

**ORDINANCE NO. 2024-04-\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ANNEXING THE HEREINAFTER DESCRIBED PORTION OF THE CUSTER ROAD (FARM TO MARKET ROAD 2478) RIGHT-OF-WAY TO THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND BINDING SAID PROPERTY TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN**

**WHEREAS**, the annexation of property into the corporate limits of a city such as the City of McKinney, Texas is authorized and regulated by Chapter 43 of the Texas Local Government Code; and

**WHEREAS**, Subchapter E of Chapter 43 of the Texas Local Government Code authorizes the annexation by a city of certain areas, including reservoirs, airports, and streets, subject to the laws of this state; and

**WHEREAS**, Section 43.1055(c)(2) of the Texas Local Government Code permits a municipality to annex a road right-of-way upon providing written notice of the annexation to the owner of the right-of-way or the governing body of the political subdivision that maintains the right-of-way not later than the 61<sup>st</sup> day before the date of the proposed annexation and said owner or governing body does not submit a written objection to the municipality before the date of the proposed annexation; and

**WHEREAS**, notice was submitted on February 1, 2024, to the Texas Transportation Commission, being the governing body of the political subdivision that maintains that portion of Custer Road (FM 2478) to be annexed into the City limits, and no written objection was received by the City from said body; and

**WHEREAS**, that portion of Custer Road (FM 2478) to be annexed into the City limits is currently located within the City's extraterritorial jurisdiction; and

**WHEREAS**, all other procedures prescribed by the Texas Local Government Code and the laws of this state have been duly followed with respect to the hereinafter described portion of Custer Road.

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

- Section 1. All of the above premises are found to be true and correct legislative determinations and are incorporated into the body of this Ordinance as if copied in their entirety.
- Section 2. That portion of Custer Road, hereinafter depicted in Exhibit A, is hereby annexed to the City of McKinney, Collin County, Texas, and that the boundary limits of the City of McKinney be and the same are hereby extended to include the hereinafter described territory within the city limits of the City of McKinney, and the same shall hereafter be included within the territorial limits of said city, and said area shall be bound by the acts, ordinances, resolutions, and regulations of said city.
- Section 3. A service plan or agreement for the area is hereby adopted and attached as Exhibit B.
- Section 4. The City Secretary is hereby directed to file with the County Clerk of Collin County, Texas, a certified copy of this ordinance.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 2<sup>ND</sup> DAY OF APRIL, 2024.

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GEORGE C. FULLER  
Mayor

CORRECTLY ENROLLED:

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EMPRESS DRANE  
City Secretary  
TENITRUS BETHEL  
Deputy City Secretary

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

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney