

**RESOLUTION NO. 2016-08-\_\_\_\_(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE SALE OF A PARCEL OF LAND TO THE NORTH TEXAS MUNICIPAL WATER DISTRICT, WHICH PARCEL CONTAINS 10.763 ACRES OF LAND SITUATED IN THE JOHN R. JONES SURVEY, ABSTRACT NO. 497, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS GENERALLY LOCATED EAST OF McLARRY DRIVE AND SOUTH OF BLOOMDALE ROAD; AND AUTHORIZING THE CITY MANAGER TO EXECUTE DEEDS AND DOCUMENTS REGARDING THE SALE OF SAID CITY-OWNED PROPERTY TO THE NORTH TEXAS MUNICIPAL WATER DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS,** the City of McKinney, Texas (“City”), owns an approximate 10.763 acres parcel of land (“Property”) located in the John R. Jones Survey, Abstract No. 497, depicted on the Location Map in Exhibit A and more fully described in Exhibit B attached hereto and incorporated herein by reference for all purposes allowed by law; and

**WHEREAS,** the North Texas Municipal Water District (“NTMWD”) has made a request to purchase the Property from the City for a proposed pump station site; and

**WHEREAS,** City Council has determined that the Property will be utilized by a governmental entity in carrying out a purpose that benefits the public interest; and

**WHEREAS,** Texas Local Government Code Section 272.001(b)(5) authorizes a city to convey property to a governmental entity having the power of eminent domain, such as NTMWD, 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,** City obtained an appraisal of the Property 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,** NTMWD will pay McKinney the appraised fair market value for the Property; and

**WHEREAS,** City Council has determined that it would be in the best interest of the City to convey the Property to the NTMWD.

**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 NTMWD, for the total amount of One Million, Two Hundred Ninety Thousand and 00/100 Dollars (\$1,290,000.00), which amount is the appraised fair market value of the Property.
- Section 3. In addition to and as a condition of the sale of the Property to NTMWD, the City should collect Two Hundred Sixty-Two Thousand, Two Hundred Thirty-three and 00/100 Dollars (\$262,233.00), the cost estimate for the future construction of Redbud Boulevard adjacent to the Property.
- Section 4. The total amount that should be collected from NTMWD with the sale of the Property to the City is One Million, Five Hundred Fifty-Two Thousand, Two Hundred Thirty-Three and 00/100 Dollars (\$1,552,233.00), of which \$1,290,000.00 should be placed in the Water/Wastewater Fund and \$262,233.00 should be placed in CIP ST1612 for future roadway construction adjacent to the Property.
- Section 5. The City Manager is hereby authorized to execute all documents necessary for the sale and conveyance of the Property, fully described on Exhibit B, attached hereto, to NTMWD.
- Section 6. 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 16<sup>th</sup> DAY OF AUGUST 2016.**

CITY OF MCKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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

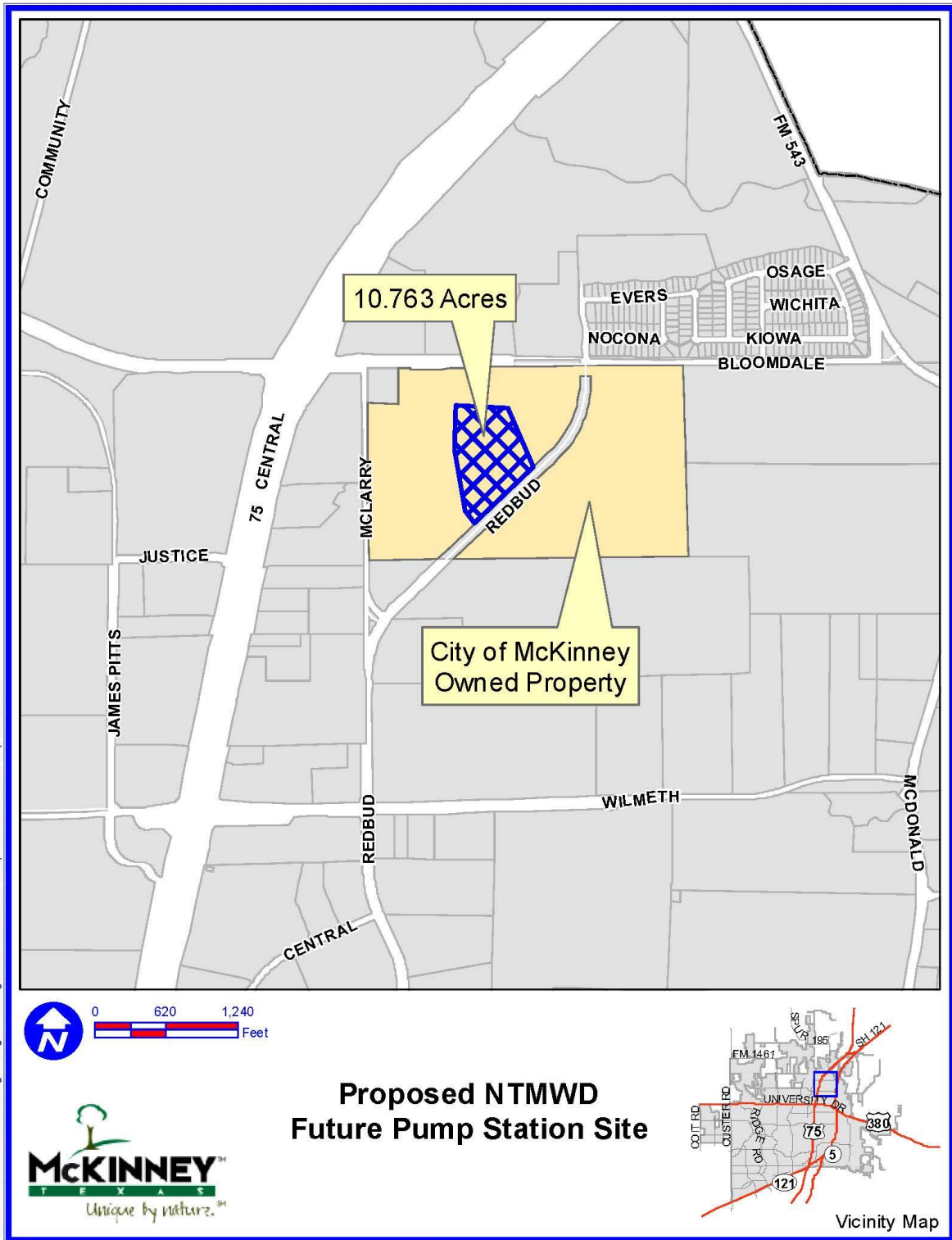
APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney

# EXHIBIT "A"

## Location Map



Path: Y:\GIS\IS\WorkArea\Green\Engineering\Council\Agenda\Items\NTMWD Pump Station\NTMWD Pump Station.mxd

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.

## EXHIBIT "B"

### Legal Description of the Property

#### EXHIBIT "A" LEGAL DESCRIPTION

BEING 10.763 acres of land located in the JOHN R. JONES SURVEY, ABSTRACT No. 497, McKinney, Collin County, Texas, and being a portion of the tract of land conveyed to The City of McKinney, by the deed recorded in Instrument No. 20070727001038430, of the Official Public Records of Collin County, Texas. Said 10.763 acres being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod found, at the Southwest corner of aforesaid City of McKinney Tract, also lying at the Southwest corner of said Jones survey;

THENCE N 89° 00' 40" E 614.48 feet, along the South boundary line of said City of McKinney Tract, to a point lying in the New Northwest right-of-way line of Redbud Blvd.;

THENCE N 46° 05' 45" E 440.13 feet, along the New Northwest right-of-way line of Redbud Blvd., to a ½" iron rod, marked "Brittain & Crawford", set at the POINT OF BEGINNING, having NAD83 State Plane Grid Coordinates of N: 7137686.35, E: 2541757.80;

THENCE N 42° 58' 10" W 131.88 feet, to a ½" iron rod set, marked "Brittain & Crawford";

THENCE N 09° 10' 46" W 547.11 feet, to a ½" iron rod set, marked "Brittain & Crawford";

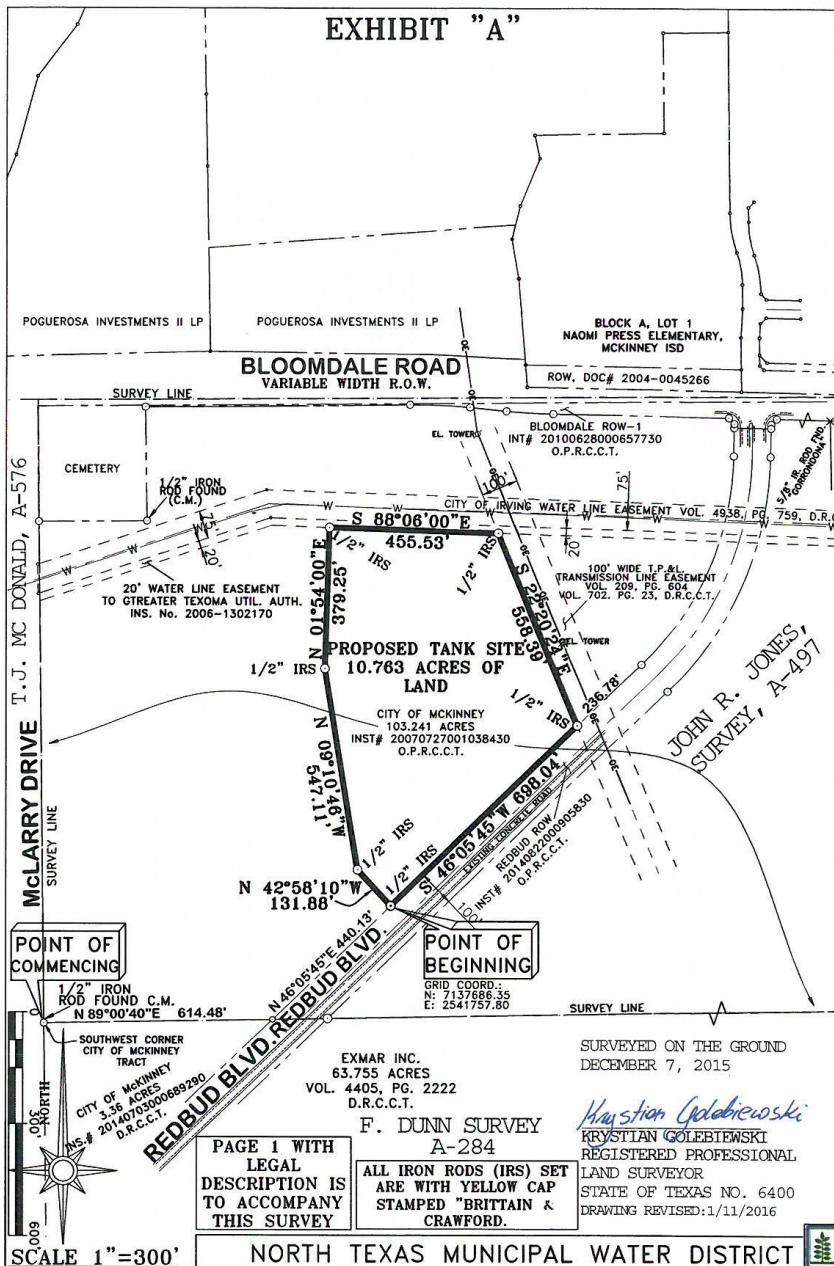
THENCE N 01° 54' 00" E 379.25 feet, to a ½" iron rod set, marked "Brittain & Crawford", lying in the South line of an existing 20 foot water line easement to Greater Texoma Utility Authority, according to the deed recorded in Instrument No. 2006-1302170, of the Deed Records of Collin County, Texas;

THENCE S 88° 06' 00" E 455.53 feet, along the South line of said Greater Texoma Utility Authority District Easement, to a ½" iron rod set, marked "Brittain & Crawford", lying in the Southwest line of an existing 100 foot wide Texas Power and Light Company Transmission Line Easement, according to the deeds recorded in Volume 209, Page 604, and Volume 702, Page 23, of the Deed Records of Collin County, Texas;

THENCE S 22° 20' 24" E 558.39 feet, along the Southwest line of said Texas Power and Light Company Transmission Line Easement, to a ½" iron rod set, marked "Brittain & Crawford", in the new Northwest right-of-way line of aforesaid Redbud Blvd.;

THENCE S 46° 05' 45" W 698.04 feet, along the New Northwest right-of-way line of said Redbud Blvd., to THE POINT OF BEGINNING, containing 10.763 acres of land.

**EXHIBIT "A"**



**POINT OF COMMENCING**  
 1/2" IRON ROD FOUND C.M.  
 N 89°00'40"E 614.48'

**POINT OF BEGINNING**  
 GRID COORDS:  
 N: 7137686.35  
 E: 2541757.80

**PAGE 1 WITH LEGAL DESCRIPTION IS TO ACCOMPANY THIS SURVEY**

EXMAR INC.  
 63.755 ACRES  
 VOL. 4405, PG. 2222  
 D.R.C.C.T.

F. DUNN SURVEY  
 A-284

ALL IRON RODS (IRS) SET ARE WITH YELLOW CAP STAMPED "BRITTAIN & CRAWFORD."

SURVEYED ON THE GROUND  
 DECEMBER 7, 2015

*Krzysztof Golebiewski*  
 KRYSZTOF GOLEBIEWSKI  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF TEXAS NO. 6400  
 DRAWING REVISED: 1/11/2016

SCALE 1"=300' NORTH TEXAS MUNICIPAL WATER DISTRICT

**BRITTAIN & CRAWFORD**  
 LAND SURVEYING & TOPOGRAPHIC MAPPING  
 FIRM CERTIFICATION# 1019000  
 TEL (817) 926-0211 - FAX (817) 926-9347  
 P.O. BOX 11374 • 3908 SOUTH FREWAY  
 FORT WORTH, TEXAS 76110  
 EMAIL: odman@brittain-crawford.com  
 WEBSITE: www.brittain-crawford.com

**BEARING BASE:**  
 NAD 83: TX83-NCF

BOUNDARY SURVEY MAP  
 OF  
**10.763 ACRES OF LAND**  
 LOCATED IN  
**JOHN R. JONES SURVEY**  
**ABSTRACT No. 497**  
 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

**STATE OF TEXAS**  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 KRYSZTOF GOLEBIEWSKI  
 6400

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