

**RESOLUTION NO. 2026-06-\_\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTY RIGHTS FOR PUBLIC USE BY EMINENT DOMAIN FOR A SANITARY SEWER EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT ASSOCIATED WITH THE SH 5 UTILITY RELOCATION PROJECT (WA1633 & WW1633); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID EASEMENTS, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS**

**WHEREAS**, the City Council of the City of McKinney, Texas, has determined that a public need and necessity exists for the construction of the SH 5 Utility Relocation Project (WA1633 & WW1633), with the location of these necessary easements generally set forth in the map attached hereto as Exhibit B; and

**WHEREAS**, the City Council has considered this project and has determined that a public necessity exists for the acquisition of a Sanitary Sewer Easement and a Temporary Construction Easement as described and depicted in Exhibit A, Tract I and Exhibit A, Tract II, attached hereto and incorporated herein for all purposes ("Property").

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

- Section 1. All of the above premises to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.
- Section 2. That the City Council of the City of McKinney, Texas hereby authorizes the City Manager to execute documents, as needed, to acquire the necessary Property for the SH 5 Utility Relocation Project (WA1633 & WW1633).
- Section 3. That the City Council hereby finds and determines that a public use and necessity exists for the City of McKinney for the construction of the SH 5 Utility Relocation Project (WA1633 & WW1633), and to acquire the necessary Property in that certain lot, tract or parcel of land deemed necessary for that construction as identified in the construction plans and specifications as amended, together with all necessary appurtenances, additions and improvements on, over, under, and through that certain lot, tract or parcel of land described and depicted in Exhibit A, Tract I and Exhibit A, Tract II.

Section 4. That the City Manager, or any individual he may so designate, is authorized and directed to negotiate for and to acquire the required Property for the City of McKinney, and to acquire said rights in compliance with State and Federal law. That the City Manager, or any individual he may so designate, is specifically authorized and directed to do each and every act necessary to acquire the needed Property including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts, to engage a qualified appraiser of the Property to be acquired when such appraisal is necessary, authorize and pay appraisal and litigation expenses incurred through a condemnation process, and, where necessary, the use of Eminent Domain to condemn the Property.

Section 5. That the City Manager, or any individual he may so designate, is appointed as negotiator for the acquisition of the Property and, as such, the City Manager is authorized and directed to do each and every act and deed hereinabove specified or authorized by reference, subject to the availability of funds appropriated by the City Council for such purpose. That the City Manager is specifically authorized to establish the just compensation for the acquisition of the Property. That, if the City Manager or his designee determines that an agreement as to damages or compensation cannot be reached, then the City Attorney or his designee is hereby authorized and directed to file or cause to be filed, against the Property Owners and interested parties of the subject Property, proceedings in eminent domain to acquire the above-stated interest in the Property.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 16<sup>th</sup> DAY OF JUNE, 2026.**

CITY OF MCKINNEY, TEXAS:

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BILL COX, Mayor  
GERÉ FELTUS, Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:

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EMPRESS DRANE  
City Secretary  
TENITRUS BETHEL PARCHMAN  
Deputy City Secretary

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MARK S. HOUSER  
City Attorney  
BENJAMIN N. SAMPLES, II  
First Assistant City Attorney  
ALAN D. LATHROM  
Assistant City Attorney

**EXHIBIT "A", TRACT I  
15' SANITARY SEWER  
EASEMENT - P46  
CITY OF MCKINNEY,  
COLLIN COUNTY, TEXAS**

Being a tract of land, situated in the William Davis Survey, Abstract No. 248, in the City of McKinney, Collin County, Texas, and being a part of that tract of land, described by deed to Shwu Ying Wang, LLC, as recorded under Document No. 20190916001138740, of the Official Public Records, Collin County, Texas (O.P.R.C.C.T.), said tract being more particularly described as follows:

**BEGINNING** at a point for corner, in the southerly line of said Shwu Ying Wang, LLC tract, same being in the northerly monumented line of E. Louisiana Street, from which the calculated southwesterly corner of said Shwu Ying Wang, LLC tract bears, South 89°02'03" West, a distance of 99.25';

**THENCE** North 06°19'17" East, over and across said Shwu Ying Wang, LLC tract, a distance of 202.12' to a point for corner, being in the northerly line of said Shwu Ying Wang, LLC tract, same being in the southerly monumented line of E. Virginia Street;

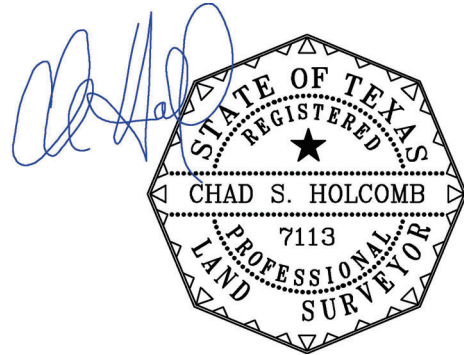
**THENCE** North 88°59'40" East, along said southerly monumented line of E. Virginia Street, a distance of 6.14' to a point for corner, being the northwesterly corner of a tract of land, described to the State of Texas, as recorded under Document No. 20130910001274070, O.P.R.C.C.T.;

**THENCE** South 56°18'16" East, along the southwesterly line of said State of Texas tract, a distance of 10.03' to a point for corner;

**THENCE** South 06°19'17" West, over and across said Shwu Ying Wang, LLC tract, a distance of 188.10' to a point for corner, being in the northwesterly line of a tract of land, described in deed to the State of Texas, as recorded under Document No. 2024000011743, O.P.R.C.C.T.;

**THENCE** South 45°57'07" West, along said State of Texas tract, a distance of 12.01' to a point for corner, being the southwesterly corner of said State of Texas tract, same being in the northerly monumented line of E. Louisiana Street;


**THENCE** South 89°02'03" West, along said northerly monumented line of E. Louisiana Street, a distance of 7.40' to the **POINT OF BEGINNING** and containing 2,974 square feet or 0.068 acre of land, more or less.

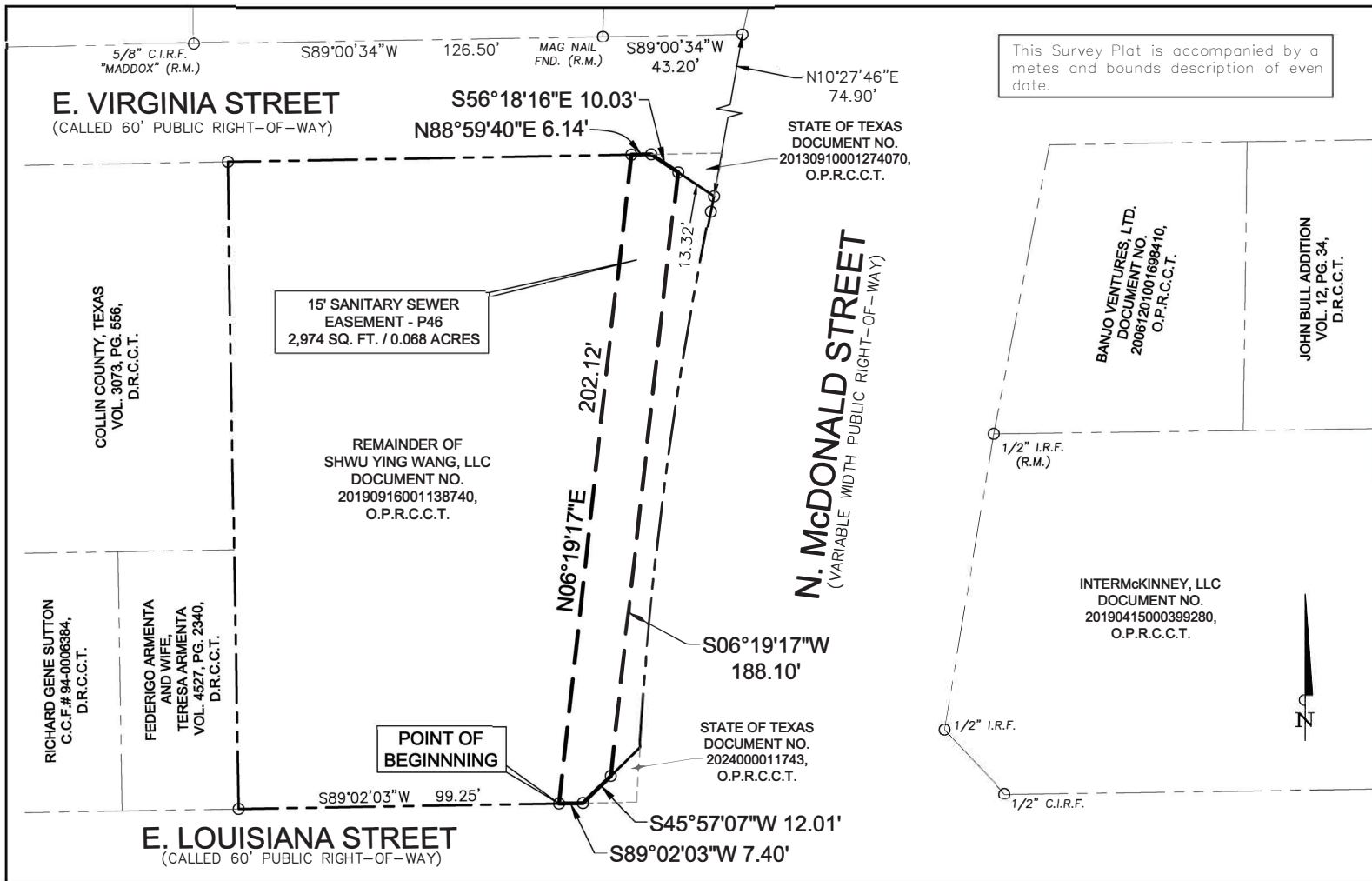


**ABBREVIATIONS**

I.R.F. = Iron Rod Found
(R.M.) = Reference Monument
C.I.R.F. = Capped Iron Rod Found
M.R.C.C.T. = Map Records, Collin County, Texas
D.R.C.C.T. = Deed Records, Collin County, Texas
O.P.R.C.C.T. = Official Public Records, Collin County, Texas

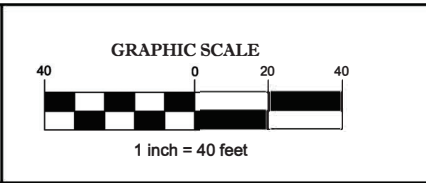
Bearings, elevations and coordinates (surface), are based on the Horizontal and Vertical Control Datasheet, provided by Kimley-Horn, prepared by Baseline Corporation, dated June 02, 2015, for State Highway No. 5 (Cont. 0047; Sect. 04; Job 022). All coordinates shown are surface and may be converted to grid by dividing by a combined scale adjustment factor of 0.999847313. This metes and bounds description is accompanied by a survey plat of even date.

<b>DATE:</b> 04/12/2021	<b>15' SANITARY SEWER EASEMENT - P46 0.075 ACRES IN THE WILLIAM DAVIS SURVEY ABSTRACT NO. 248 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS</b>	 <b>North Texas Surveying, L.L.C.</b> Registered Professional Land Surveyors 1010 West University Drive McKinney, Tx. 75069 Ph. (469) 424-2074 Fax: (469) 424-1997 www.northtexassurveying.com Firm Registration No. 10074200
<b>REVISED:</b> 12/24/2025		
<b>SCALE:</b> 1" = 40'		
<b>CHK'D. BY:</b> M.B.A.		
<b>JOB NO.:</b> 2020-0010		



DATE:	04/12/2021
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SCALE:	1" = 40'
CHK'D. BY:	M.B.A.
JOB NO.:	2020-0010

15' SANITARY SEWER EASEMENT - P46  
0.068 ACRES IN THE WILLIAM DAVIS SURVEY ABSTRACT NO. 248  
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS



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**EXHIBIT "A", TRACT II  
10' TEMPORARY CONSTRUCTION  
EASEMENT - T50  
CITY OF MCKINNEY,  
COLLIN COUNTY, TEXAS**

Being a tract of land, situated in the William Davis Survey, Abstract No. 248, in the City of McKinney, Collin County, Texas, and being a part of that tract of land, described by deed to Shwu Ying Wang, LLC, as recorded under Document No. 20190916001138740, of the Official Public Records, Collin County, Texas (O.P.R.C.C.T.), said tract being more particularly described as follows:

**BEGINNING** at a point for corner, in the southerly line of said Shwu Ying Wang, LLC tract, same being in the northerly monumented line of E. Louisiana Street, from which the calculated southwesterly corner of said Shwu Ying Wang, LLC tract bears, South 89°02'03" West, a distance of 89.17';

**THENCE** over and across said Shwu Ying Wang, LLC tract, the following (3) three courses and distances:

1. North 06°19'17" East, a distance of 27.69' to a point for corner;
2. South 83°40'43" East, a distance of 10.00' to a point for corner;
3. South 06°19'17" West, a distance of 26.41' to a point for corner, being in the southerly line of said Shwu Ying Wang, LLC tract, same being in the northerly monumented line of E. Louisiana Street;

**THENCE** South 89°02'03" West, along said northerly monumented line of E. Louisiana Street, a distance of 10.08' to the **POINT OF BEGINNING** and containing 270 square feet or 0.006 acre of land, more or less.

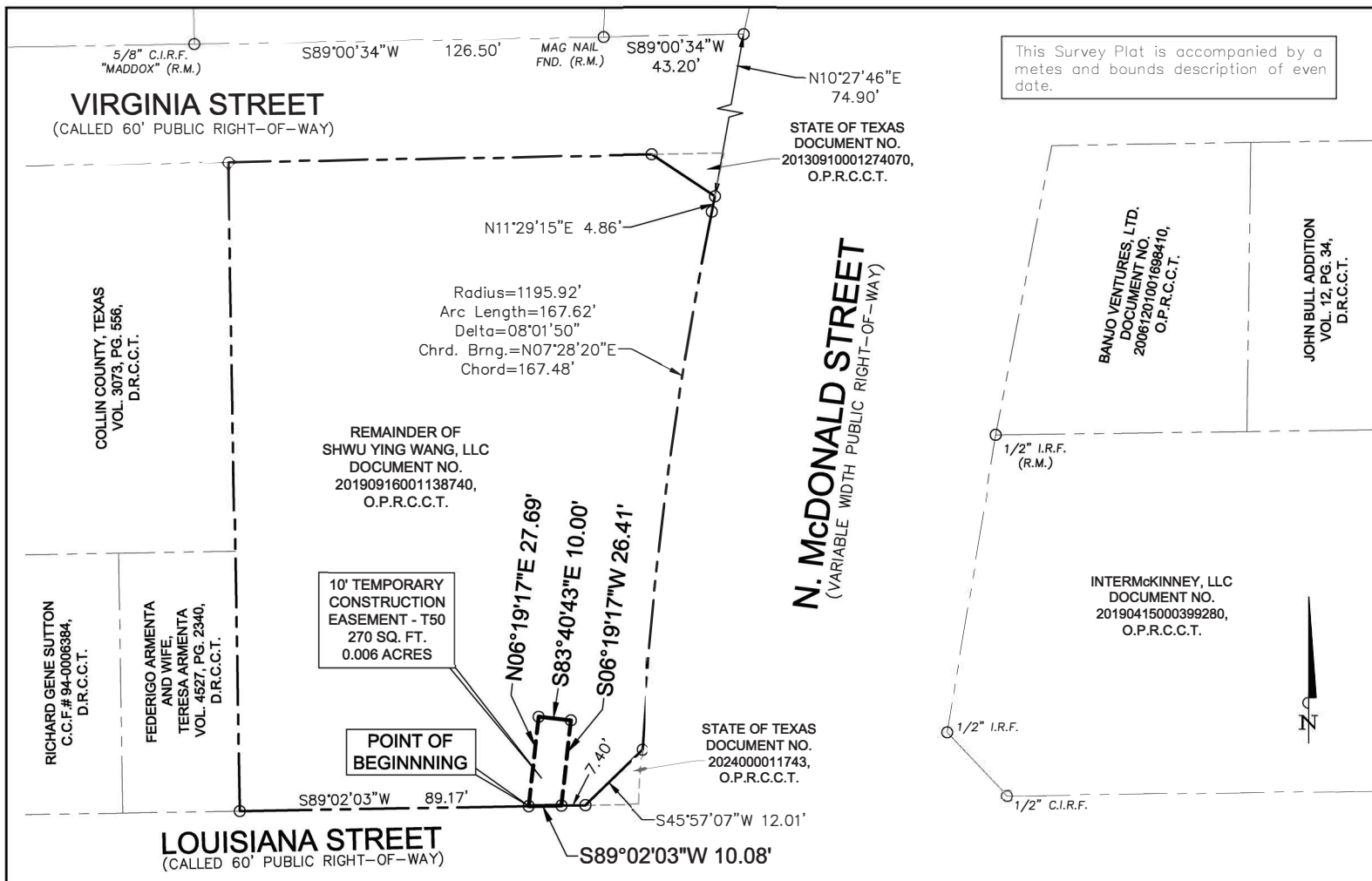


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<b>DATE:</b> 04/12/2021	<b>10' TEMPORARY CONSTRUCTION EASEMENT - T50 0.006 ACRES IN THE WILLIAM DAVIS SURVEY ABSTRACT NO. 248 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS</b>	<div style="display: flex; align-items: center;"> <div> <p style="margin: 0;"><b>North Texas Surveying, L.L.C.</b></p> <p style="margin: 0;">Registered Professional Land Surveyors</p> <p style="margin: 0; font-size: small;">1010 West University Drive McKinney, Tx. 75069 Ph. (469) 424-2074 Fax: (469) 424-1997 www.northtexassurveying.com Firm Registration No. 10074200</p> </div> </div>
<b>REVISED:</b> 12/24/2025		
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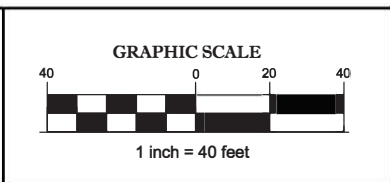


This Survey Plat is accompanied by a metes and bounds description of even date.



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10' TEMPORARY CONSTRUCTION EASEMENT - T50  
0.006 ACRES IN THE  
WILLIAM DAVIS SURVEY  
ABSTRACT NO. 248  
CITY OF MCKINNEY,  
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**EXHIBIT "A", TRACT II  
TEMPORARY CONSTRUCTION  
EASEMENT - T50A  
CITY OF MCKINNEY,  
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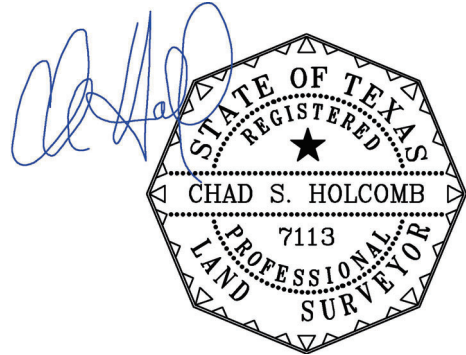
**BEGINNING** at a point for corner, in the easterly line of said Shwu Ying Wang, LLC tract, same being in the westerly monumented line of N. McDonald Street, and being the northerly corner of a tract of land, described in deed to the State of Texas, as recorded under Document No. 2024000011743, O.P.R.C.C.T.;

**THENCE** South 45°57'07" West, along the northwesterly line of said State of Texas tract, a distance of 12.58' to a point for corner;

**THENCE** over and across said Shwu Ying Wang, LLC tract, the following (2) two courses and distances:

1. North 06°19'17" East, a distance of 16.22' to a point for corner;
2. South 83°40'43" East, a distance of 7.72' to a point for corner, being in the westerly monumented line of N. McDonald Street, same being in a curve to the left, having a radius of 1195.92', a central angle of 00°18'47", and a chord which bears, South 03°36'49" West, a chord distance of 6.54'

**THENCE** along said curve to the left, in a southwesterly direction, an arc length of 6.54' to the **POINT OF BEGINNING** and containing 90 square feet or 0.002 acre of land, more or less.

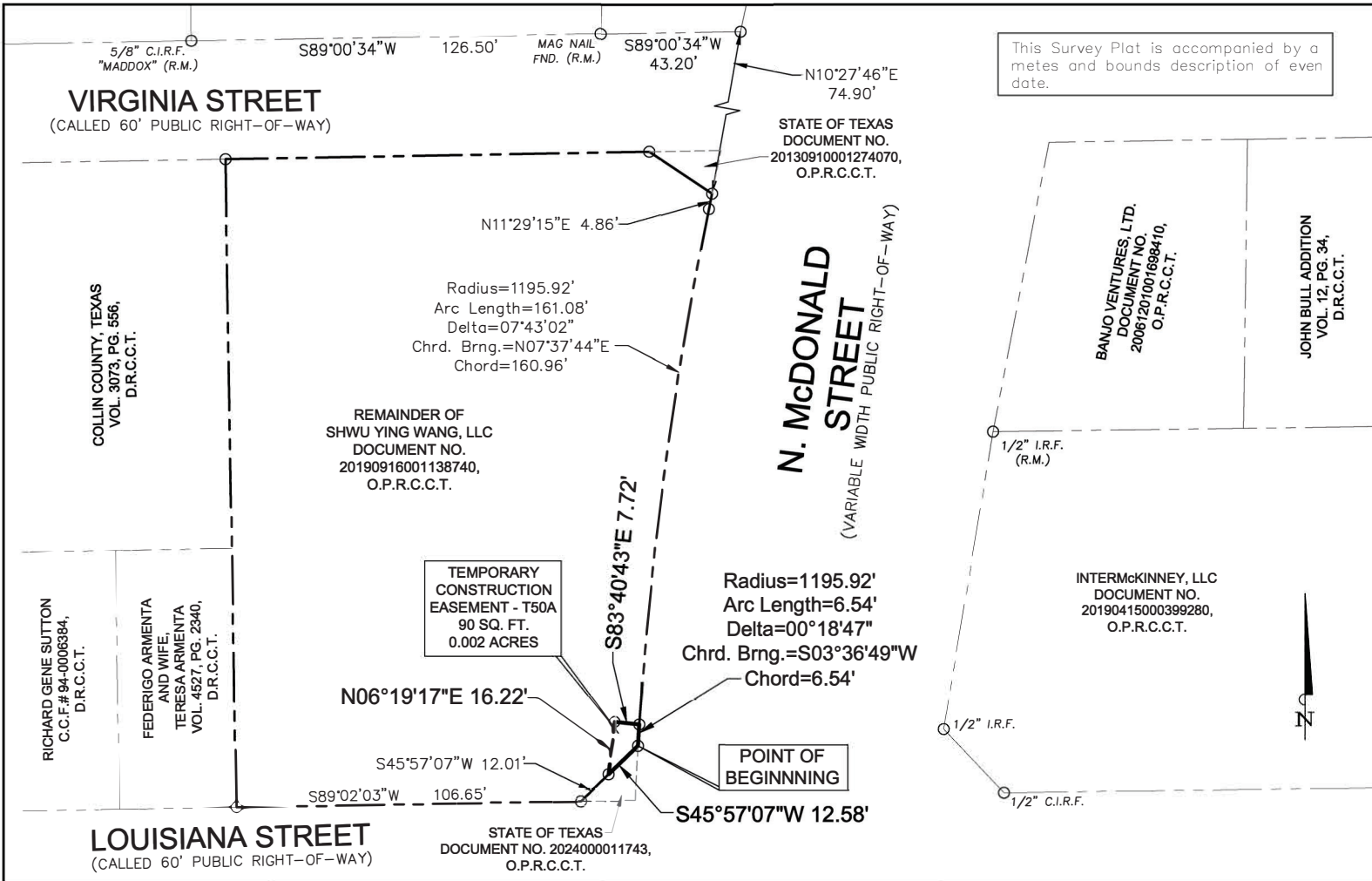


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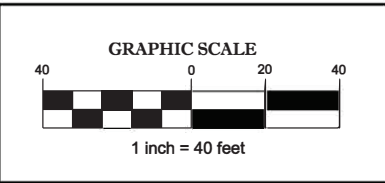
<b>DATE:</b> 04/12/2021	<b>TEMPORARY CONSTRUCTION EASEMENT - T50A 0.002 ACRES IN THE WILLIAM DAVIS SURVEY ABSTRACT NO. 248 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS</b>	<div style="display: flex; align-items: center;"> <div> <p style="margin: 0;"><b>North Texas Surveying, L.L.C.</b></p> <p style="margin: 0;">Registered Professional Land Surveyors</p> <p style="margin: 0; font-size: small;">1010 West University Drive McKinney, Tx. 75069 Ph. (469) 424-2074 Fax: (469) 424-1997 www.northtexassurveying.com Firm Registration No. 10074200</p> </div> </div>
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TEMPORARY CONSTRUCTION EASEMENT - T50A  
0.002 ACRES IN THE  
WILLIAM DAVIS SURVEY  
ABSTRACT NO. 248  
CITY OF MCKINNEY,  
COLLIN COUNTY, TEXAS





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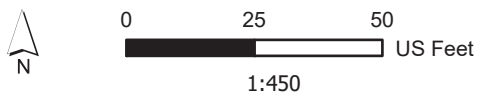
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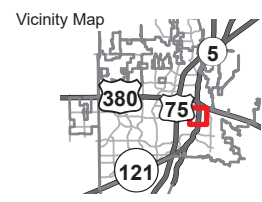


**Legend**

-  Sanitary Sewer Easement
-  Temporary Construction Easement



**Location Map**  
 Exhibit "B"  
 Shwu Ying Wang, LLC  
 Sanitary Sewer Easement and  
 Temporary Construction Easements



Source: Engineering GIS  
 Date: 5/29/2026

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.