

**ORDINANCE NO. 2014-06-\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING ORDINANCE NO. 1043 OF THE CITY OF MCKINNEY, TEXAS TO CORRECT CERTAIN DIRECTIONAL CALLS CONTAINED IN THE METES AND BOUNDS DESCRIPTION OF THE SEGMENT OF ACKER STREET ABANDONED THEREBY TO CONFORM TO THE INTENT REFLECTED IN THE CAPTION AND TEXT OF SAID ORDINANCE; LEAVING ALL OTHER PROVISIONS OF SAID ORDINANCE INTACT AND IN FULL FORCE AND EFFECT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council previously adopted Ordinance No. 1043, "closing and abandoning that segment of Acker Street extending eastward 265 feet to an unnamed alley from the east right-of-way of Coleman Street in the William Davis Addition to the City of McKinney, Texas" in response to the petition of all owners of property abutting said roadway segment; and

**WHEREAS**, the segment of Acker Street and associated right-of-way, lying and situated between the east right-of-way line of Muse Parkway and running in an easterly direction a distance of 265 feet to the west right-of-way line of an unnamed alley in the William Davis Addition to the City of McKinney, Texas, as described Ordinance No. 1043, has been closed and abandoned since January 3, 1978, save and except for a utility easement that was reserved by the City in such right-of-way area; and

**WHEREAS**, there were certain typographical errors in Ordinance No. 1043 regarding the directional callouts contained in the metes and bounds description of the abandonment of Acker Street, that do not accurately reflect the correct bearings and location of the property intended by said ordinance to be abandoned;

**NOW, THEREFORE, BE IT ORDAINED 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 determinations of the City of McKinney, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. From and after the effective date of this Ordinance, Section 1 of Ordinance No. 1043 is hereby deleted in its entirety and replaced with a new Section 1 to read as follows:

"That the street and street right-of-way, which is more fully described hereinafter and depicted on Exhibit "A" attached hereto and incorporated herein by reference for all purposes allowed by law be and the same is by the terms of this ordinance declared closed and abandoned, to wit;

SITUATED in Collin County, Texas, and being located in the City of McKinney and being a re-survey of all of Lots 27, 28, 29, 30, 31, 32 and 33 of Block B of the Millie Muse Addition, an addition to the City of McKinney, according to the filed plat recorded in Volume 1, page 75 of the Collin County Map and Plat Records and being more fully described as follows:

BEGINNING at an iron stake at the Southwest corner of Lot 27 of the said Addition; said stake being at the intersection of the East Right-of-way line of Coleman Street and the North Right-of-way line of Acker Street.

THENCE South 67 deg. 39 min. East along the North Right-of-way line of Acker Street a distance of 265.0 feet for a corner; said point being at the intersection of the West Right-of-way line of an unnamed alley and the North Right-of-way line of Acker Street;

THENCE South 0 deg. 37 min. 53 sec. East a distance of 30 feet for a corner; said point being the South Right-of-way line of Acker Street;

THENCE North 67 deg. 39 min. West along the South Right-of-way line of Acker Street a distance of 265.0 feet for a corner; said point being at the intersection of the East Right-of-way line of Coleman Street and the South Right-of-way line of Acker Street;

THENCE North 0 deg. 37 min. 53 sec. West a distance of 30 feet to POINT OF BEGINNING;

SAVE AND EXCEPT that the City of McKinney, Texas reserves the right to install and maintain Public Utilities in and on this property forever.”

Section 3. All other provisions of Ordinance No. 1043 shall remain in full force and effect.

Section 4. This ordinance shall become effective immediately upon adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 3<sup>rd</sup> DAY OF JUNE, 2014.**

CITY OF MCKINNEY, TEXAS

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

CORRECTLY ENROLLED:

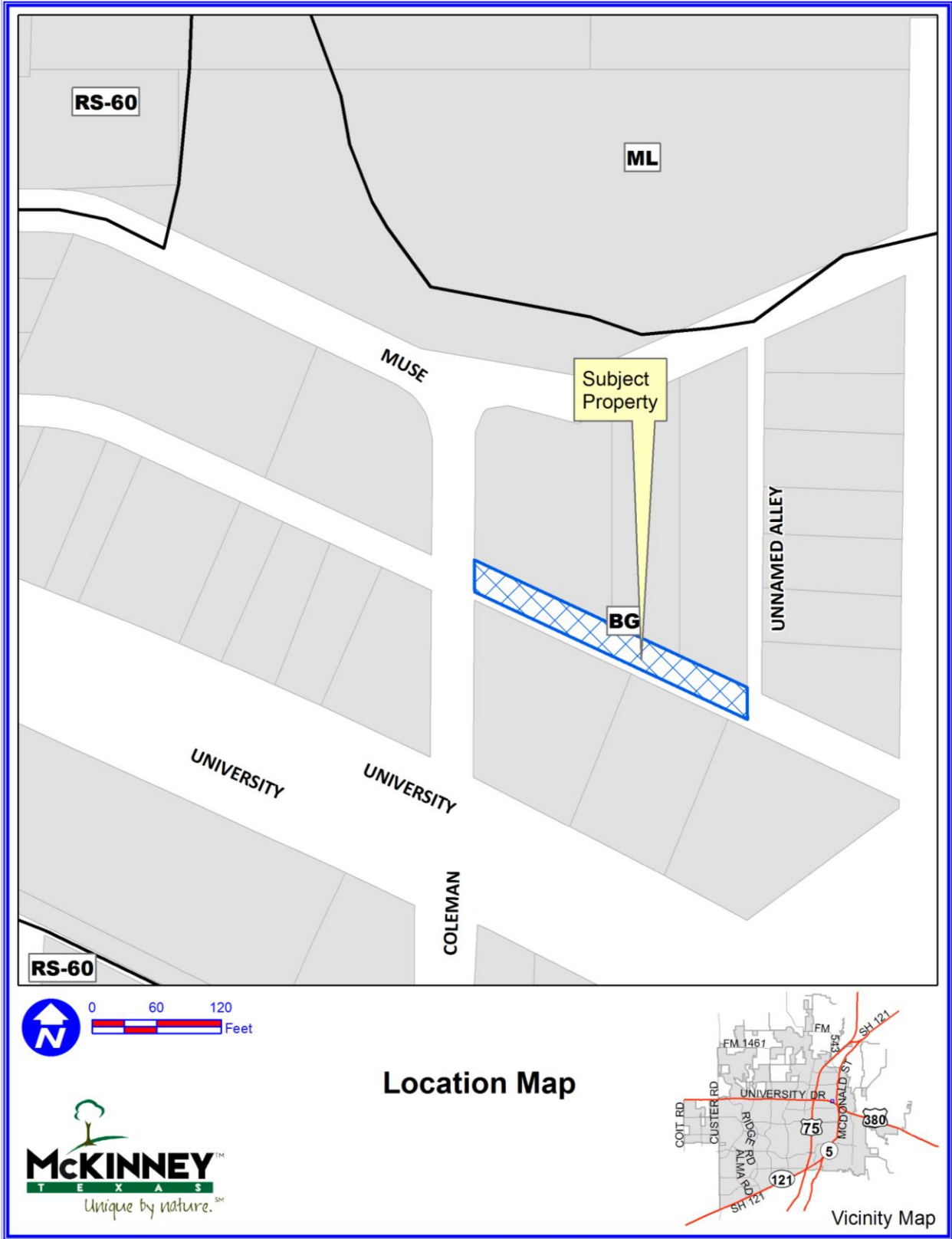
\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary  
DENISE VICE  
Assistant City Secretary

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

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK S. HOUSER  
City Attorney

EXHIBIT "A"



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.