

**RESOLUTION NO. 2015-05-\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A FACILITIES AGREEMENT WITH MCKINNEY PARTNERS 306, LP FOR THE CONSTRUCTION OF A SEWER LINE CROSSING THE DART RIGHT OF WAY AND PAYMENT FOR THE CONSTRUCTION OF A SEWAGE METERING STATION**

**WHEREAS,** The City has received a request from the developers of the Willow Wood subdivision to construct a sanitary sewer through the DART right of way in order to provide a connection to the existing sanitary sewer in Clemmon's Creek, and

**WHEREAS,** DART has provided a draft license agreement, which form is acceptable to City Council, and

**WHEREAS,** McKinney Partners 306, LP proposes to enter into an agreement with the City of McKinney to pay the estimated cost of the DART license agreement for a 50-year period, and

**WHEREAS,** McKinney Partners 306, LP proposes to pay part of the cost of construction of a future sewage metering station on the Clemmon's Creek Interceptor Sewer, and

**WHEREAS,** The City Council of the City of McKinney concurs that the agreement is in the best interests of the City, avoiding an unnecessary aerial crossing and protecting multiple trees.

**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 Interim City Manager to enter into a license agreement with McKinney Partners 306, LP for the construction of a sanitary sewer to serve the Willow Wood development.

Section 2. City Council authorizes the creation of a CIP project, FA 4406 for the \$30,000 contribution towards the construction of a metering station on the Clemmon's Creek Sewer Interceptor or additional payment of the annual cost of the DART license agreement.

Section 3. 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 5<sup>th</sup> DAY OF MAY, 2015.**

CITY OF MCKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney