

ORDINANCE NO. 2016-04-\_\_\_\_\_

**AN ORDINANCE VACATING A PORTION OF AN UNNAMED ALLEY, APPROXIMATELY 2,742 SQUARE FEET, LOCATED APPROXIMATELY 200 FEET NORTH OF ERWIN AVENUE AND BETWEEN TENNESSEE STREET AND KENTUCKY STREET, PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS**, the owners of the properties immediately adjacent to the unnamed alley, approximately 2,742 square feet, located approximately 200 feet North of Erwin Avenue and between Tennessee Street and Kentucky Street, in the City of McKinney, Collin County, Texas, have petitioned the City of McKinney to vacate said right-of-way; and

**WHEREAS**, after due notice was sent to all persons owning properties adjacent to such right-of-way and all persons affected thereby; and

**WHEREAS**, after due notice and hearing held before the City Council of the City of McKinney, the City Council has determined and finds that the right-of-way is not needed for travel by the general public, and that the same should be vacated.

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

Section 1. An unnamed alley, approximately 2,742 square feet, located approximately 200 Feet North of Erwin Avenue and between Tennessee Street and Kentucky Street, in the City of McKinney, which is more fully depicted in Exhibit A and more fully described in Exhibits B and C, attached hereto, is hereby closed and vacated.

Section 2. The City reserves a perpetual drainage and utility easement within the vacated portions of right-of-way, more fully depicted on Exhibits B and C, attached hereto. Said easements may be modified through the platting process, subject to the review and approval of the City Engineer.

Section 3. This ordinance shall become effective immediately upon adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 5<sup>th</sup> DAY OF APRIL, 2016.**

CITY OF MCKINNEY, TEXAS

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

CORRECTLY ENROLLED:

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

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

APPROVED AS TO FORM:

---

MARK S. HOUSER  
City Attorney