

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 26th day of February 2004.

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 being rezoned from A-O Agricultural Open to R-1 Single Family Residential.

ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE STERRETT D. SMITH LEAGUE, ABSTRACT NO. 210, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF A CALLED 0.188 ACRE TRACT AS DESCRIBED BY A DEED TO PAT KULTGEN RECORDED IN VOLUME 3823, PAGE 274 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.109 ACRE TRACT AS DESCRIBED BY A DEED TO KIMBERLY W. HILL AND JEFFREY D. HILL RECORDED IN VOLUME 4752, PAGE 209 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.12 ACRE TRACT AS DESCRIBED BY A DEED TO IRENE C. BAINUM AND OLIVE I. PADEN RECORDED IN VOLUME 1093, PAGE 456 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.11 ACRE TRACT AS DESCRIBED BY A DEED TO EMILY ZOLIN RECORDED IN VOLUME 1396, PAGE 8 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.13 ACRE TRACT DESCRIBED AS TRACT ONE AND ALL OF A CALLED 0.11 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO CHARLES H. SLISHER REVOCABLE TRUST AND JANE E. SLISHER REVOCABLE TUST RECORDED IN VOLUME 3802, PAGE 321 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.09 ACRE TRACT DESCRIBED AS TRACT ONE AND ALL OF A CALLED 0.10 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO CHARLES W. BOYD AND PATSY J. BOYD RECORDED IN VOLUME 1696, PAGE 42 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.161 ACRE TRACT AS DESCRIBED BY A DEED TO DOMINGO MUNOZ AND WIFE, MIQUELA MUNOZ, RECORDED IN VOLUME 2716, PAGE 21 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.17 ACRE TRACT AS DESCRIBED BY A DEED TO JOYCE G. THORN RECORDED IN VOLUME 4005, PAGE 233 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.23 ACRE ACCESS EASEMENT (COMMONLY KNOWN AS "FAIRHAVEN COVE") AS DESCRIBED IN VOLUME 3030, PAGE 225 OF THE OFFICIAL PUBIC RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 3.15 ACRE TRACT AS DESCRIBED BY DEED TO PHYLISS JEANNE HOBSON, TRUSTEE, RECORDED IN VOLUME 942, PAGE 735 OF THE OFFICIAL 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 "C."

**METES AND BOUNDS DESCRIPTION
OF A
1.81 ACRE TRACT
STERRETT D. SMITH LEAGUE, A-210
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE STERRETT D. SMITH LEAGUE, ABSTRACT NO. 210, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF A CALLED 0.188 ACRE TRACT AS DESCRIBED BY A DEED TO PAT KULTGEN RECORDED IN VOLUME 3823, PAGE 274 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.109 ACRE TRACT AS DESCRIBED BY A DEED TO KIMBERLY W. HILL AND JEFFREY D. HILL RECORDED IN VOLUME 4752, PAGE 209 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.12 ACRE TRACT AS DESCRIBED BY A DEED TO IRENE C. BAINUM AND OLIVE I. PADEN RECORDED IN VOLUME 1093, PAGE 456 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.11 ACRE TRACT AS DESCRIBED BY A DEED TO EMILY ZOLIN RECORDED IN VOLUME 1396, PAGE 8 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.13 ACRE TRACT DESCRIBED AS TRACT ONE AND ALL OF A CALLED 0.11 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO CHARLES H. SLISHER REVOCABLE TRUST AND JANE E. SLISHER REVOCABLE TRUST RECORDED IN VOLUME 3802, PAGE 321 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.09 ACRE TRACT DESCRIBED AS TRACT ONE AND ALL OF A CALLED 0.10 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO CHARLES W. BOYD AND PATSY J. BOYD RECORDED IN VOLUME 1696, PAGE 42 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.161 ACRE TRACT AS DESCRIBED BY A DEED TO DOMINGO MUNOZ AND WIFE, MIQUELA MUNOZ, RECORDED IN VOLUME 2716, PAGE 21 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.17 ACRE TRACT AS DESCRIBED BY A DEED TO JOYCE G. THORN RECORDED IN VOLUME 4005, PAGE 233 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.23 ACRE ACCESS EASEMENT (COMMONLY KNOWN AS "FAIRHAVEN COVE") AS DESCRIBED IN VOLUME 3030, PAGE 225 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 3.15 ACRE TRACT AS DESCRIBED BY A DEED TO PHYLISS JEANNE HOBSON, TRUSTEE, RECORDED IN VOLUME 942, PAGE 735 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT A ½ INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF NANTUCKET DRIVE (60' R.O.W.) MARKING THE NORTHWEST CORNER OF SAID 0.188 ACRE KULTGEN TRACT AND THE NORTHEAST CORNER OF LOT 1, BLOCK 1, NANTUCKET, PHASE 6B, ACCORDING TO THE PLAT RECORDED IN VOLUME 3704, PAGE 79 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 60° 35' 52" E ALONG THE SOUTHEAST LINE OF NANTUCKET DRIVE FOR A DISTANCE OF 114.38 FEET TO A 3/8 INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF SAID 0.188 ACRE KULTGEN TRACT AND THE NORTHWEST CORNER OF SAID ACCESS EASEMENT;

THENCE: N 60° 56' 52" E CONTINUING ALONG THE SOUTHEAST LINE OF NANTUCKET DRIVE FOR A DISTANCE OF 32.27 FEET TO A ½ INCH IRON ROD FOUND MARKING THE NORTHWEST CORNER OF SAID 0.17 ACRE THORN TRACT;

THENCE: N 60° 30' 47" E CONTINUING ALONG THE SOUTHEAST LINE OF NANTUCKET DRIVE FOR A DISTANCE OF 104.38 FEET TO A ½ INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF SAID 0.17 ACRE THORN TRACT;

THENCE: S 24° 48' 08" E THROUGH SAID REMAINDER OF 3.15 ACRE TRACT AND ALONG THE EASTERLY LINE OF SAID 0.17 ACRE THORN TRACT FOR A DISTANCE OF 52.71 FEET TO A 3/8 INCH IRON ROD FOUND MARKING AN ANGLE POINT IN THE EAST LINE OF SAID 0.17 ACRE THORN TRACT;

THENCE: S 12° 10' 42" E ALONG THE COMMON LINE OF SAID 0.17 ACRE THORN TRACT AND THE REMAINDER OF A CALLED 595.83 ACRE TRACT AS DESCRIBED BY A DEED TO NANTUCKET, LTD., RECORDED IN VOLUME 531, PAGE 398 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, FOR A DISTANCE OF 18.56 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.17 ACRE THORN TRACT AND SAID 0.161 ACRE MUNOZ TRACT;

THENCE: S 11° 12' 46" E ALONG THE COMMON LINE OF SAID 0.161 ACRE MUNOZ TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 7.80 FEET TO A ½ INCH IRON ROD FOUND MARKING AN ANGLE POINT IN SAID LINE;

THENCE: S 09° 01' 06" W CONTINUING ALONG THE COMMON LINE OF SAID 0.161 ACRE MUNOZ TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 80.37 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.161 ACRE MUNOZ TRACT AND SAID 0.09 ACRE BOYD TRACT;

THENCE: S 18° 47' 35" E ALONG THE COMMON LINE OF SAID 0.09 ACRE BOYD TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 44.17 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.09 ACRE BOYD TRACT AND SAID 0.10 ACRE BOYD TRACT;

THENCE: S 18° 26' 53" E ALONG THE COMMON LINE OF SAID 0.10 ACRE BOYD TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 72.35 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.10 ACRE BOYD TRACT AND SAID 0.13 ACRE SLISHER TRACT;

THENCE: S 18° 25' 37" E ALONG THE COMMON LINE OF SAID 0.13 ACRE SLISHER TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 39.86 FEET TO A 3/8 INCH IRON ROD FOUND MARKING AN ANGLE POINT IN SAID LINE;

THENCE: S 46° 21' 03" W CONTINUING ALONG THE COMMON LINE OF SAID 0.13 ACRE SLISHER TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 89.32 FEET TO A 3/8 INCH IRON ROD FOUND MARKING AN ANGLE POINT IN THE SOUTH LINE OF SAID 0.11 ACRE SLISHER TRACT;

THENCE: S 62° 30' 13" W ALONG THE COMMON LINE OF SAID 0.11 ACRE SLISHER TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 34.89 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.11 ACRE SLISHER TRACT AND SAID 0.11 ACRE ZOLIN TRACT;

THENCE: S 62° 57' 05" W ALONG THE COMMON LINE OF SAID 0.11 ACRE ZOLIN TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 40.12 FEET TO A 5/8 INCH IRON ROD

FOUND MARKING AN ANGLE POINT IN SAID LINE;

THENCE: N 88° 26' 22" W CONTINUING ALONG THE COMMON LINE OF SAID 0.11 ACRE ZOLIN TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 36.71 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.11 ACRE ZOLIN TRACT AND SAID 0.12 ACRE BAINUM AND PADEN TRACT;

THENCE: N 88° 12' 53" W ALONG THE COMMON LINE OF SAID 0.12 ACRE BAINUM AND PADEN TRACT AND SAID REMAINDER OF 595.83 ACRE TRACT FOR A DISTANCE OF 57.22 FEET TO A ½ INCH IRON ROD FOUND MARKING AN ANGLE POINT IN THE SOUTH LINE OF SAID 0.12 ACRE TRACT, SAID IRON ROD FOUND BEING ON THE SOUTHERLY LINE OF SAID 3.15 ACRE TRACT;

THENCE: N 36° 11' 02" W THROUGH SAID 3.15 ACRE TRACT AND ALONG THE SOUTHWEST LINE OF SAID 0.12 ACRE BAINUM AND PADEN TRACT FOR A DISTANCE OF 28.81 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.12 ACRE TRACT AND SAID 0.109 ACRE HILL TRACT;

THENCE: N 35° 16' 45" W CONTINUING THROUGH SAID 3.15 ACRE TRACT AND ALONG THE WESTERLY LINE OF SAID 0.109 ACRE HILL TRACT FOR A DISTANCE OF 67.44 FEET TO A ½ INCH IRON ROD FOUND MARKING THE NORTHWEST CORNER OF SAID 0.109 ACRE HILL TRACT;

THENCE: N 01° 41' 52" E CONTINUING THROUGH SAID 3.15 ACRE TRACT FOR A DISTANCE OF 55.34 FEET TO A 3/8 INCH IRON ROD FOUND MARKING AN ANGLE POINT IN THE WEST LINE OF THIS HEREIN DESCRIBED TRACT;

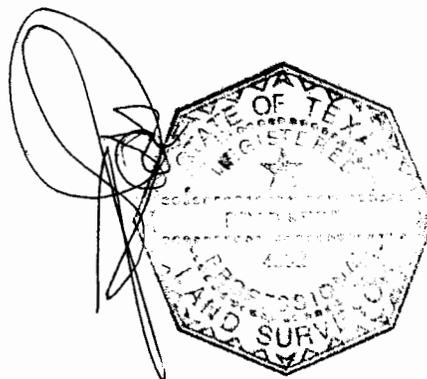
THENCE: N 09° 04' 48" E CONTINUING THROUGH SAID 3.15 ACRE TRACT FOR A DISTANCE OF 52.51 FEET TO A ½ INCH IRON ROD FOUND MARKING ANOTHER ANGLE POINT IN THE WEST LINE OF THIS HEREIN DESCRIBED TRACT;

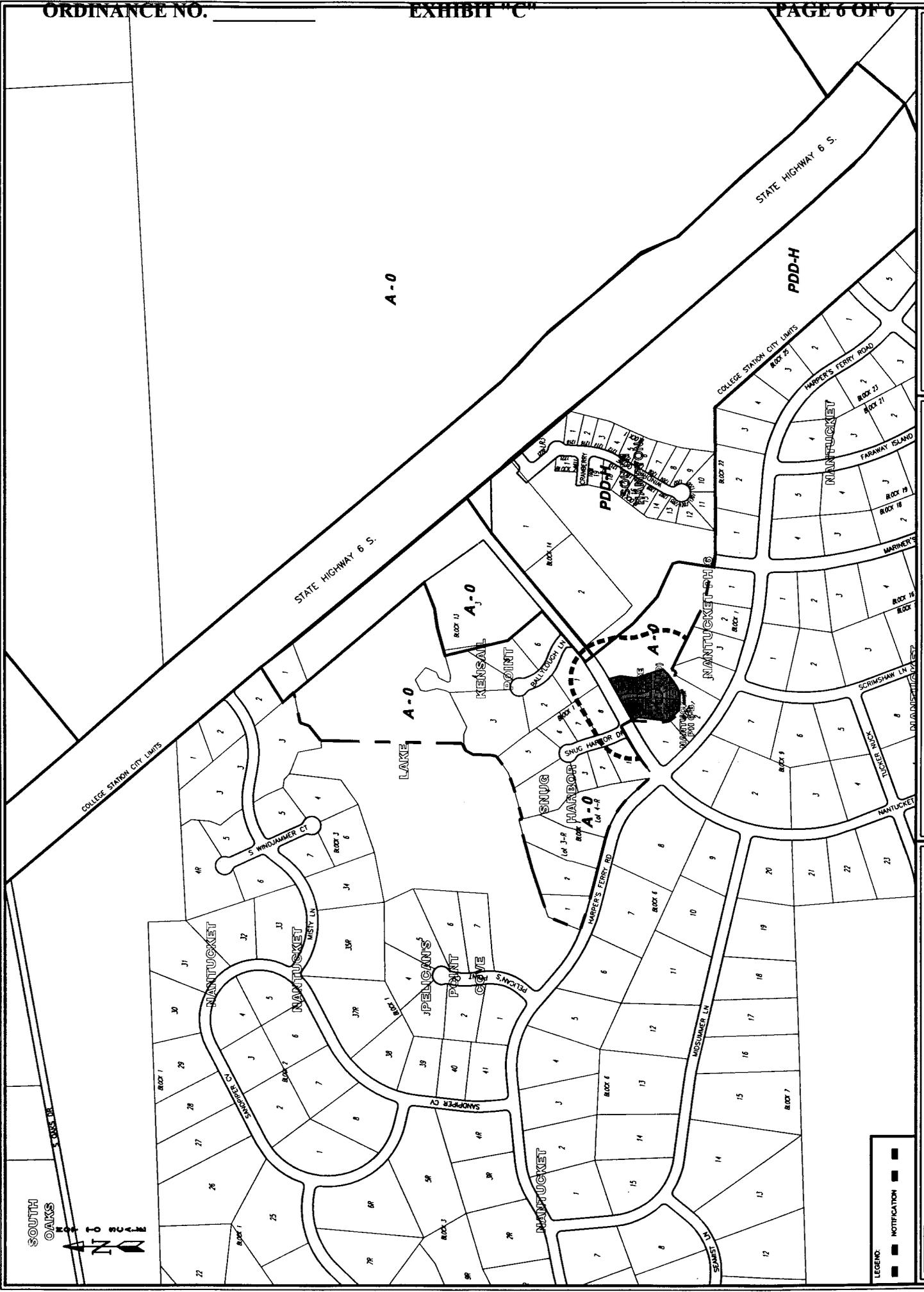
THENCE: N 07° 49' 45" E CONTINUING THROUGH SAID 3.15 ACRE TRACT, AT 22.05 FEET PASS A 3/8 INCH IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF SAID 0.188 ACRE KULTGEN TRACT, CONTINUE ON FOR A TOTAL DISTANCE OF 42.66 FEET TO A ½ INCH IRON ROD FOUND MARKING AN ANGLE POINT IN THE WEST LINE OF SAID 0.188 ACRE KULTGEN TRACT;

THENCE: N 22° 24' 34" W CONTINUING THROUGH SAID 3.15 ACRE TRACT AND ALONG THE WEST LINE OF SAID 0.188 ACRE KULTGEN TRACT FOR A DISTANCE OF 47.12 FEET TO THE **POINT OF BEGINNING** CONTAINING 1.81 ACRES OF LAND AS SURVEYED ON THE GROUND DECEMBER 2003. SEE PLAT PREPARED DECEMBER 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

D:/WORK/MAB/03-0152.MAB





REZONING

Case: 03-301

FAIRHAVEN COVE

City of College Station, Texas
DEVELOPMENT REVIEW

LEGEND:

- NOTIFICATION
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