTION NUMBER 0047-05-056.
- THE STATE IS DEPTICED ON TxDOT R.O.W. MAP U.S. HIGHWAY NO. 75 SECTION 5, DATED JULY 1919.

LEGEND

—	EXISTING R.O.W.
—	PROPERTY LINE
—	NEW R.O.W.
—	SURVEY LINE
—	PROPOSED ACCESS DENIAL LINE
—	POINT OF BEGINNING
—	SETBACK FROM R.O.W. WITH PLINK MARKER RIGHT OF WAY MONUMENT (UNLESS OTHERWISE NOTED)
—	SETBACK FROM R.O.W. WITH XDOT MONUMENT (UNLESS OTHERWISE NOTED)
—	FOUND (AS NOTED)
—	PLASTIC CAP STAMPED "LTRA" UNLESS OTHERWISE NOTED
—	CONTROLLING MONUMENT (CM)
—	UNABLE TO SET DUE TO NO RIGHT OF ENTRY. TO BE SET UPON NOTIFICATION OF ACQUISITION.
—	O.P.R.P.-C.C.T.
—	O.P.R.C.C.T.
—	P.R.C.C.T.
—	D.R.C.C.T.
—	M.R.C.C.T.



**A PLAT OF A SURVEY OF
PARCEL 63
FOR STATE HIGHWAY 5
RIGHT OF WAY CSJ:
0047-05-056
A 100 SQ. FT. (0.0023 AC.)
TRACT OF LAND
IN THE WILLIAM DAVIS SURVEY
ABSTRACT 248
COLLIN COUNTY, TEXAS**

PAGE 6 OF 6

DATE	REVISION	DESCRIPTION



LINA T. HANEY & ASSOCIATES, INC.
FARMERS BRANCH, TEXAS 75234
TBPBELS FIRM NO. F-782, 10140700
PHONE 214-979-1144

NOTES:
CALLS SHOWN IN PARENTHESIS ARE AS PREVIOUSLY RECORDED.
ALL BEARINGS AND COORDINATES REFER TO THE 1983 NORTH CENTRAL ZONE (NAD 83) DATUM, 2011 ADJUSTMENT, EPOCH 2011.00. ALL DISTANCES ARE IN FEET AND MAY BE CONVERTED TO METERS USING THE CONVERSION FACTOR OF 1.0936102414725377.
SET MAY BE REPLACED WITH 1/2" X 20" TYPE 11 RIGHT-OF-WAY MONUMENTS TO BE SET AT THE COMMENCEMENT OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF THE SUPERVISOR OF LAND SURVEYING EITHER EMPLOYED OR RETAINED BY TxDOT.

- LEGEND
- EXISTING ROW
 - PROPERTY LINE
 - NEW ROW
 - SURVEY LINE
 - PROPOSED ACCESS DENIAL LINE
 - POINT OF BEGINNING
 - SE 1/8 INCH IRON ROD WITH PLINK MARKER (RIGHT OF WAY MONUMENT UNLESS OTHERWISE NOTED)
 - SET 5/8 INCH IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL" (FORM WAS NOTED)
 - PLASTIC CAP STAMPED WITH YELLOW OTHER (SEE NOTED)
 - CONTROLLING MONUMENT
 - UNABLE TO SET DUE TO NO RIGHT OF ENTRY, TO BE SET UPON NOTIFICATION OF ACQUISITION.
 - O. P. R. P. C. T.
 - O. P. R. C. T.
 - P. R. C. C. T.
 - D. R. C. C. T.
 - M. R. C. C. T.
- STATION AND OFFSET INFORMATION REFERS TO THE PROPOSED BASELINE SURVEY DATED APRIL 2, 2019, CONTROL-SECTION-NUMBER 0047-05-056, COLLIN COUNTY, TEXAS
THE STATE IS DEPICTED ON FOOT R.O.W. MAP U.S. HIGHWAY NO. 75 SECTION 5, DATED JULY 1989.

STA. 190+00 MATCH LINE SHEET 5