

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 23rd day of NOVEMBER, 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 rezoned from C-2 Commercial-Industrial to C-1 General Commercial:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF LOTS 2 AND 17, FRANK VISOSKI SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 157, PAGE 469 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED TRACT OF LAND AS DESCRIBED BY A DEED TO TEX R. KILPATRICK RECORDED IN VOLUME 326, PAGE 428 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 EXHIBIT "C".

**METES AND BOUNDS DESCRIPTION
OF A
0.046 ACRE TRACT
PORTION OF LOTS 2 AND 17
FRANK VISOSKI SUBDIVISION
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF LOTS 2 AND 17, FRANK VISOSKI SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 157, PAGE 469 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED TRACT OF LAND AS DESCRIBED BY A DEED TO TEX R. KILPATRICK RECORDED IN VOLUME 326, PAGE 428 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 FOUND ON THE SOUTHEAST LINE OF UNIVERSITY DRIVE (FM 60) MARKING THE WEST CORNER OF SAID KILPATRICK TRACT AND THE NORTH CORNER OF A CALLED TRACT OF LAND AS DESCRIBED BY A DEED TO AUSTACO II REAL ESTATE PARTNERS, LTD., RECORDED IN VOLUME 3058, PAGE 72 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 5/8 INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF UNIVERSITY DRIVE MARKING THE WEST CORNER OF SAID AUSTACO TRACT BEARS: S 38° 25' 23" W FOR A DISTANCE OF 126.42 FEET AND ANOTHER 5/8 IRON ROD FOUND BEARS: N 49° 33' 53" W FOR A DISTANCE OF 0.59 FEET;

THENCE: N 38° 25' 23" E ALONG THE SOUTHEAST LINE OF UNIVERSITY DRIVE FOR A DISTANCE OF 14.15 FEET TO A POINT MARKING THE COMMON CORNER OF SAID PORTION OF LOT 2 AND A REMAINING PORTION OF LOT 3, FOR REFERENCE A 1/2 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF SAID KILPATRICK TRACT AND THE WEST CORNER OF A CALLED TRACT OF LAND AS DESCRIBED BY A DEED TO YO-FU LEE AND WIFE, CHIU SHING LEE, RECORDED IN VOLUME 436, PAGE 65 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, BEARS: N 38° 25' 23" E FOR A DISTANCE OF 110.95 FEET;

THENCE: S 49° 33' 53" E THROUGH SAID KILPATRICK TRACT AND ALONG THE COMMON LINE OF SAID LOTS 2 AND 17 AND LOTS 3 AND 16 FOR A DISTANCE OF 142.31 FEET TO A POINT ON THE NORTHWEST LINE OF POPLAR STREET (50' R.O.W.) MARKING THE COMMON CORNER OF SAID LOTS 17 AND 16, FOR REFERENCE A 5/8 INCH IRON ROD FOUND MARKING THE EAST CORNER OF SAID KILPATRICK TRACT BEARS: N 40° 18' 43" E FOR A DISTANCE OF 110.88 FEET;

THENCE: S 40° 18' 43" W ALONG THE NORTHWEST LINE OF POPLAR STREET FOR A DISTANCE OF 14.14 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID KILPATRICK TRACT AND THE EAST CORNER OF SAID AUSTACO TRACT;

THENCE: N 49° 33' 53" W THROUGH SAID LOTS 17 AND 2 AND ALONG THE COMMON LINE OF SAID KILPATRICK TRACT AND SAID AUSTACO TRACT FOR A DISTANCE OF 141.85 FEET TO THE **POINT OF BEGINNING** CONTAINING 0.046 OF AN ACRE OF LAND AS SURVEYED ON THE GROUND JUNE, 2004. SEE PLAT PREPARED SEPTEMBER, 2004, 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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REVISED 10-07-04

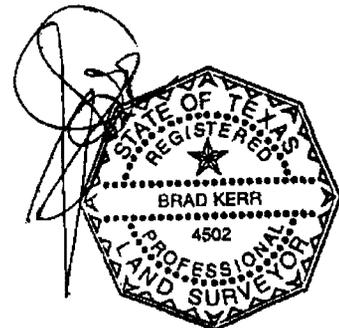


EXHIBIT B

