

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 21 ACRES OF LAND IN THE WILLIAM DAVIS SURVEY IS ZONED LIGHT MANUFACTURING; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

THAT WHEREAS, the owner or owners of 21 acres of land more fully described in the attached Exhibit A have petitioned the City of McKinney to zone such tract "Light Manufacturing"; and,

WHEREAS, after due notice of the requested zoning changes as required by law and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, the City Council is of the opinion that such zoning change should be made.

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

SECTION I: That 21 acres of land more fully described in the attached Exhibit A is hereby rezoned from its present classification of rural Agriculture to "Light Manufacturing".

SECTION II: That prior to the development of this property, the owner thereof shall submit to and secure the approval of the Planning and Zoning Commission, a complete site plan for the development of this property.

SECTION III: If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.


SECTION IV: It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon

conviction therefor, shall be fined any sum not exceeding \$200.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

SECTION V: The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, on this the 19th day of February, 1985.

CORRECTLY ENROLLED:


JENNIFER CRAVENS
CITY SECRETARY

LEGAL DESCRIPTION

EXHIBIT "A"

SITUATED in Collin County in the William Davis Survey, Abstract No. 248 and being part of a tract of land conveyed to Harrell S. Hayden, Trustee, by Deed recorded in Volume 916, page 202 of the Collin County Deed Records, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod, said iron rod being in the east right-of-way line of S.H. 121 and S.H. 5 said iron rod also being the Northwest corner of Metro Industrial Park #2 an addition to the City of McKinney as recorded in Cabinet C, page 679 of the Collin County Deed Records;

THENCE: Along said R.O.W. line, said line being a 1° curve to the right with a radius of 5,729.58 feet, a central angle of 8° 05' 06", a tangent length of 404.92 feet, for a curve distance of 808.49 feet to an iron rod, said iron rod bears N 3° 03' 02" W 807.82 feet from the Point of Beginning;

THENCE: N 0° 58' 00" W along said right-of-way for a distance of 3.50 feet to an iron rod in a ditch;

THENCE: N 71° 56' 35" E along said ditch for a distance of 121.12 feet to the center of a branch called POWER HOUSE CREEK;

THENCE: along the meanders of said branch as follows;

N 38° 36' 37" E 48.81 feet;

N 41° 45' 37" E 46.31 feet;

N 75° 36' 37" E 116.57 feet;

N 21° 56' 37" E 90.17 feet;

S 77° 59' 23" E 91.10 feet;

S 77° 59' 23" E 160.93 feet;

N 53° 48' 37" E 209.54 feet;

S 70° 38' 23" E 169.53 feet;

N 36° 44' 37" E 29.25 feet;

N 79° 22' 37" E 60.50 feet;

N 29° 56' 37" E 56.50 feet;

N 73° 57' 37" E 126.47 feet;

S 78° 52' 23" E 89.42 feet;

N 74° 19' 37" E 70.49 feet;

N 79° 28' 37" E 147.19 feet;

N 27° 00' 37" E 71.19 feet;

N 16° 04' 37" E 31.29 feet;

N 67° 36' 37" E 153.07 feet;

S 85° 00' 23" E 251.19 feet;

S 57° 56' 23" E 111.93 feet;

S 11° 14' 23" E 56.60 feet;

S 89° 05' 23" E 83.74 feet;

THENCE: S 1° 53' 37" W for a distance of 21.35 feet to an iron rod;

THENCE: S 1° 53' 37" W along and near an existing fence line for a distance of 1053.41 feet to an iron rod, said iron rod being in the west right-of-way line of the Southern Pacific Railroad.

THENCE: S 16° 32' 41" W along said right-of-way and along and near an existing fence line for a distance of 743.23 feet to an iron rod in the west right-of-way line of said Railroad.

THENCE: N 73° 27' 19" W passing an iron rod at 300 feet for a total distance of 360.00 feet to an iron rod, said iron rods being in the North line of the before mentioned Metro Industrial Park #2.

THENCE: N 57° 36' 18" W along said northline for a distance of 644.85 feet to an iron rod, said iron rod being the PC of a curve to the left with a radius of 1070.00 feet, a central angle of 43° 05' 42" and a tangent length of 422.51 feet;

THENCE: Along said northline and curve for a distance of 804.80 feet to an iron rod;

THENCE: S 79° 18' 00" W along said North line for a distance of 98.04 feet to the POINT OF BEGINNING and containing 61.107 acres of land more or less, and being subject to utility easements along the West property line and recorded in Volume 451, page 46, Volume 451, page 68, Volume 476, page 291, and Volume 482, page 275; a T P & L easement through the property as recorded in Volume 418, page 586; a blanket easement to Southwestern Bell Telephone Company as recorded in Volume 280, page 607; a blanket easement to the McKinney Sewerage Company as recorded in Volume 1970, page 275; a T P & L transmission easement traversing the site as recorded in Volume 263, page 283; and a 30 foot easement to Southwestern Bell Telephone Company along the East line as recorded in Volume 323, page 126, and a 30 foot County road easement and R.O.W. as recorded in Volume 288, page 512 of the Collin County Deed Records.

LESS AND EXCEPT HOWEVER that portion of the above described property previously zoned "Light Manufacturing"

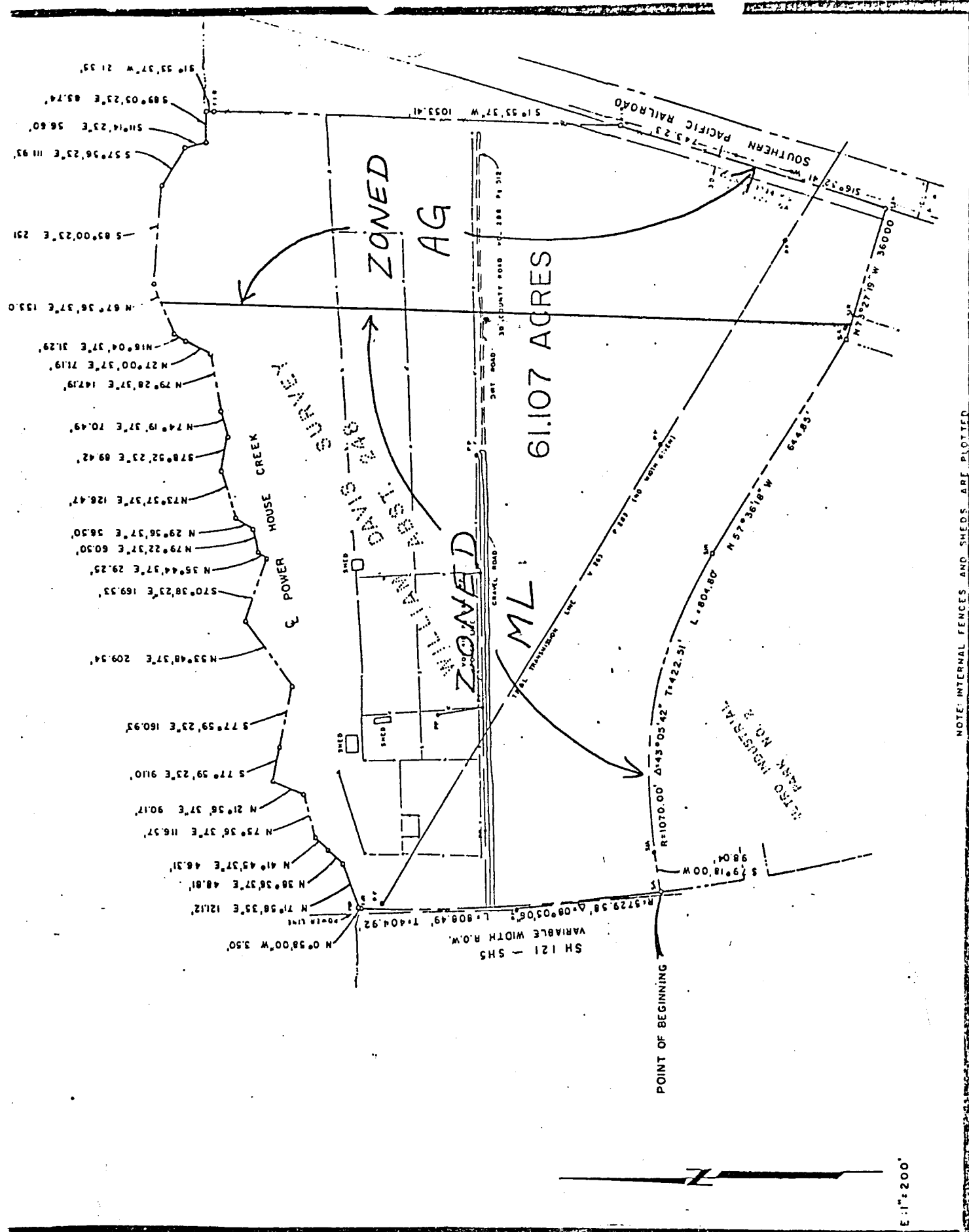
C E R T I F I C A T I O N

I, Melvin K. January, Registered Public Surveyor, hereby certify that the plat hereon represents an actual survey made on the ground and that all lines and dimensions are as shown. There are no visible conflicts, encroachments or protrusions except as shown.



Melvin K. January DATE 11-1-83
 MELVIN K. JANUARY, R.P.S. # 2818

Zoning



NOTE: INTERNAL FENCES AND SHEDS ARE PLOTTED

E: 1" = 200'