

**RESOLUTION NO. 2020-06-\_\_\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTY (IN FEE SIMPLE) FOR PUBLIC USE BY EMINENT DOMAIN ASSOCIATED WITH THE MUNICIPAL COMPLEX PROJECT AND SAID CERTAIN PROPERTY IS COMMONLY KNOWN AS 301 THROCKMORTON STREET GENERALLY LOCATED BETWEEN EAST LAMAR STREET AND EAST VIRGINIA STREET; AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING THE PROPERTY (IN FEE SIMPLE), AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS**

**WHEREAS**, the City Council of the City of McKinney, Texas, has determined that a public need and necessity exists for the Municipal Complex Project, generally location to the East of Highway 5 in the vicinity of the Flour Mill. The location of 301 N Throckmorton Street, is generally set forth in the map attached hereto as Exhibit A; and

**WHEREAS**, the City Council has considered this project and has determined that a public necessity exists for the acquisition of Property (in fee simple), as described on Exhibit B, attached hereto and incorporated herein for all purposes (“Properties”).

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

- Section 1. All of the above premises 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. That the City Council of the City of McKinney, Texas hereby authorizes the City Manager to execute documents, as needed, to acquire the necessary Property for the Municipal Complex Project.
- Section 3. That the City Council hereby finds and determines that a public use and necessity exists for the City of McKinney for the Municipal Complex Project and to acquire the Property deemed necessary for the project, together with all necessary appurtenances, additions and improvements on, over, under, and through that certain lots tract or parcel of land described in Exhibit B.
- Section 4. That the City Manager is authorized and directed to negotiate for and to acquire the required Property for the City of McKinney, and to acquire said rights in compliance with State and Federal law. That the City Manager is specifically authorized and directed to do each and every act necessary to acquire the needed Property including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare

contracts, to designate a qualified appraiser of the Property to be acquired when such appraisal is necessary and, where necessary, the use of Eminent Domain to condemn the Property.

Section 5. That the City Manager, or any individual he may so designate, is appointed as negotiator for the acquisition of the Property and, as such, the City Manager is authorized and directed to do each and every act and deed hereinabove specified or authorized by reference, subject to the availability of funds appropriated by the City Council for such purpose. That the City Manager is specifically authorized to establish the just compensation for the acquisition of the Property. That, if the City Manager or his designee determines that an agreement as to damages or compensation cannot be reached, then the City Attorney or his designee is hereby authorized and directed to file or cause to be filed, against the owners and interested parties of the subject Property, proceedings in eminent domain to acquire the above-stated interest in the Property.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 2<sup>nd</sup> DAY OF JUNE 2020.**

CITY OF MCKINNEY, TEXAS:

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GEORGE C. FULLER  
Mayor

ATTEST:

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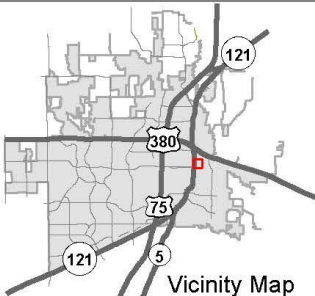
EMPRESS DRANE  
City Secretary

APPROVED AS TO FORM:

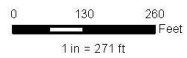
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MARK S. HOUSER  
City Attorney

# EXHIBIT "A" Location Map



Downtown Redevelopment Project  
**FC1859**  
 301 N Throckmorton



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: 5/18/2020

**EXHIBIT "B1"**

**Metes and Bounds**

**301 Throckmorton Street (H & T C Railroad Addition, Blk 6, Lot 15a 16 17)**

**Property Owner MMVG Properties LP**

Escrow File No.: DFW-151485LEW

**EXHIBIT "A"**

BEING all of Lots 16 and 17 and the south 32.5 feet of Lot 15, Block 6, of the RAILROAD ADDITION, an Addition to the City of McKinney, Collin County, Texas, according to the map or plat thereof recorded in Volume 46, Page 2, Map Records of Collin County, Texas; being more particularly described as follows:

BEGINNING at the point in the east boundary line of Lot 15 of Block 6, which point is 132.5 feet south of the northeast corner of Block 6;

THENCE SOUTH with the east boundary line of Lots 15, 16 and 17, 132.5 feet to the southeast corner of Lot 17 in Block 6;

THENCE WEST with the south line of Lot 17, 100 feet to the southwest corner of said Lot 17, a stake in a 25 foot alley;

THENCE NORTH with the west lines of Lots 17, 16, and 15, 132.50 feet to a stake in the west line of Lot 15, and the east line of a 25 foot alley;

THENCE EAST parallel with the north boundary line of Block 6, 100 feet to the PLACE OF BEGINNING, commonly known as 301 Throckmorton Street, McKinney, Texas 75069.

**The Company does not represent or insure that the acreage or square footage calculations are correct.**



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
09/09/2015 08:06:00 AM  
\$34.00 SCAPELA  
20150909001140650

*Stacey Kemp*