



for of City McK



5 Vicinity Map

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**OWNERS DEDICATION** 

STATE OF TEXAS COUNTY OF COLLIN

Whereas KSMI Properties LLC is the owner of a tract of land situated in the S.M. Pulliam Survey, Abstract No. 706, and being all of a called 11.653 acre tract of land described in a Special Warranty Deed recorded in Instrument No. 20180830001094680 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at 5/8 inch iron rod found with a plastic cap stamped "RPLS 5574" for the southeast corner of said KSMI Properties tract, from, which a found concrete Texas Department of Transportation Right-of-Way marker (disturbed) bears North 41 degrees 16 minutes 33 seconds East a distance of 4.02 feet, same being the southwest corner of a called 5.858 acre tract of land described in a deed to Melissa Storage LP as recorded in Instrument Number 20170206000165310 of the Official Public Records of Collin County, Texas, same also being on the northwest Right-of-Way line of North McDonald Street (State Highway No. 5) a 100 foot Right-of-Way;

THENCE South 43 degrees 09 minutes 04 seconds West, along said northwest Rightof-Way line of North McDonald Street, a distance of 452.79 feet to an "X" cut found in a concrete drive for the most southerly southwest corner of said KSMI tract, from which a 1 inch iron pipe found bears South 43 degrees 05 minutes 15 seconds West a distance of 94.81 feet, and being the most northerly, southeast corner of a called 2.338 acre tract of land described in a deed to Townsend Group Properties LLC as recorded in Instrument Number 20160713000896310 of the Official Public Records of Collin County, Texas;

THENCE North 46 degrees 40 minutes 13 seconds West, along the common line of the southwest line of said KSMI Properties tract and the northeast line of said Townsend Group Properties tract, a distance of 323.11 feet to a mag nail set with a washer stamped "S&A TBPLS 10194352" in a concrete on an ell corner of said KSMI Properties tract, same being the northeast corner of said Townsend Group Properties tract;

THENCE South 71 degrees 35 minutes 17 seconds West, 258.18 feet to a 5/8 inch iron rod with cap stamped "Sanchez & Assoc. TBPLS 10194352" set on most the westerly southwest corner of said KSMI Properties Tract, same being the northwest corner of said Townsend Group Properties tract, same also being on the east line of a called 23.572 acre tract of land described in a deed to John Bass and Felix Diaz as recorded in Instrument Number 20190523000587000 of the Official Public Records of Collin County, Texas;

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THENCE North 00 degrees 21 minutes 48 seconds West, along the common line of the west line of said KSMI Properties tract and the east line of said Woolard tract, a distance of 16.90 feet to a 5/8 inch iron rod found with a plastic cap stamped "RPLS 4071" on the most southerly northwest corner of said KSMI Properties tract, same being the southwest corner of a called 3.297 acre tract of land described in a deed to Bass Family Investments LLC as recorded in Instrument Number 20150420000441210 of the Official Public Records of Collin County, Texas;

THENCE North 71 degrees 34 minutes 11 seconds East, along the common line of the south line of said Bass Family tract and a north line of said KSMI Properties tract, a distance of 306.44 feet to a 5/8 inch iron rod with cap stamped "Sanchez & Assoc. TBPLS 10194352" set on the southeast corner of said Bass Family tract, same being an inside ell corner of said KSMI Properties tract

THENCE North 00 degrees 26 minutes 36 seconds East, along the common line of the east line of said Bass Family tract and a west line of said KSMI Properties tract, a distance of 443.18 feet to 5/8 inch iron rod with a plastic cap stamped "RPLS 4071" found on the northeast corner of said Bass Family tract, same being and inside ell corner of said KSMI Properties tract;

THENCE North 89 degrees 34 minutes 28 seconds West, a distance of 290.07 feet to a 1/2 inch iron rod found for the northwest corner of said Bass Family tract, same being the most northerly southwest corner of said KSMI Properties tract, same also being on the east line of a called 10.491 acre tract of land described in a deed to KCCI Land Development LLC as recorded in Instrument Number 200806050000682210 of the Official Public Records of Collin County, Texas;

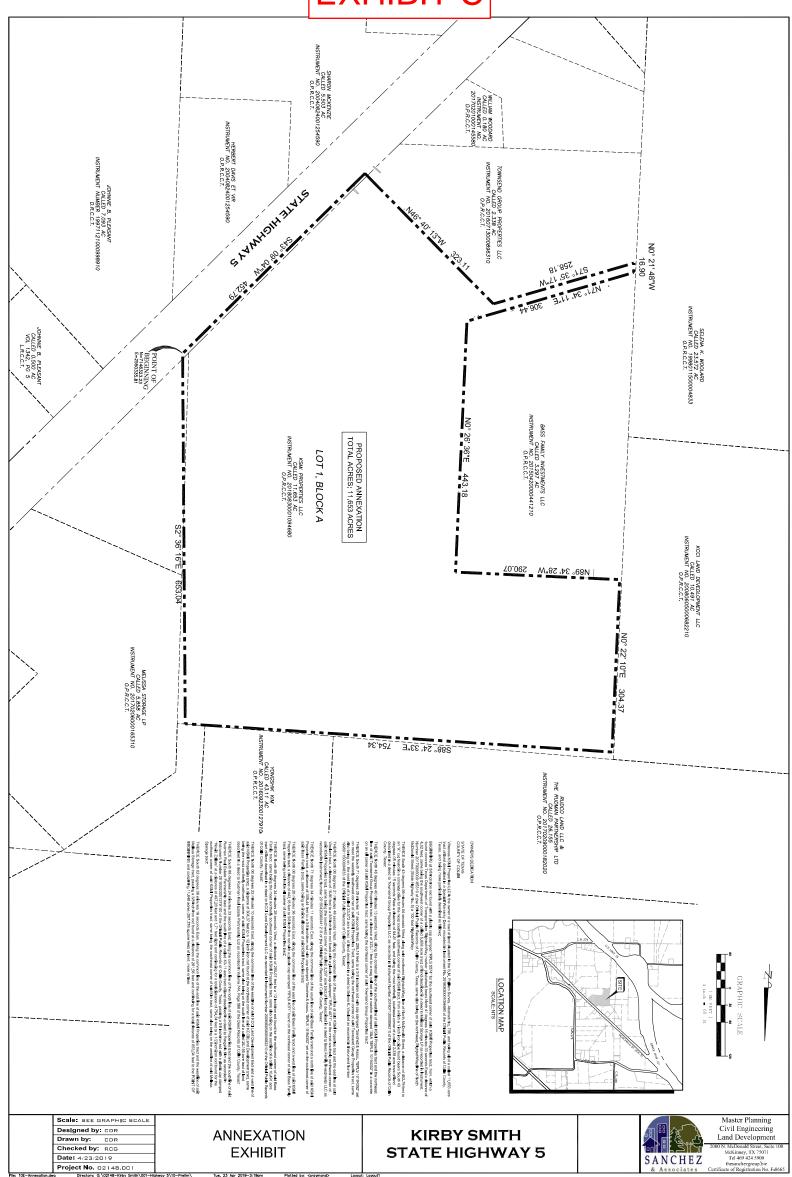
THENCE North 00 degrees 22 minutes 10 seconds East, along the common line of the east line of said KCCI Land Development tract and a west line of said KSMI Properties tract, a distance of 304.37 feet to a 1/2 inch iron rod found at the northeast corner of said KCCI Land Development tract, same being the most northerly northwest corner of said KSMI Properties tract, same also being on the south line of a called 26.155 acre tract of land described in a deed to Rudman Real Estate Partnership Ltd as recorded in Volume 744, Page 568 of the Deed Records of Collin County, Texas;

THENCE South 88 degrees 24 minutes 33 seconds East, along the common line of the north line of said KSMI Properties tract and the south line of said Rudman Real Estate Partnership tract and the south line of a called 43.11 acre tract of land described in a deed to Yongshik Kim as recorded in Instrument Number 20160923001279100 of the Official Public Records of Collin County, Texas, passing a 5/8 inch iron rod with a plastic cap stamped "Hewitt Zollars" at a distance of 497.28 feet and 1.71 feet right and continuing for a total distance of 754.34 feet to a 1/2 inch iron rod found for the northeast corner of said KSMI Properties tract, same being the southeast corner of said Kim tract, same also being on the west line of said Melissa Storage tract;



THENCE South 02 degrees 36 minutes 16 seconds East, along the common line of the east line of said KSMI Properties tract and the west line of said Melissa Storage tract, passing a 3/8 inch iron rod found at a distance of 281.56 feet and continuing for a total distance of 653.04 feet to the POINT OF BEGINNING and containing 11.648 acres (507,376 square feet) of land, more or less





# EXHIBIT D



#### CITY OF MCKINNEY, TEXAS SERVICE PLAN FOR ANNEXED AREA

# ANNEXATION ORDINANCE NO.

### DATE OF ANNEXATION ORDINANCE: \_\_\_\_\_

# ACREAGE ANNEXED:

This Service Plan is hereby entered into and agreed pursuant to Texas Local Government Code § 43.0672 effective the \_\_\_\_\_ day of \_\_\_\_\_\_, 2021, by and between the *CITY OF McKINNEY*, a Texas municipal corporation and home-rule city ("CITY"), and *KSMI PROPERTIES LLC*, an Oklahoma limited liability company, whose address is 6715 W. Reno Ave. Oklahoma City, Oklahoma ("OWNER") for the approximately 11.648 acres of land in the S.M. Pullliam Survey, Abstract Number 706, Collin County, Texas, that is located in the extraterritorial jurisdiction of the City of McKinney, Collin County, Texas ("ETJ") in an area generally located in the ETJ of the City of McKinney, Collin County, Texas (the "Annexed Area").

Municipal services shall be provided to the Annexed Area upon its annexation into the corporate limits of the City of McKinney, Texas, in accordance with the following provisions and Texas Local Government Code § 43.065.

#### A. <u>POLICE PROTECTION</u>:

- 1. Police personnel and equipment from the McKinney Police Department shall be provided to the Annexed Area on the effective date of this ordinance.
- 2. Police protection services shall be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

#### B. <u>FIRE PROTECTION</u>:

- 1. Fire protection and Emergency Medical Services (EMS) from the McKinney Fire Department shall be provided to the Annexed Area on the effective date of this ordinance.
- 2. Fire protection services shall be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

#### C. <u>FIRE PREVENTION</u>:

The services of the City of McKinney Fire Marshal shall be provided to the Annexed Area upon the effective date of this ordinance.

#### D. <u>SOLID WASTE COLLECTION</u>:

- 1. Solid waste collection shall be provided to the Annexed Area upon the effective date of this ordinance.
- 2. Solid waste collection services shall be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
- 3. The collection of refuse from individual properties shall be made in accordance with the usual Sanitation Department scheduling. Residential customers may utilize the North Texas Municipal Water District McKinney Landfill in accordance with City ordinances.

#### E. <u>WATER SERVICE</u>:

- 1. For portions of the Annexed Area within the City of McKinney legally certificated area (CCN) the City of McKinney shall provide water services to this Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City of McKinney requires Developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include off-site improvements.
- 2. The responsibility for construction of the infrastructure by the Developer is noted, in part at least, in the pending Annexation Facilities Agreement between the City of McKinney and Developer.
- 3. For portions of the Annexed Area within the City of McKinney legally certificated area (CCN), the City of McKinney shall allow the provision of extensions of water facilities to the Annexed Area on the effective date of this ordinance. Such extensions shall be in accordance with Section 110-1 through 110-165 of the Code of Ordinances, City of McKinney, and as amended.
- 4. Connection to existing city water mains for water service will be provided in accordance with existing City Policies. Upon connection to existing mains, water will be provided at rates established by City Ordinance.
- 5. For portions of the Annexed Area within the City of McKinney legally certificated area (CCN), water services shall be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
- 6. Water mains installed or improved to City standards within the Annexed Area which are part of the City of McKinney water system and are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, shall be maintained by the City of McKinney upon the effective date of this ordinance.
- 7. Maintenance of private lines will be the responsibility of the owner or occupant.
- 8. Where other water districts provide water service, the development shall still meet the City of McKinney standards for the sizing and construction of utilities.

#### F. <u>SANITARY SEWER SERVICE</u>:

- 1. The City of McKinney shall provide sewer services to this Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City of McKinney requires Developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include off-site improvements.
- 2. The City of McKinney shall allow the provision of extensions of sanitary sewer facilities to the Annexed Area upon the effective date of this ordinance. Such extensions shall be in accordance with Section 110-1 through 110-165 of the Code of Ordinances, City of McKinney, and as amended.
- 3. Connection to existing city sanitary sewer mains for sewage service will be provided in accordance with existing City Policies. Upon connection to existing mains, sanitary sewer collection will be provided at rates established by City Ordinances.
- 4. Sanitary sewer services shall be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
- 5. Sanitary sewer mains and lift stations installed or improved to City Standards within the Annexed Area which are located within dedicated easement, rights-of-way, or any other acceptable location approved by the City Engineer, shall be maintained by the City of McKinney upon the effective date of this ordinance.

#### G. <u>STREETS</u>:

- 1. Emergency street maintenance shall be provided for publicly dedicated streets or roads within the Annexed Area upon the effective date of this ordinance. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the then current policies and procedures defined by ordinance.
- 2. Street services shall be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

#### H. <u>PARKS AND RECREATION</u>:

- 1. The City of McKinney shall provide parks and recreation services to this Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City of McKinney requires Developer to construct hike/bike trails in keeping with the Parks Master Plan. Additionally, new developments must still satisfy the parkland dedication requirements that call for land or fees in lieu of land for park.
- 2. Residents within the Annexed Area may utilize all existing park and recreation facilities upon the effective date of this Ordinance. Fees for such usage shall be in accordance with current fees established by ordinance.

# EXHIBIT D

3. Additional park and recreation facilities shall be constructed based on Park policies defined in the ONE McKinney 2040 Comprehensive Plan as amended, and the Parks Master Plan. The general planned locations and classifications of parks will ultimately serve residents from the current city limits and residents from the Annexed Area.

#### I. <u>ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES</u>:

- 1. Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, shall begin within the Annexed Area upon the effective date of this annexation ordinance.
- 2. Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City Codes and Ordinances will be provided within the Annexed Area upon the effective date of this ordinance.
- 3. The City shall provide the level of Environmental Health and Code Enforcement Services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

### J. <u>PLANNING AND ZONING</u>:

These areas are zoned in conjunction with the annexation pursuant to the Comprehensive Zoning Ordinance # 1270, as codified and amended in Chapter 146 of the Code of Ordinances, City of McKinney, Texas. The Future Land Use Plan or "Land Use Diagram" adopted with the ONE McKinney 2040 Comprehensive Plan as amended will serve as a guide for consideration of future zoning requests.

#### K. <u>MISCELLANEOUS</u>:

Any city owned facility, building, or service located within the Annexed Area shall be operated and maintained by the City upon the effective date of the annexation ordinance.

#### L. <u>CAPITAL IMPROVEMENTS PROGRAM</u>

The Annexed Area is immediately eligible for Capital Improvement Program consideration upon its annexation.

M. Other municipal services for areas not specifically listed in Sections A-K shall be provided to the Annexed Area no later than two and one-half years after the effective date of the annexation, unless certain services cannot reasonably be provided within two and one-half years. In that case, the City shall propose a schedule for providing certain services, and the schedule shall provide for the provision of full municipal services to the Annexed Area no later than four and one-half years after the effective date of the annexation.

[Signatures begin on following page.]

# **EXHIBIT D**

IN WITNESS WHEREOF, the Parties have duly executed this Service Plan on the dates indicated below to be effective as of the Effective Date.

### CITY OF McKINNEY

By: \_

PAUL G. GRIMES City Manager

Date Signed: \_\_\_\_\_

ATTEST:

EMPRESS DRANE City Secretary JOSHUA STEVENSON Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER City Attorney