



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 26-0274, **Version:** 1

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Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Certain Easement Rights for Public Use by Eminent Domain for a Temporary Construction Easement Associated With the McKinney Amphitheater Improvements Project (ST2514) Which Property is Located Within the Northeast Quadrant of US 75 and Spur 399 and Authorizing the City Manager to Establish Procedures for Acquiring the Temporary Construction Easement on Said Property and Take All Steps Necessary to Acquire the Needed Easement Rights in Compliance with all Applicable Laws and Resolutions

**COUNCIL GOAL:** Operational Excellence

(2.1: Balance available resources to accommodate the growth and maintenance needs of the City)

**MEETING DATE:** April 7, 2026

**DEPARTMENT:** Development Services / Engineering

**CONTACT:** Gary Graham, PE, PTOE, Director of Engineering  
Todd Wright, Real Estate Acquisitions Administrator

**RECOMMENDED CITY COUNCIL ACTION:**

- Approval of Resolution using a motion in a form substantially similar to the following:

*“I move that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use the necessary property interest from The McKinney Gateway Condominium Association, Inc., identified as owner of record by 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 (the Property Owner), and any other persons or entities claiming an interest to the property depicted on and described by metes and bounds attached to said Resolution, said depiction and description being incorporated in its entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements located within the Northeast Quadrant of US 75 and Spur 399 associated with the McKinney Amphitheater Improvements Project (ST2514).”*

- A roll call vote is required for this item.

**ITEM SUMMARY:**

- This Resolution provides authority to the City Manager to execute documents for the acquisition of property rights and the use of Eminent Domain to condemn property interests in order to acquire a Temporary Construction Easement necessary for the McKinney Amphitheater Improvements Project (ST2514).

**BACKGROUND INFORMATION:**

- The City’s McKinney Amphitheater Improvements Project extends from the area bounded approximately by US 75 to the West, Eldorado Parkway to the North, Medical Center Drive to the East, and Spur 399 to the South, and will include improvements to street paving, sidewalk paving, landscape/hardscape, illumination, traffic signal improvements, information technology system improvements, and other associated street elements. Construction of the Project is scheduled to begin in mid-2026.
- The Project requires the acquisition of a Temporary Construction Easement from the Property Owner.
- The Property Owner has been informed of the Project details and necessity for the acquisition of a portion of their property.
- While staff continues efforts to work with the Property Owner in order to acquire the easement amicably, it is necessary to begin condemnation proceedings to keep the project on schedule.
- The Property Owner is identified below, and the property is described and depicted in the attached Resolution as Exhibit A, (TCE15). The acquisition of the Temporary Construction Easement is necessary for the McKinney Amphitheater Improvements Project (ST2514).

Property Owner	Description	Area/Acres	Resolution Exhibit
The McKinney Gateway Condominium Association, Inc.	Temporary Construction Easement	0.082 acres	Exhibit A, (TCE15)

**FINANCIAL SUMMARY:**

- All costs associated with eminent domain will be paid by the developer per the Chapter 380, Grant, and Development Agreement by and among City of McKinney, Texas, McKinney Economic Development Corporation, McKinney Community Development Corporation and Venu Holding Corporation, Successor-By-Name-Change to Notes Live, Inc.

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A