

EXHIBIT D



**CITY OF MCKINNEY, TEXAS
SERVICE PLAN FOR ANNEXED AREA**

ANNEXATION ORDINANCE NO. 2021-03-XXX

DATE OF ANNEXATION ORDINANCE: March 16, 2021

ACREAGE ANNEXED: 60.123 Acres

This Service Plan is hereby entered into and agreed pursuant to Texas Local Government Code § 43.0672 effective the ___ day of _____, 2021, by and between the **CITY OF MCKINNEY**, a Texas municipal corporation and home-rule city ("City"), and **MM JOPLIN 60, LLC**, a Texas limited liability company, whose address is 1800 Valley View Lane, Suite 300, Farmers Branch, Texas 75234-8945, ("Developer") for the approximately 60.123 acres of land in the Henry H. Tucker Survey, Abstract Number 907 and the W.W. Butler Survey, Abstract Number 87, that is located in the extraterritorial jurisdiction of the City of McKinney, Collin County, Texas ("ETJ") in an area generally southwest of Erwin Park on the south side of County Road 164 ("Bloomdale Road") and north of Holley Ridge Way in the ETJ of the City of McKinney, Collin County, Texas (the "Annexed Area").

Municipal services shall be provided to the Annexed Area upon its annexation into the corporate limits of the City of McKinney, Texas, in accordance with the following provisions and Texas Local Government Code § 43.065.

A. POLICE PROTECTION:

1. Police personnel and equipment from the McKinney Police Department shall be provided to the Annexed Area on the effective date of this ordinance.
2. Police protection services shall be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

B. FIRE PROTECTION:

1. Fire protection and Emergency Medical Services (EMS) from the McKinney Fire Department shall be provided to the Annexed Area on the effective date of this ordinance.
2. Fire protection services shall be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

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C. FIRE PREVENTION:

The services of the City of McKinney Fire Marshal shall be provided to the Annexed Area upon the effective date of this ordinance.

D. SOLID WASTE COLLECTION:

1. Solid waste collection shall be provided to the Annexed Area upon the effective date of this ordinance.
2. Solid waste collection services shall be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
3. The collection of refuse from individual properties shall be made in accordance with the usual Sanitation Department scheduling. Residential customers may utilize the North Texas Municipal Water District - McKinney Landfill in accordance with City ordinances.

E. WATER SERVICE:

1. For portions of the Annexed Area within the City of McKinney legally certificated area (CCN) the City of McKinney shall provide water services to this Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City of McKinney requires Developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include off-site improvements.
2. The responsibility for construction of the infrastructure by the Developer is noted in the pending Developer Agreement.
3. For portions of the Annexed Area within the City of McKinney legally certificated area (CCN), the City of McKinney shall allow the provision of extensions of water facilities to the Annexed Area on the effective date of this ordinance. Such extensions shall be in accordance with Section 110-1 through 110-165 of the Code of Ordinances, City of McKinney, and as amended.
4. Connection to existing city water mains for water service will be provided in accordance with existing City Policies. Upon connection to existing mains, water will be provided at rates established by City Ordinance.
5. For portions of the Annexed Area within the City of McKinney legally certificated area (CCN), water services shall be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
6. Water mains installed or improved to City standards within the Annexed Area which are part of the City of McKinney water system and are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, shall be maintained by the City of McKinney upon the effective date of this ordinance.
7. Maintenance of private lines will be the responsibility of the owner or occupant.

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8. Where other water districts provide water service, the development shall still meet the City of McKinney standards for the sizing and construction of utilities.

F. SANITARY SEWER SERVICE:

1. The City of McKinney shall provide sewer services to this Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City of McKinney requires Developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include off-site improvements.
2. The City of McKinney shall allow the provision of extensions of sanitary sewer facilities to the Annexed Area upon the effective date of this ordinance. Such extensions shall be in accordance with Section 110-1 through 110-165 of the Code of Ordinances, City of McKinney, and as amended.
3. Connection to existing city sanitary sewer mains for sewage service will be provided in accordance with existing City Policies. Upon connection to existing mains, sanitary sewer collection will be provided at rates established by City Ordinances.
4. Sanitary sewer services shall be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
5. Sanitary sewer mains and lift stations installed or improved to City Standards within the Annexed Area which are located within dedicated easement, rights-of-way, or any other acceptable location approved by the City Engineer, shall be maintained by the City of McKinney upon the effective date of this ordinance.

G. STREETS:

1. Emergency street maintenance shall be provided for publicly dedicated streets or roads within the Annexed Area upon the effective date of this ordinance. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the then current policies and procedures defined by ordinance.
2. Street services shall be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

H. PARKS AND RECREATION:

1. The City of McKinney shall provide parks and recreation services to this Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City of McKinney requires Developer to construct hike/bike trails in keeping with the Parks Master Plan. Additionally, new developments must still satisfy the parkland dedication requirements that call for land or fees in lieu of land for park.
2. Residents within the Annexed Area may utilize all existing park and recreation facilities upon the effective date of this Ordinance. Fees for

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such usage shall be in accordance with current fees established by ordinance.

3. Additional park and recreation facilities shall be constructed based on Park policies defined in the 2012 Comprehensive Plan as amended, and the Parks Master Plan. The general planned locations and classifications of parks will ultimately serve residents from the current city limits and residents from the Annexed Area.

I. ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES:

1. Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, shall begin within the Annexed Area upon the effective date of this annexation ordinance.
2. Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City Codes and Ordinances will be provided within the Annexed Area upon the effective date of this ordinance.
3. The City shall provide the level of Environmental Health and Code Enforcement Services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

J. PLANNING AND ZONING:

These areas are zoned in conjunction with the annexation pursuant to the Comprehensive Zoning Ordinance #1270. The Future Land Use Plan of the 2004 Comprehensive Plan as amended will serve as a guide for consideration of future zoning requests.

K. MISCELLANEOUS:

Any city owned facility, building, or service located within the Annexed Area shall be operated and maintained by the City upon the effective date of the annexation ordinance.

L. CAPITAL IMPROVEMENTS PROGRAM

The Annexed Area is immediately eligible for Capital Improvement Program consideration upon its annexation.

- M. Other municipal services for areas not specifically listed in Sections A-K shall be provided to the Annexed Area no later than two and one-half years after the effective date of the annexation, unless certain services cannot reasonably be provided within two and one-half years. In that case, the City shall propose a schedule for providing certain services, and the schedule shall provide for the provision of full municipal services to the Annexed Area no later than four and one-half years after the effective date of the annexation.

[Signatures begin on following page.]

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IN WITNESS WHEREOF, the Parties have duly executed this Service Plan on the dates indicated below to be effective as of the Effective Date.

CITY OF MCKINNEY

By: _____
PAUL G. GRIMES
City Manager

Date Signed: _____

ATTEST:

EMPRESS DRANE
City Secretary
JOSHUA STEVENSON
Deputy City Secretary


APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

DEVELOPER
MM JOPLIN 60, LLC,
a Texas limited liability company

By: MMM Ventures, LLC
a Texas limited liability company
Its Manager,

By: 2M Ventures, LLC
a Delaware limited liability company
Its Manager

By: 
MEHRDAD MOAYEDI
Manager

Date Signed: 3/10/2021