

RESOLUTION NO. 2017-11-XXX (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO A 2015 ANNEXATION FACILITIES AGREEMENT, MODIFYING THE LENGTH OF RIDGE ROAD RIGHT-OF-WAY TO BE DEDICATED AND ASSOCIATED NUMBER OF ROADWAY IMPACT FEE/ROADWAY ROUGH PROPORTIONALITY FEE CREDITS GRANTED FOR THE AUBURN HILLS SUBDIVISION, WITH AUBURN HILLS PARTNERS LP

WHEREAS, Felix Y. Chen and Yu Chen Kuo, collectively as OWNER, entered into that certain Annexation Facilities Agreement with the City of McKinney, with an effective date of February 25, 2015, (“Original Agreement”) for the “Property,” as that term is defined in the Original Agreement; and

WHEREAS, the Original Agreement was recorded as Clerk’s Document No. 20150421000444700 in the Deed Records of Collin County, Texas on or about April 21, 2015; and;

WHEREAS, since the date of the execution of the Original Agreement, Auburn Hills Partners, LP (“DEVELOPER”) has succeeded to the interests of the OWNER to the Original Agreement, making their presence as parties to the Original Agreement or any subsequent agreement unnecessary; and;

WHEREAS, DEVELOPER is developing approximately 314 acres of land, known as the Auburn Hills Subdivision, generally located east side of Future Ridge Road and North of U.S. Highway 380 (University Drive), and;

WHEREAS, the location of Ridge Road and the length of the section of Ridge Road to be dedicated to the CITY and constructed by the DEVELOPER has been modified through no fault of the DEVELOPER; and;

WHEREAS, the DEVELOPER and the CITY desire to amend the Original Agreement to reflect the changes regarding Ridge Road and associated Roadway Impact Fee/Roadway Rough Proportionality Fee Credits; and;

WHEREAS, The City Council of the City of McKinney concurs that the agreement is beneficial to both the City and the development.

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

Section 1. The City Council of the City of McKinney, Texas hereby authorizes the City Manager to execute the First Amendment to the 2015 Annexation Facilities Agreement with Auburn Hills Partners, LP, modifying the length of Ridge Road to be dedicated and the associated number of roadway impact fee/roadway rough proportionality fee credits granted.

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 7th DAY OF NOVEMBER, 2017.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
Denise Vice, TRMC
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney