

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 142 ACRES OF LAND IN THE JOHN DUNCAN SURVEY LOCATED NORTH OF WILMETH ROAD, EAST OF S.H. 5/121 AND WEST OF THE SOUTHERN PACIFIC RAILROAD ARE ZONED LIGHT MANUFACTURING AND OFFICE; PROVIDING FOR A SITE PLAN; 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 142 acres of land more fully described in the attached Exhibit A have petitioned the City of McKinney to zone such tract "Light Manufacturing and Office"; 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 142 acres of land more fully described in the attached Exhibit "A" is hereby rezoned from its present classification of "Agriculture" to "Light Manufacturing and Office" .

SECTION II: That such property shall be developed in accordance with the Zoning Plan attached hereto and marked Exhibit "B", and that prior to the development of such property, a complete site plan shall be submitted to and receive the approval of the City Council of the City of McKinney, Texas.

SECTION III: The following special ordinance provision shall apply: The maximum height in the Office District shall be fifty feet (50').

SECTION IV: 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 V: 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 VI: 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 21st day of January, 1986.

CORRECTLY ENROLLED:

  
JENNIFER CRAVENS  
CITY SECRETARY

EXHIBIT "A"

S/T McKinney  
11-11-85

DESCRIPTION 141.9668 ACRES OF LAND

SITUATED in Collin County, Texas in the John Duncan Survey, Abstract No. 259, being a resurvey of part of the 182.044 acres of land described in a deed from Zelta Noe, et al, to Frank A. Walker, et al, dated November 4, 1983, recorded in Volume 1794, Page 496, and all of the 16 acres of land more or less described in a deed from Ira Moore and wife, Donna L. Moore to Jerry R. Long, et al, dated February 29, 1984, recorded in Volume 1842, Page 261. both deeds of the Collin Land Records, being described by metes and bounds as follows:

BEGINNING at an iron pin set in the center of a dirt road, in the south line of said John Duncan Survey and in the west Right-of-Way line of the Southern Pacific Transportation Company, Houston-Denison Main Line of Railroad, said beginning point bears North 88 37'06" West, 103.85 feet from the intersection of the center of said Railroad and the south line of said Duncan Survey:

THENCE North 88 37'06" West, 1974.51 feet with the south of said Duncan Survey and with a dirt road to an existing iron pin set in said south survey line and road, at the southeast corner of an 8.366 acre tract owned by H. A. McEntire and at the south, southwest corner of said 182.044 acre tract for a corner.

THENCE North 6 04'18" East with the east line of said 8.366 acre tract and a west line of said 182.044 acre tract, passing a 4 inch diameter steel pipe post filled with concrete at 22 feet and continuing in all 1245.57 feet to a 4 inch diameter steel pipe post filled with concrete at the northeast corner of said 8.366 acre tract and at an all corner of said 182.044 acre tract for a corner; same being in the south line of the 54.571 acre FIRST TRACT described in a deed from Jerry Long, et al, to E.M.S. Properties, Inc., et al, dated May 11, 1984, recorded in Volume 1901. Page 713 of the Collin County Land Records:

South 87 58'19" East, 27.76 feet with the south line of said 54.571 acre tract to a point in a branch of the East Fork of the Trinity River for a corner:

THENCE generally in a Northerly direction down the center of said branch as follows:

North 14 03' East, 14.11 feet; North 55 16' East, 80.46 feet;

North 24 28' East, 87.66 feet; South 82'57' East, 68.26 feet;  
North 42 49' East, 39.1 feet; North 15 58" East, 84.32 feet;  
North 62 17' East, 69.02 feet; North 36 46' East, 55.61 feet;  
North 2 06' East, 22.57 feet; North 34 27' West, 83.98 feet;  
North 32 57' East, 76.34 feet; North 70 51' East, 42.54 feet;  
North 72 25' East, 42.0 feet; North 37 35' East, 39.34 feet;  
North 14 24' East, 37.6 feet; North 11 08' East, 101.32 feet;  
North 42 14' East, 64.34 feet, North 75 24' East, 73.42 feet;  
North 59 13' East, 55.56 feet, North 79 41' East, 39.87 feet;  
South 65 49' East, 41.18 feet, North 69 04' East, 108.1 feet;  
North 48 03' East, 51.71 feet; North 48 35' East, 56.31 feet;  
North 32 34' East, 109.56 feet; South 75 34' East, 78.02 feet;  
North 66 44' East, 72.83 feet; North 14 08' East, 39.59 feet;  
North 46 10' West, 111.93 feet; North 49 07' East, 47.53 feet;  
South 62 22' East, 110.31 feet; North 19 48' East, 221.42 feet;  
North 22 45' West, 80.58 feet, North 61 18' East, 37.17 feet;  
North 21 54' East, 32.78 feet, North 33 30' West, 47.08 feet;  
North 42 46' West, 50.79 feet, North 6 19' East, 51.37 feet;  
North 26 55' West, 39.31 feet, North 49 59' West, 116.7 feet;  
North 10 38' East, 48.53 feet; North 61 45' East, 73.74 feet;  
North 41 36' East, 46.56 feet; North 15 14' West, 89.93 feet;  
North 36 57' West, 63.91 feet; North 65 44' West 94.04 feet;  
North 83 05' West, 40.04 feet; North 33 01' West, 40.63 feet;  
North 27 57' East, 30.17 feet; North 71 45' East, 156.48 feet;  
North 22 35 West, 13.87 feet to a point in the north line of said 182.044 acre tract and the south line of R. L. Glenn property for a corner:

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THENCE South 88 41'04" East, 194.46 feet with the north line of said 182.044 acre tract to an iron pipe set at an all corner of said 182.044 acre tract and the southeast corner of said Glen property for a corner;

THENCE North 2 59'04" East, 416.0 feet with a west line of said 182.044 acre tract and an east line of said Glenn property to a 1 7/8 inch X 1 5/8 inch galvanised steel I-Beam set on the east side of the bed of said branch for a corner;

THENCE South 88 24'07" East with the north line of said 182.044 acre tract and with a south line of said Glenn Property, passing a 1 7/8 inch X 1 5/8 inch galvanized steel I-Beam set on the west bank of the East Fork of the Trinity River at 639.66 feet and continuing in all 699.66 feet to a point in the center of East Fork for a corner;

THENCE down said East Fork with an east line of said 182.044 acre tract and with a north line of said 16 acre tract as follows;

South 53 67' West, 154.5 feet, South 64 14' West, 132.0 feet;  
South 68 18' West, 141.0 feet; South 24 59'26" West, 165.36 feet;  
South 26 31'10" East, 68.3 feet; South 48 15'44" East, 152.02 feet;  
South 67 31'63" East, 144.27 feet; North 74 53'36" East, 119.81 feet;  
North 64 20'46" East, 118.04 feet; North 44 19'46" East 131.04 feet;  
South 35 10'14" East, 124.61 feet, South 14 49'14" East, 71.26 feet;  
South 33 50'14" East, 84.4 feet; South 60 41'14" East, 36.3 feet;  
North 80 00'46" East, 92.73 feet, North 77 44'44" East, 55.35 feet;  
South 82 41'14" East, 111.86 feet; South 88 28'14" East, 136.49 feet;  
North 74 21'15" East, 48.42 feet to a point in the center of said East Fork, at the intersection of the west Right-of-Way line of the Southern Pacific Transportation Company, Houston-Dennison Main Line of Railroad for a corner;

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THENCE South 16 47'35" West, 3266.07 feet with the east line of said 16 acre tract and the east line of said 182.044 acre tract and with said west Right-of-Way line to the PLACE OF BEGINNING and CONTAINING 141.9668 acres of land.

