

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 151 ACRES NORTH OF OLD CELINA ROAD AND WEST OF U.S. HWY. 75 IS ZONED SINGLE FAMILY RESIDENCE - 6,000 SQUARE FEET PER LOT; GENERAL RESIDENCE - 2,500 SQUARE FEET AND PLANNED CENTER; 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 151 acres of land more fully described in the attached Exhibit A have petitioned the City of McKinney to zone such tract "Single Family Residence - 6,000 square feet per lot; General Residence - 2,500 square feet per lot and Planned Center"; 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 151 acres of land more fully described in the attached Exhibit A is hereby rezoned from its present classification of rural Agriculture to "Single Family Residence, 6,000 square feet per lot; General Residence - 2,500 square feet per lot and Planned Center", subject to all of the general and specific regulations contained in Zoning Ordinance No. 1270 for property so zoned.

SECTION II: That the zoning plan set forth in the attached Exhibit "B" is hereby adopted for the zoning plan of this property.

SECTION III: That such property shall be developed according to the following requirements: For the RS-60 zone, the property shall be developed according to Section 3.07; for the RG-25 Zone, the property shall be developed according to Section 3.09; and for the C Zone the property shall be developed

according to Section 3.14, all of Ordinance No. 1270 of the City of McKinney.

SECTION IV: That prior to the development of any property in this Planned Development, a complete site plan and planned development regulations shall be submitted to and receive the approval of the City Council of the City of McKinney, Texas.

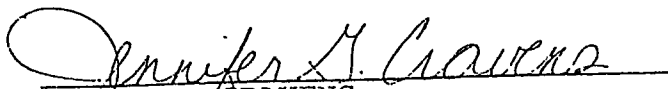
SECTION V: If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of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

SECTION VI: 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 VII: 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 17th day of July, 1983.

CORRECTLY ENROLLED:


JENNIFER GRAVENS
CITY SECRETARY

LEGAL DISCRIPTION
OF
A 151.403 ACRE TRACT
OUT OF
THE THOMAS J. McDONALD SURVEY, ABSTRACT 576
AND
THE JOHN MANNING SURVEY, ABSTRACT 637
MCKINNEY, TEXAS
FOR MURRAY DEVELOPMENT CO.

Being a tract of land located at McKinney, Texas, being part of the Thomas J. McDonald Survey, Abstract 576, and part of the John Manning Survey, Abstract 637, Collin County, Texas, being the same property conveyed by Howard Mack Pitts, Attorney in Fact, to I.N. Fehr, Jr., Trustee, by deed recorded in Volume 805, Page 623 of the Deed Records of Collin County, called in said Deed a Consolidation of the 44.65 acres, the 46.50 acres and the 47.40 acres described in deed to Karl Robert Pitts, et al, recorded in the Volume 695, Page 774 of said Deed Records;

Being the same property conveyed to William E. Campbell, Jr., Wilmeth Road Limited Partnership, by deed recorded in Volume 868, Page 756 of said Deed Records;

Being the same property described in deed from Stan Goodell to O.W. Morton in Volume 1875 Page 101 of the Deed Records of Collin County, Texas, and being more particularly described as follows;

Beginning at the northeast corner of said 47.4 acre tract, a steel rod in the centerline of a 50.0 ft. wide public road, hereinafter called North Wilmeth Road, (formerly called McKinney-Sherman Road), said point also being the southeast corner of the 14.4 acre tract described in Volume 700, Page 723 of said Deed Records;

THENCE, S 01°18'00" W, along the center line of said North Wilmeth Road, a distance of 1317.7 feet to a steel rod for a corner the southeast corner of said 47.4 acre tract; and the Northeast corner of the 48.077 acre tract conveyed to Royce E. Wisenbaker by deed recorded in Volume 804, Page 275 of said Deed Records;

THENCE, N 88°32'00" W, along the south line of said 47.4 acre tract and along the North line of said Wisenbaker Tract, passing a steel rod for the most Easterly Southeast corner of said Fehr tract at a distance of 25.00 feet, and continuing for a total distance of 1593.80 feet;

THENCE, S 00°52' W, along the West line of said Wisenbaker tract, a distance of 1340.00 feet to a steel rod for corner on the North line of the 86.987 acre tract conveyed to I.N. Fehr, Jr. Trustee by deed recorded in Volume 805, Page 609 of said Deed Records;

THENCE, S 89°58' W, along the old fence on the North line of said 86.987 acre tract, a distance of 297.6 feet to a steel rod at its Northwest corner;

THENCE, N 87°25' W, along the old fence on the North line of the tract conveyed to J. R. Dowdell by deed recorded in Volume 686, Page 485 of said Deed Records, a distance of 640.3 feet to a steel rod, the northeast corner of the 22.0 acre tract conveyed to Wilbert O. Wilson by deed recorded in Volume 439, Page 428 of said Deed Records, also being the northeast corner of the 8.0 acre tract conveyed by said Wilson to Clarence O. Williams by deed recorded in Volume 764, Page 578 of said Deed Records;

THENCE, N 86°36' W, along the old fence on the north line of said Williams Tract, a distance of 204.58 feet to a steel rod set for the Northwest corner of said Williams Tract, and the northeast corner of a called 13.909 acre tract as described in said deed from Stan Goodell to O.W. Morton;

THENCE, N 87°12'18" W, with the center line of said public road and South line of the said Morton Tract, a distance of 199.93 feet to a steel rod found for the Southwest corner of said Morton Tract;

THENCE, N 00°34'39" E, with the West line of the said Morton Tract. Said line also being the West line of the John Manning Survey, Abstract 637 and the T. McDonald Survey, Abstract No. 576, a distance of 1703.19 feet to a steel rod on the East line of the 30.36 acre tract in the John McGarrah Survey, Abstract 572, conveyed to James L. Walker by deed recorded in Volume 577, Page 525 of said Deed Records;

THENCE, N 00°52' E, along the old fence on the East line of said Walker Tract, a distance of 1505.8 feet to a steel rod at its northeast corner and the southeast corner of the 102.43 acre tract in the William B. Tucker Survey, Abstract 911, conveyed to J. S. Brigefarmer by deed recorded in Volume 327, Page 100 of said Deed Records;

THENCE, N 00°22' E, along the old fence on the east line of said Brigefarmer tract, a distance of 1065.1 feet to a steel rod, the southwest corner of the 101.1 acre tract conveyed to J. H. and Ben Pitts by deed recorded in Volume 300, Page 165 of said Deed Records;

THENCE, S 89°37' E, along the general line of the old crooked fence on the south line of said 101.1 acre tract, a distance of 2340.9 feet to a steel rod, the southwest corner of said Howard M. Pitts 14.4 acre tract;

THENCE, S 89°57' E, along the south line of said 14.4 acre tract, passing a steel rod for the northeast corner of said Fehr Tract (Volume 805, Page 623) at a distance of 747.20 feet, and continuing for a total distance of 772.20 feet to the POINT OF BEGINNING and CONTAINING 151.403 Acres of Land.

Field notes based on Boundary
Surveys prepared by:
Charles J. Pisors, Dated 4/12/84
John V. Cantrell, Dated May 8, 1984



21
Daniel E. Maher
Box 5995
Richardson, TX 75080

17
Dowreco Inc.
4400 Windsor Pk.
Dallas, TX 75205

12
McKinney Expressway JTVE
4910 Crooked Ln.
Dallas, TX 75229

11
D. Taylor
802 N. Morris
McKinney, TX 75069

1A
Anice M. Styron
3757 Weeburn
Dallas, TX 75229

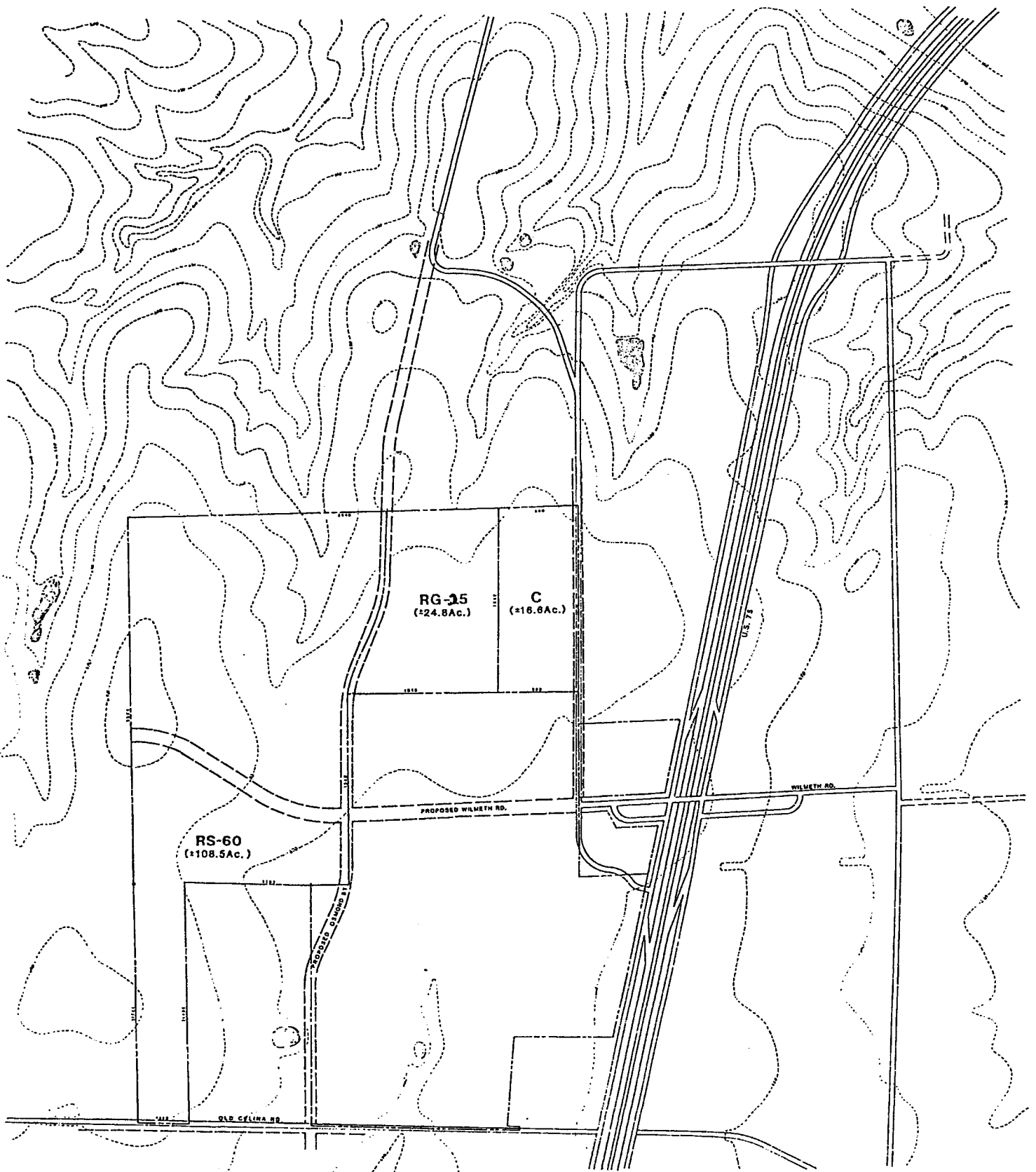
7
Howard W. Pitts
P.O. Box 400450
Dallas, TX 75240

8
Joe C. Bridgfarmer
6730 Bradbury Ln.
Dallas, TX 75230

1-9
Edwin H. Styron
3757 Weeburn
Dallas, TX 75229

911-4
Lewis E. MacNaughton
Box 221
McKinney, TX 75069

5
WILBURN O. WILSON
Celina Rd.
McKinney, TX 75069



SCALE: 1" = 200'



MURRAY DEVELOPMENT COMPANY
5580 LBJ SUITE 480
DALLAS, TEXAS 75240

J.T. DUNKIN & ASSOCIATES, INC.
URBAN PLANNERS LANDSCAPE ARCHITECTS