

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 56.919 ACRES OF LAND IN THE T. J. MCDONALD SURVEY IN THE CITY OF MCKINNEY, TEXAS, LOCATED ON THE SOUTH SIDE OF BLOOMDALE ROAD IS ZONED "C" PLANNED CENTER DISTRICT; PROVIDING FOR A SITE PLAN; PROVIDING FOR A LANDSCAPE PLAN; 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 56.919 acres of land in the T. J. McDonald Survey in the City of McKinney, have petitioned the City of McKinney to zone such property from Agriculture to "C" Planned Center District, 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 the 56.919 acre tract of land more fully described in the attached Exhibit "A" is hereby zoned "C" Planned Center District and Ordinance No. 1270 and all other ordinances of the City of McKinney are accordingly amended.

SECTION II: That prior to the development of such Planned Center, a site plan and landscape plan shall receive the approval of the City Council of the City of McKinney.

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 15th day of January, 1985.

CORRECTLY ENROLLED:


JENNIFER CRAVENS
CITY SECRETARY

EXHIBIT "A"

All that certain tract or parcel of land out of the T. J. McDonald Survey Abstract Number 576, situated in the City Limits of McKinney, Collin County, Texas, and being all of the land described in the Deed from Nancy Ellen Holmes, et al to the Georgie Elizabeth Phillips Trust, dated May 31, 1933, of record in Volume 1663, Page 837, Deed Records, Collin County, Texas, and being more particularly described as follows:

STANDING at the Northwest corner of the T. J. McDonald Survey, GO West 900 feet to a point in the center of an abandoned county road and West R-0-W line of U.S. Hwy. 75 for the point of beginning and the most Northerly Northeast corner of this tract.

THENCE: S 20°42'28" W a distance of 15.99 feet along the West R-0-W line of U.S. Hwy. 75 to highway marker for corner.

THENCE: S 41°09'05" E a distance of 66.32 feet along the west R-0-W line of U.S. Hwy. 75 to highway marker for corner.

THENCE: S 7°18'59" W a distance of 381.12 feet along the West R-0-W line of U.S. Hwy. 75 to highway marker for corner.

THENCE: Southwesterly with the curve of the West R-0-W line of U.S. Hwy 75, radius = 5889.58 feet, length = 589.32 feet; cord = 589.07 feet bearing South 15°07'04" West to highway market for corner.

THENCE: S 12°31'09" W a distance of 1132.46 feet along the West R-0-W line of U.S. Hwy. 75 to highway marker for corner.

THENCE: S 14°16'57" W a distance of 180.06 feet along the West R-0-W of U.S. Hwy. 75 to a steel pin for the Southeast corner.

THENCE: S 89°34' W a distance of 851.40 feet to a point in the center of Wilmeth Road for the Southwest corner.

THENCE: N 1°17'24" E a distance of 2145.89 feet along the center of Wilmeth Road and old abandoned county road to a point for the most Westerly Northwest corner.

THENCE: N 38°21'04" E a distance of 178.26 feet along the center of old abandoned county road to a point for the most Northerly Northwest corner.

THENCE: N 89°21'17" E a distance of 1146.61 feet along the center of old abandoned county road to the point of beginning, containing 56.919 acres.