

RESOLUTION NO. 2026-04-_____ (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 TEMPORARY CONSTRUCTION EASEMENT ASSOCIATED WITH THE MCKINNEY AMPHITHEATER IMPROVEMENTS PROJECT (ST2514); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING SAID TEMPORARY CONSTRUCTION EASEMENT, 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 improvements to South Central Expressway from Gateway Boulevard to Marketplace Drive, Medical Center Drive from Spur 399 to Eldorado Parkway, Marketplace Drive from South Central Expressway to Medical Center Drive, and Gateway Boulevard from South Central Expressway to Medical Center Drive, to include improvements to street paving, sidewalk paving, landscape/hardscape, illumination, traffic signal improvements, information technology system improvements, and other associated street elements for construction of the McKinney Amphitheater Improvements Project (ST2514), with the location of the necessary Temporary Construction Easement, 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 Temporary Construction Easement as described and depicted in Exhibit A 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 McKinney Amphitheater Improvements Project (ST2514).
- 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 McKinney Amphitheater Improvements Project (ST2514), 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.

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 7th DAY OF APRIL, 2026.

CITY OF MCKINNEY, TEXAS:

BILL COX, Mayor
GERÉ FELTUS, Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:

EMPRESS DRANE
City Secretary
TENITRUS BETHEL PARCHMAN
Deputy City Secretary

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



EXHIBIT "A"
LEGAL DESCRIPTION FOR
10' TEMPORARY CONSTRUCTION EASEMENT
TCE-15

All that certain lot, tract, or parcel of land, situated in a portion of the William Hemphill Survey, Abstract No. 449, City of McKinney, Collin County, Texas, being part of The McKinney Gateway Condominium Association, Inc., a condominium regime in the City of McKinney, Collin County, Texas, according to the Amended and Restated Condominium Declaration for the McKinney Gateway Condominium filed 06/27/2013, and recorded as Document No. 20130627000895180, Real Property Records, Collin County, Texas, which condominium is located on Lot 3R, Block A, Minor Replat of McKinney Bridge Street Town Centre, an addition to the City of McKinney, Collin County, Texas, according to the plat thereof recorded in Cabinet 2013, Slide 48, Official Public Records, Collin County, Texas, together with the access, support and utility easements within the General Common Elements, all as described in said Declaration and being more completely described as follows, to-wit:

BEGINNING at the Northeast corner of said Lot 3R, Block A, the Northwest corner of Lot 8, Block A of said McKinney Bridge Street Town Centre and being in the South right-of-way line of Gateway Boulevard (variable width right-of-way) recorded in Cabinet R, Page 159 (MRCCT), from which a 5/8" iron rod found in the North right-of-way line of said Gateway Boulevard and in the South line of a called 45.71 acre tract described in a deed to Sunset Grounds at McKinney LLC recorded in Instrument No. 2025000005931 (DRCCT) bears North 50 deg. 05 min. 51 sec. East – 106.79 feet;

THENCE South 05 deg. 59 min. 28 sec. East departing said South right-of-way line and continue along the East line of said Lot 3R, Block A and the West line of said Lot 8, Block A, a distance of 10.00 feet;

THENCE South 84 deg. 16 min. 52 sec. West departing said East and West lines, a distance of 22.97 feet to a Point of Curvature of a tangent circular curve to the right, having a radius of 1,171.50 feet, a central angle of 16 deg. 21 min. 55 sec., and being subtended by a chord which bears North 87 deg. 32 min. 10 sec. West - 333.48 feet;

THENCE in a northwesterly direction along said curve to the right, an arc distance of 334.61 feet to the East line of Lot 5, Block A of McKinney Bridge Street Town Centre recorded in Volume 2008, Page 65 (MRCCT) and the West line of said Lot 3R, Block A;

THENCE North 16 deg. 36 min. 50 sec. East non-tangent to said curve and continue along said East and West lines, a distance of 10.05 feet to the Northeast corner of said Lot 5, Block A, the Northwest corner of said Lot 3R, Block A and being in the South right-of-way line of said Gateway Boulevard, from which a 5/8" iron rod found in the North right-of-way line of said Gateway Boulevard and the South line of said 45.71 acre tract bears North 23 deg. 01 min. 06 sec. West – 111.14 feet, said point being a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1,161.50 feet, a



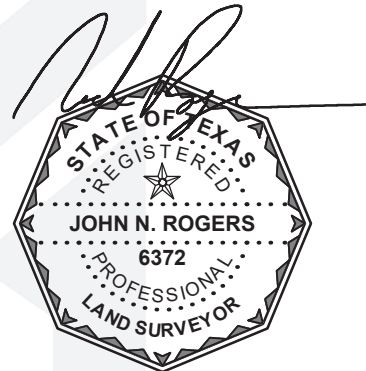
central angle of 16 deg. 18 min. 49 sec., and being subtended by a chord which bears South 87 deg. 33 min. 43 sec. East - 329.60 feet;

THENCE in a southeasterly direction along said curve to the left and continue along the North line of said Lot 3R, Block A and said South right-of-way line, an arc distance of 330.71 feet;

THENCE North 84 deg. 16 min. 52 sec. East tangent to said curve and continue along said North line and South right-of-way line, a distance of 22.92 feet to the **POINT OF BEGINNING**, containing 3,556 square feet or 0.082 acres of land, more or less.

Bearings are referenced to Texas State Plane Coordinates, North Central Zone, NAD83(2011), U.S. Survey Feet, as derived from GPS/OPUS observations.

Exhibit map attached and made a part hereof.



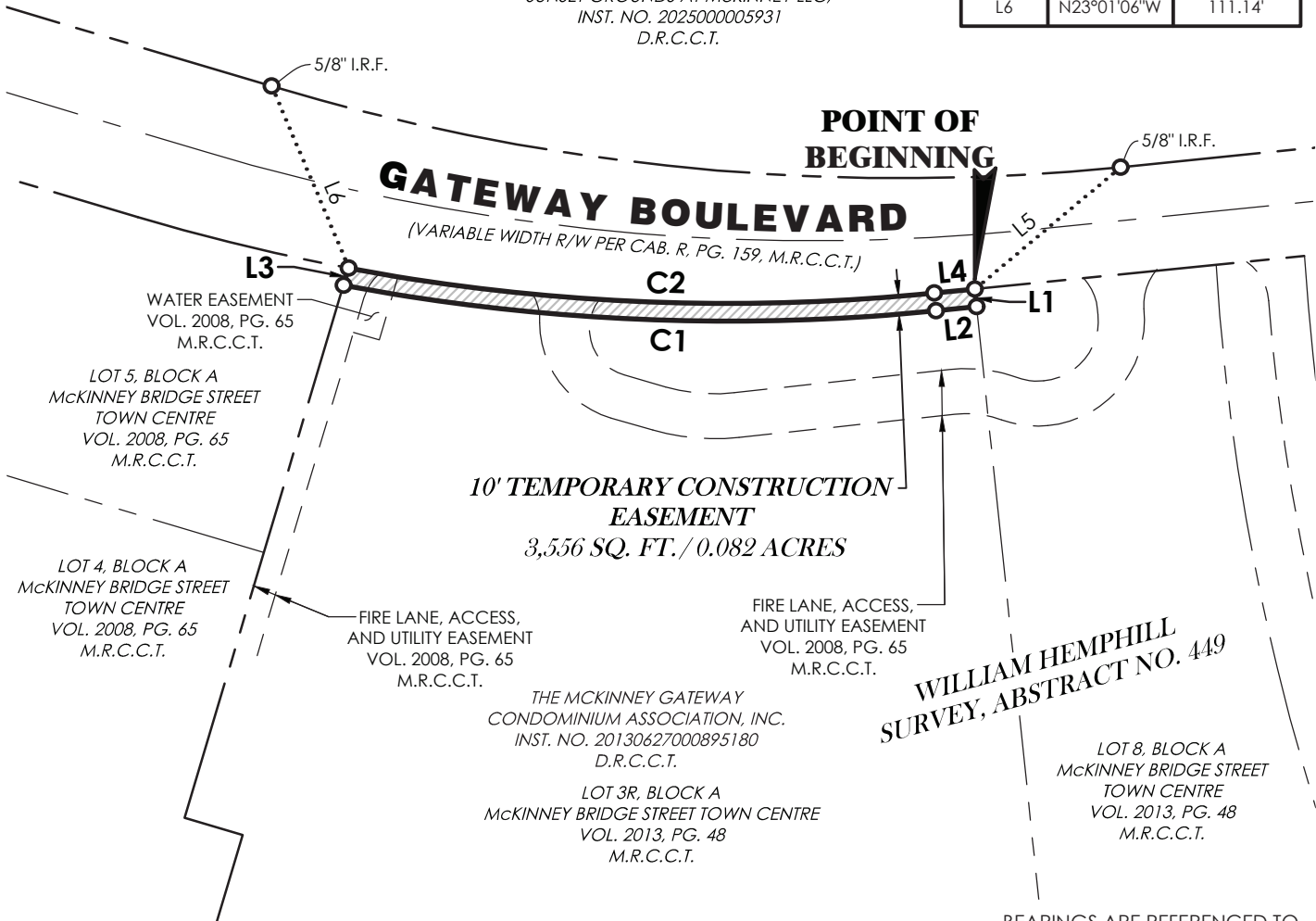
3/6/2026



CURVE TABLE					
C#	R	L	D	CHD B	CHD L
C1	1171.50'	334.61'	16°21'55"	N87°32'10"W	333.48'
C2	1161.50'	330.71'	16°18'49"	S87°33'43"E	329.60'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S05°59'28"E	10.00'
L2	S84°16'52"W	22.97'
L3	N16°36'50"E	10.05'
L4	N84°16'52"E	22.92'
L5	N50°05'51"E	106.79'
L6	N23°01'06"W	111.14'

CALLED 45.71 ACRES
 SUNSET GROUNDS AT MCKINNEY LLC,
 INST. NO. 2025000005931
 D.R.C.C.T.



POINT OF BEGINNING
GATEWAY BOULEVARD
 (VARIABLE WIDTH R/W PER CAB. R. PG. 159, M.R.C.C.T.)

10' TEMPORARY CONSTRUCTION EASEMENT
 3,556 SQ. FT. / 0.082 ACRES

WILLIAM HEMPHILL SURVEY, ABSTRACT NO. 449

**EXHIBIT "A" MAP SHOWING
 10' TEMPORARY CONSTRUCTION EASEMENT,
 SITUATED IN A PORTION OF THE
 WILLIAM HEMPHILL SURVEY, ABSTRACT NO. 449
 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS**

BEARINGS ARE REFERENCED TO TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 AS DERIVED FROM GPS OBSERVATION.



Job No.:	24018	Scale:	1"=100'	Sheet 3 of 3
Drafted:	L.J.C.	Checked:	J.N.R.	
Surveyed on the Ground:	6/10/2025			
Date Prepared:	11/10/2025			
Revised:	11/18/2025	Revised:	3/5/2026	



Document Path: Y:_Engineering\Eng\GIS\Projects\04_Location\Map_v1_Sunset\Theater\Esmt\TCE15\Location Map_Sunset\Theater\Esmt\TCE15.aprx



Legend

Easement Type

█ TEMPORARY CONSTRUCTION (TCE)

TCE #15

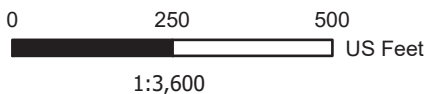
S75

GATEWAY BLVD

MEDICAL CENTER DR

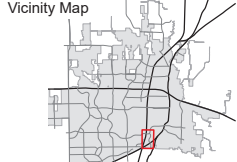
SPUR 399

SAM RAYBURN TOLL



Location Map

Exhibit "B"
 The McKinney Gateway
 Condominium Association, Inc.
 Temporary Construction Easement



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.



Source: Engineering GIS
 Date: 3/9/2026