ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars ($25.00) nor more than Two Thousand Dollars ($2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

_____
RON SILVIA, Mayor

ATTEST:

_____
Connie Hooks, City Secretary

APPROVED:

_____
City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from A-O Agricultural Open and R-1 Single Family Residential to A-P Administrative Professional.

TRACT ONE
5.221 ACRE TRACT

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 5.5 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY S. KAPCHINSKI AND WIFE, JOYCE MARIE KAPCHINSKI, RECORDED IN VOLUME 308, PAGE 906 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 12.91 ACRE TRACT AS DESCRIBED BY DEED TO HENRY KAPCHINSKI AND WIFE, JOYCE KAPCHINSKI, RECORDED IN VOLUME 343, PAGE 284 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "B" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "D."

The following property is rezoned from A-O Agricultural Open and R-1 Single Family Residential to R-1 Single Family Residential.

TRACT TWO
15.598 ACRE TRACT

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF A CALLED 3.0 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY KAPCHINSKI AND WIFE, JOYCE KAPCHINSKI, RECORDED IN VOLUME 332, PAGE 41 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, A PORTION OF THE REMAINDER OF A CALLED 5.5 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY S. KAPCHINSKI AND WIFE, JOYCE MARIE KAPCHINSKI, RECORDED IN VOLUME 308, PAGE 906 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 12.91 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY KAPCHINSKI AND WIFE, JOYCE KAPCHINSKI RECORDED IN VOLUME 343, PAGE 284 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "C" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "D."

METES AND BOUNDS DESCRIPTION
OF A
5.221 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 5.5 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY S. KAPCHINSKI AND WIFE, JOYCE MARIE KAPCHINSKI, RECORDED IN VOLUME 308, PAGE 906 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 12.91 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY KAPCHINSKI AND WIFE, JOYCE KAPCHINSKI RECORDED IN VOLUME 343, PAGE 284 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD SET ON THE EAST LINE OF STATE HIGHWAY NO. 6 MARKING THE MOST SOUTHERLY WEST CORNER OF A CALLED 0.409 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION FOR RIGHT-OF-WAY PURPOSES RECORDED IN VOLUME 3823, PAGE 110 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD SET BEING ON THE WEST LINE OF SAID 12.91 ACRE TRACT AND THE SOUTHEAST LINE OF NORTH FOREST PARKWAY (60' R.O.W.);

THENCE: N 42° 26' 50" E ALONG THE SOUTHEAST LINE OF NORTH FOREST PARKWAY, SAME BEING THE SOUTHEAST LINE OF SAID 0.409 ACRE TRACT, FOR A DISTANCE OF 251.88 FEET TO A POINT MARKING THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 48° 13' 50" E THROUGH SAID REMAINDER OF 5.5 ACRE TRACT AND SAID REMAINDER OF 12.91 ACRE TRACT, 560.00 FEET FROM AND PARALLEL TO THE NORTHEAST LINE OF SAID 5.5 ACRE TRACT, FOR A DISTANCE OF 744.93 FEET TO A POINT;

THENCE: S 41° 46' 10" W CONTINUING THROUGH SAID REMAINDER OF 12.91 ACRE TRACT FOR A DISTANCE OF 13.16 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF A CALLED 4.00 ACRE TRACT DESCRIBED AS TRACT 1 BY A DEED TO HERBERT COLE AND WIFE, GOLDA COLE, RECORDED IN VOLUME 299, PAGE 129 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 83° 08' 31" W ALONG THE COMMON LINE OF SAID REMAINDER OF 12.91 ACRE TRACT AND SAID 4.00 ACRE TRACT FOR A DISTANCE OF 643.15 FEET TO A 5/8 INCH IRON ROD FOUND ON THE EAST LINE OF STATE HIGHWAY NO. 6 MARKING THE COMMON CORNER OF SAID REMAINDER OF 12.91 ACRE TRACT AND SAID 4.00 ACRE TRACT;

THENCE: N 05° 09' 38" W ALONG THE EAST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 49.80 FEET TO A CONCRETE RIGHT-OF-WAY MARKER FOUND MARKING AN ANGLE POINT IN SAID LINE;

THENCE: N 11° 59' 33" W CONTINUING ALONG THE EAST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 355.13 FEET TO THE **POINT OF BEGINNING** CONTAINING 5.221 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND AUGUST, 2003. SEE PLAT PREPARED AUGUST, 2003, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502
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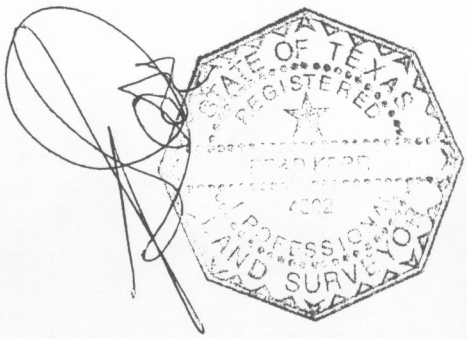

METES AND BOUNDS DESCRIPTION
OF A
15.598 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF A CALLED 3.0 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY KAPCHINSKI AND WIFE, JOYCE KAPCHINSKI, RECORDED IN VOLUME 332, PAGE 41 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, A PORTION OF THE REMAINDER OF A CALLED 5.5 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY S. KAPCHINSKI AND WIFE, JOYCE MARIE KAPCHINSKI, RECORDED IN VOLUME 308, PAGE 906 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 12.91 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY KAPCHINSKI AND WIFE, JOYCE KAPCHINSKI RECORDED IN VOLUME 343, PAGE 284 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD SET ON THE EAST LINE OF STATE HIGHWAY NO. 6 MARKING THE MOST SOUTHERLY WEST CORNER OF A CALLED 0.409 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION FOR RIGHT-OF-WAY PURPOSES RECORDED IN VOLUME 3823, PAGE 110 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD SET BEING ON THE WEST LINE OF SAID 12.91 ACRE TRACT AND THE SOUTHEAST LINE OF NORTH FOREST PARKWAY (60' R.O.W.);

THENCE: N 42° 26' 50" E ALONG THE SOUTHEAST LINE OF NORTH FOREST PARKWAY, SAME BEING THE SOUTHEAST LINE OF SAID 0.409 ACRE TRACT, FOR A DISTANCE OF 251.88 FEET TO A POINT MARKING THE **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 42° 26' 50" E CONTINUING ALONG THE SOUTHEAST LINE OF NORTH FOREST PARKWAY, SAME BEING THE SOUTHEAST LINE OF SAID 0.409 ACRE TRACT AND A CALLED 0.19 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION OF RIGHT-OF-WAY PURPOSES RECORDED IN VOLUME 3823, PAGE 104 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR A DISTANCE OF 560.04 FEET TO A POINT IN AN EXISTING FENCE CORNER POST FOUND MARKING THE COMMON CORNER OF SAID REMAINDER OF 5.5 ACRE TRACT AND THE REMAINDER OF A CALLED 10 ACRE TRACT AS DESCRIBED BY A DEED TO FRANK J. MATOUS, JR. AND WIFE, HELEN MATOUS, RECORDED IN VOLUME 261, PAGE 629 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 48° 13' 50" E ALONG THE COMMON LINE OF SAID REMAINDER OF 5.5 ACRE TRACT AND SAID REMAINDER OF 10 ACRE TRACT FOR A DISTANCE OF 1083.35 FEET TO A 5/8 INCH IRON ROD FOUND ON THE NORTHEAST LINE OF THE REMAINDER OF A CALLED 300.00 ACRE TRACT AS DESCRIBED BY A DEED TO ALLEN R. SWABODA RECORDED IN VOLUME 1334, PAGE 325 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID REMAINDER OF 10 ACRE TRACT AND THE EAST CORNER OF SAID 3.0 ACRE TRACT;

THENCE: ALONG THE COMMON LINE OF SAID 3.0 ACRE TRACT, SAID REMAINDER OF 12.91 ACRE TRACT AND SAID REMAINDER OF 300.00 ACRE TRACT FOR THE FOLLOWING CALLS:

S 38° 18' 23" W FOR A DISTANCE OF 185.33 FEET TO A ½ INCH IRON ROD FOUND;

S 38° 14' 39" W FOR A DISTANCE OF 63.10 FEET TO A ½ INCH IRON ROD FOUND;

S 38° 24' 23" W FOR A DISTANCE OF 360.31 FEET TO A 5/8 INCH IRON ROD FOUND;

S 49° 57' 13" W FOR A DISTANCE OF 215.93 FEET TO A CONCRETE NAIL FOUND IN A TREE MARKING

THE COMMON CORNER OF SAID REMAINDER OF 12.91 ACRE TRACT AND A CALLED 7.0 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 4592, PAGE 215 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 48° 33' 36" W ALONG THE COMMON LINE OF SAID REMAINDER OF 12.91 ACRE TRACT AND SAID 7.0 ACRE TRACT FOR A DISTANCE OF 69.39 FEET TO A 3/8 INCH IRON ROD FOUND MARKING THE SOUTHEAST CORNER OF A CALLED 4.00 ACRE TRACT DESCRIBED AS TRACT 1 BY A DEED TO HERBERT COLE AND WIFE, GOLDA COLE, RECORDED IN VOLUME 299, PAGE 129 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 06° 44' 27" W ALONG THE COMMON LINE OF SAID REMAINDER OF 12.91 ACRE TRACT AND SAID 4.00 ACRE TRACT FOR A DISTANCE OF 375.30 FEET TO A ½ INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF SAID 4.00 ACRE TRACT;

THENCE: N 41° 46' 10" E THROUGH SAID REMAINDER OF 12.91 ACRE TRACT FOR A DISTANCE OF 13.16 FEET TO A POINT;

THENCE: N 48° 13' 50" W CONTINUING THROUGH SAID REMAINDER OF 12.91 ACRE TRACT AND SAID REMAINDER OF 5.5 ACRE TRACT FOR A DISTANCE OF 744.93 FEET TO THE **POINT OF BEGINNING** CONTAINING 15.598 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND AUGUST, 2003. SEE PLAT PREPARED AUGUST, 2003, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

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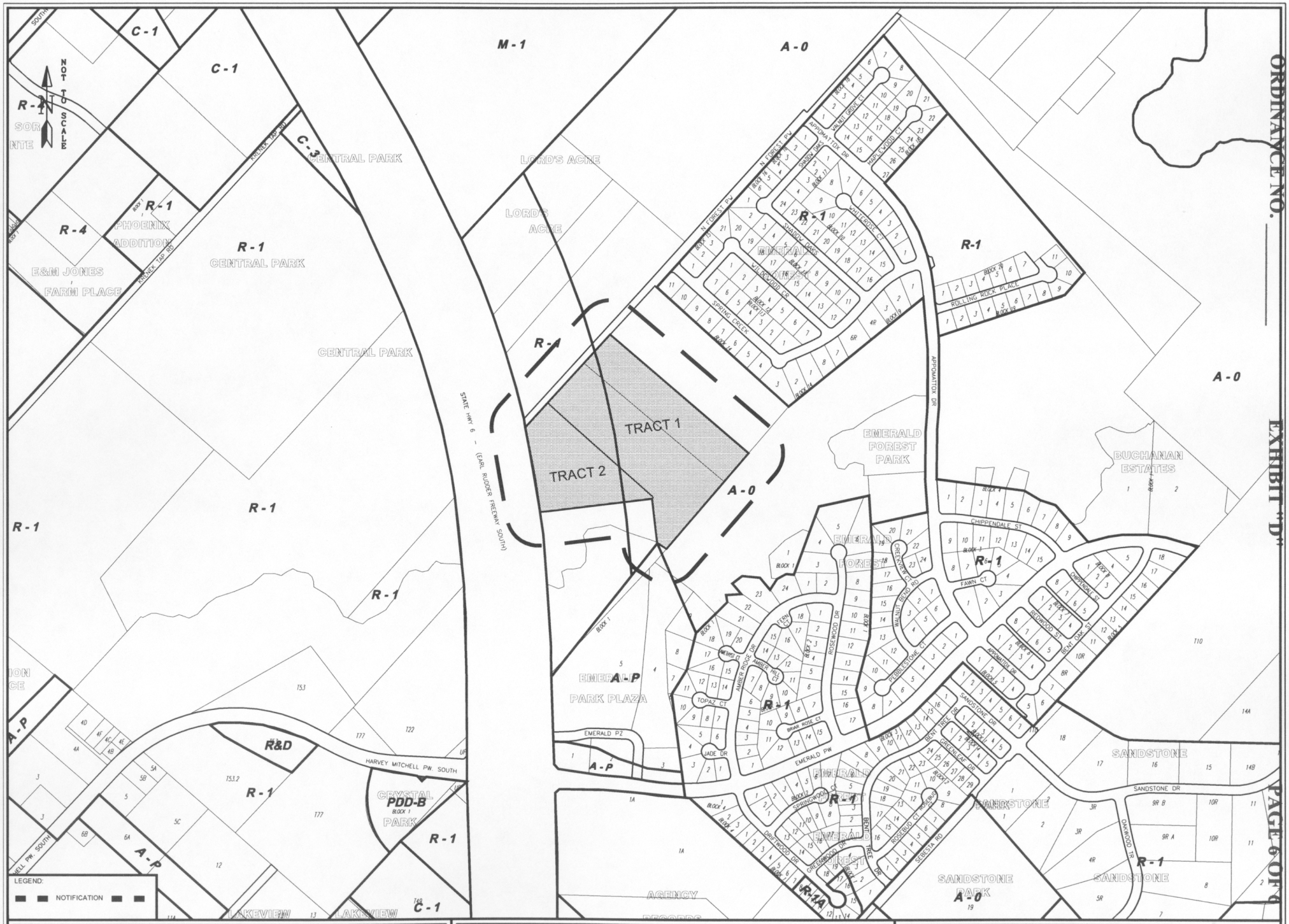

City of College Station, Texas DEVELOPMENT REVIEW	HENRY KAPCHINSKI	Case: 03-209	REZONING