

**ORDINANCE NO. 2016-04-\_\_\_\_\_**

**AN ORDINANCE VACATING 1) AN UNIMPROVED RIGHT-OF-WAY APPROXIMATELY .15 ACRES ADJACENT TO WESTMORELAND DRIVE LOCATED AT THE NORTHEAST CORNER OF WESTMORELAND DRIVE AND INDUSTRIAL BOULEVARD AND 2) AN UNIMPROVED RIGHT-OF-WAY APPROXIMATELY .11 ACRES EXTENDING NORTH FROM THE BEND OF EXISTING WESTMORELAND DRIVE, PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS**, the owners of the properties immediately adjacent to 1) an unimproved right-of-way approximately .15 acres adjacent to Westmoreland Drive located at the northeast corner of Westmoreland Drive and Industrial Boulevard, and 2) an unimproved right-of-way approximately .11 acres extending north from the bend of existing Westmoreland Drive, in the City of McKinney, Collin County, Texas, have petitioned the City of McKinney to vacate said right-of-way; and

**WHEREAS**, after due notice was sent to all persons owning properties adjacent to such right-of-way and all persons affected thereby; and

**WHEREAS**, after due notice and hearing held before the City Council of the City of McKinney, the City Council has determined and finds that the right-of-way is not needed for travel by the general public, and that the same should be vacated.

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

Section 1. An 1) unimproved right-of-way approximately .15 acres adjacent to Westmoreland Drive located at the northeast corner of Westmoreland Drive and Industrial Boulevard, and 2) an unimproved right-of-way approximately .11 acres extending north from the bend of existing Westmoreland Drive, in the City of McKinney, which is more fully depicted and described in Exhibits A and B, attached hereto, is hereby closed and vacated for public travel.

Section 2. The City reserves a perpetual drainage, utility easements within the vacated portions of right-of-way, more fully depicted in Exhibit B, attached hereto. Said easements may be modified through the platting process, subject to the review and approval of the City Engineer.

Section 3. This ordinance shall become effective immediately upon adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 5<sup>th</sup> DAY OF APRIL, 2016.**

CITY OF MCKINNEY, TEXAS

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

CORRECTLY ENROLLED:

\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary  
DENISE VICE, TRMC  
Assistant City Secretary

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

APPROVED AS TO FORM:

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