

AN ORDINANCE AMENDING ORDINANCE NO. 1270 SO THAT 11.5 ACRES IN THE PARK PLACE ADDITION LOCATED ON THE SOUTH SIDE OF WILSON CREEK PARKWAY, ACROSS THE STREET FROM THE BRADLEY CEMETERY, IS ZONED PLANNED CENTER (6.6 ACRES) AND RS-45, ZERO LOT LINE HOME, 4500 SQUARE FOOT MINIMUM LOT SIZE; 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 11.5 acres in the Park Place Addition located on the south side of Wilson Creek Parkway, across the street from the Bradley Cemetery, have petitioned the City of McKinney to zone such property Planned Center (6.6 acres) and RS-45, Zero Lot Line Home, 4500 Square Foot Minimum Lot Size, and,

WHEREAS, after due notice of the requested rezoning 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, Texas, the City Council is of the opinion that such rezoning change should be made.

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

SECTION I: That the 11.5 acres of land in the Park Place Addition, located on the South side of Wilson Creek Parkway, across the street from the Bradley Cemetery, is hereby zoned Planned Center (6.6 acres), and RS-45, Zero Lot Line Home, 4500 Square Foot Minimum Lot size, all in accordance with the Zoning Map and Preliminary Plat attached hereto and marked Exhibit "A".

SECTION II: 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 III: 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 IV: 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 20th day of May, 1986.

CORRECTLY ENROLLED:


JENNIFER CRAVENS
CITY SECRETARY

SITUATED in the Samuel McFarland Survey, Abst. No. 558, City of McKinney, Collin County, Texas, and being part of a tract of land described in four deeds recorded in Volume 1818, Page 120, Volume 1818, Page 133, Volume 1850, Page 459, and Volume 1918, Page 388, Deed Records of Collin County, Texas, said tract also being a part of Park Place, an addition to the City of McKinney, Texas, as recorded in Cabinet F, Page 366, Plat Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found at the intersection of the west line of College Street (a 60 foot right-of-way at this point) and the south line of Wilson Creek Parkway (a 100 foot right-of-way);

THENCE SOUTH 00 deg. 19 min. 53 sec. W, along the west line of College Street, a distance of 78.71 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of 06 deg. 49 min. 53 sec., a radius of 3380.88 feet and a tangent length of 201.79 feet;

THENCE along said curve to the left, an arc distance of 403.10 feet to an iron rod found for the end of said curve;

THENCE SOUTH 06 deg. 30 min. 00 sec. East, a distance of 88.81 feet to an iron rod found for the beginning of a circular curve to the right, said curve having a central angle of 22 deg. 02 min. 18 sec., a radius of 380.83 feet and a tangent length of 74.15 feet;

THENCE along said curve to the right, an arc distance of 146.48 feet to an iron rod found for the end of said curve;

THENCE SOUTH 15 deg. 32 min. 18 sec. West, a distance of 839.62 feet to an iron rod found in the south line of the previously described Park Place Addition for a corner;

THENCE SOUTH 89 deg. 55 min. 46 sec. West, leaving the west line of College Street, and along the said south line of Park Place Addition, a distance of 920.12 feet to an iron rod found for a corner;

THENCE NORTH 20 deg. 08 min. 19 sec. West, a distance of 203.59 feet to an iron rod found for an angle point;

THENCE NORTH 16 deg. 20 min. 41 sec. West, a distance of 417.60 feet to an iron rod found for an angle point;

THENCE NORTH 10 deg. 57 min. 20 sec. West, a distance of 305.94 feet to an iron rod found for an angle point;

THENCE NORTH 05 deg. 21 min. 22 sec. West, a distance of 100.50 feet to an iron rod found for an angle point;

THENCE NORTH 10 deg. 57 min. 20 sec. West, a distance of 101.98 feet to an iron rod found for an angle point;

THENCE NORTH 05 deg. 21 min. 22 sec. West, a distance of 100.50 feet to an iron rod found for an angle point;

THENCE NORTH 00 deg. 21 min. 16 sec. East, a distance of 67.18 feet to an iron rod set for a corner;

THENCE NORTH 89 deg. 55 min. 46 sec. East, a distance of 808.40 feet to an iron rod set for a corner;

THENCE NORTH 00 deg. 04 min. 14 sec. West a distance of 321.70 feet to an iron rod set in the south line of the previously described Wilson Creek Parkway for a corner, said iron rod also being located in a curve to the left, said curve having a central angle of 03 deg. 27 min. 34 sec., a radius of 1244.34 feet, a tangent length of 37.57 feet and a chord bearing and distance of North 82 deg. 03 min. 40 sec. East, 75.12 feet;

THENCE along said curve to the left, following the south line of Wilson Creek Parkway, an arc distance of 75.13 feet to an iron rod found for the beginning of a curve to the right, said curve having a central angle of 30 deg. 00 min. 00 sec., a radius of 621.77 feet and a tangent length of 166.60 feet;

THENCE along said curve to the right, an arc distance of 325.56 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of 19 deg. 32 min. 09 sec., a radius of 617.13 feet, a tangent length of 106.24 feet and a chord bearing and distance of South 79 deg. 26 min. 11 sec. East, 209.40 feet;

THENCE along said curve to the left, an arc distance of 210.42 feet to the POINT OF BEGINNING; and,

CONTAINING 40.4352 acres of land, more or less.

LEGAL DESCRIPTION
6.2429 ACRE TRACT

Being a tract of land situated in the Samuel McFarland Survey, Abstract No. 558, City of McKinney, Collin County, Texas, and being part of a tract of land described in four deeds recorded in Volume 1818, Page 120, Volume 1818, Page 133, Volume 1850, Page 459, Volume 1918, Page 388, Deed Records of Collin County, Texas, said tract also being a part of Park Place, an addition to the City of McKinney, Texas, as recorded in Cabinet F, Page 366, Plat Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at an iron rod found at the intersection of the south line of Wilson Creek Parkway (a 100 foot right-of-way) and the west line of College Street (a 60 foot right-of-way at this point);

THENCE: along said south line of Wilson Creek Parkway, following a curve to the right, said curve having a central angle of $19^{\circ} 32' 09''$, a radius of 617.13 feet and a tangent length of 106.24 feet, an arc distance of 210.42 feet to an iron rod found for the beginning of a curve to the left;

THENCE: along said curve to the left, thru a central angle of $30^{\circ} 00' 00''$, a radius of 621.77 feet and a tangent length of 166.60 feet, an arc distance of 325.56 feet to an iron rod found for the beginning of a curve to the right;

THENCE: along said curve to the right, thru a central angle of $03^{\circ} 27' 34''$, a radius of 1244.34 feet and a tangent length of 37.57 feet, an arc distance of 75.13 feet to an iron rod found for the PLACE OF BEGINNING;

THENCE: S $0^{\circ} 04' 14''$ E, leaving the south line of Wilson Creek Parkway, a distance of 321.70 feet to an iron rod found for a corner;

THENCE: S $89^{\circ} 55' 46''$ W, a distance of 808.40 feet to an iron rod found for a corner;

THENCE: N $0^{\circ} 21' 16''$ E, a distance of 32.82 feet to an iron rod found for an angle point;

THENCE: N $0^{\circ} 25' 39''$ W, a distance of 15.10 feet to an iron rod found for an angle point;

THENCE: N $04^{\circ} 07' 58''$ W, a distance of 99.50 feet to an iron rod found for an angle point;

THENCE: N $02^{\circ} 44' 22''$ W, a distance of 233.25 feet to an iron rod set in the south line of the previously described Wilson Creek Parkway for a corner;

THENCE: S $81^{\circ} 44' 36''$ E, along said south line of Wilson Creek Parkway, a distance of 312.27 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of $07^{\circ} 55' 31''$, a radius of 1854.47 feet and a tangent length of 128.46 feet;

THENCE: along said curve to the left, an arc distance of 256.52 feet to an iron rod found for the point of tangency;

THENCE: S $89^{\circ} 40' 07''$ E, a distance of 119.83 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of $06^{\circ} 32' 26''$, a radius of 1244.34 feet and a tangent length of 71.09 feet;

THENCE: along said curve to the left, an arc distance of 142.04 feet to the PLACE OF BEGINNING and containing 6.2429 acres of land, more or less.