

**ORDINANCE NO. 2011-02-\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ANNEXING CERTAIN TERRITORIES TO THE CITY OF MCKINNEY; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

**WHEREAS**, the City of McKinney, Texas has adopted an updated Comprehensive Plan to encourage and coordinate future physical development within its Ultimate Planning Area; and

**WHEREAS**, the City of McKinney recognizes that certain mechanisms are necessary to implement said Comprehensive Plan; and

**WHEREAS**, the Comprehensive Annexation Plan is such a mechanism to aid in the implementation of the Comprehensive Plan; and

**WHEREAS**, the specific purposes of the Comprehensive Annexation Plan are:

1. to aid in implementing the City of McKinney Comprehensive Plan,
2. to define and protect the ultimate boundaries of McKinney,
3. to ensure responsible planning,
4. to encourage quality development in the future, and
5. to ensure the continued attractive and efficient growth of the City; and

**WHEREAS**, the protection of the public health and general welfare of the people of the City of McKinney requires that such development be in an orderly manner and controlled by the City of McKinney; and

**WHEREAS**, two public hearings were held before the City Council of the City of McKinney, Texas, on the 18<sup>th</sup> day of January, 2011, at 4 p.m., and on the 18<sup>th</sup> day of January, 2011, at 6 p.m., which dates were not more than 40 (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

**WHEREAS**, a third and final public hearing was held before the City Council of the City of McKinney, Texas, on the 15<sup>th</sup> day of February, 2011, to consider the adoption of an ordinance to annex the subject property at the voluntary request of the property owners; and

**WHEREAS**, notice of such public hearings were published in a newspaper having general circulation in the City of McKinney, Texas, the 2<sup>nd</sup> day of January, 2011, and the 30<sup>th</sup> day of January 2011, which dates were not more than twenty (20) days nor less than ten (10) days prior to the day of such public hearings; and

**WHEREAS**, the territory lies adjacent to and adjoins properties within the City of McKinney, Texas;

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

Section 1. The following described and illustrated land and territories lying adjacent to and adjoining properties within the City of McKinney, Texas, are hereby added and annexed to the City of McKinney, Texas, to wit:

**SEE ATTACHED EXHIBIT A (LOCATION MAP)  
SEE ATTACHED EXHIBIT B (LEGAL DESCRIPTION)**

Section 2. The above described and illustrated territory lying adjacent to and adjoining said territory above shall hereafter be included within the

boundary limits of the City of McKinney, Texas, and the present boundary limits of said City, at the various point contiguous to the area described and illustrated above, are altered and amended so as to include said area within the corporate limits of the City of McKinney, Texas.

Section 3. The Service Plan (Exhibit C) shall be adopted by the McKinney City Council and shall apply to all areas annexed.

Section 4. 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 5. 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 15<sup>TH</sup> DAY OF FEBRUARY, 2011.**

CITY OF MCKINNEY, TEXAS

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

CORRECTLY ENROLLED:

\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary  
BLANCA I. GARCIA  
Assistant City Secretary

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

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK S. HOUSER  
City Attorney