

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 34 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 9<sup>th</sup> day of February, 2006.

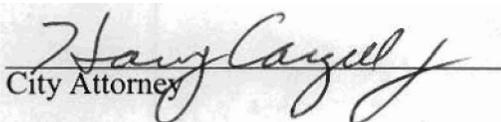
APPROVED:

\_\_\_\_\_  
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 to R-1 Single Family:**

9.95 Acres  
Morgan Rector Survey, A-46  
College Station, Brazos County

Being all that certain tract or parcel of land lying and being situated in the Morgan Rector Survey, A-46, in College Station, Brazos County, Texas and being a part of the called 10 acre tract described in the deed from Frank Matous, Jr., and wife, Helen F. Matous to Elizabeth Matous Swetish and husband Stephen M. Swetish, recorded in Volume 4040, Page 107 of the Official Records of Brazos County Texas, and being more particularly described by metes and bounds as shown in Exhibit "B" and graphically shown in Exhibit "C."

EXHIBIT "B"

Elizabeth Matous Swetish  
 9.95 Acre Tract  
 Morgan Rector Survey, A-46  
 College Station, Brazos County, Texas

Field notes of a 9.95 acre tract or parcel of land, lying and being situated in the Morgan Rector Survey, Abstract No. 46, College Station, Brazos County, Texas, and being part of the called 10 acre tract described in the deed from Frank Matous, Jr., and wife, Helen F. Matous to Elizabeth Matous Swetish and husband Stephen M. Swetish, recorded in Volume 4040, Page 107, of the Official Records of Brazos County, Texas;

**BEGINNING** at a 1/2" iron rod found marking the common corner between the beforementioned 10 acre tract and a 24.935 acre tract described in the deed to Ben A. Mathews and Yvonne D. Moll recorded in Volume 5949, Page 271, of the Official Records of Brazos County, Texas, said 1/2" iron rod being in the southwest line of Lot 3, Block 14, Emerald Forest Phase 9 according to the plat recorded in Volume 2075, Page 91, of the Official Records of Brazos County, Texas, said 1/2" iron rod being located N 48° 15' 29" E - 34.81 feet from the south corner of Lot 3, Block 14;

**THENCE** S 36° 08' 06" W along the common line between the beforementioned 10 acre tract and the 24.935 acre tract for a distance of 404.76 feet to a 1/2" iron rod found marking the common corner between the said 10 acre tract and North Forest Subdivision - 21.42 acres, according to the plat recorded in Volume 6005, Page 130, of the Official Records of Brazos County, Texas, said 1/2" iron rod is marking the east corner of a 2.434 acre Greenway dedication area, being part of the North Forest Subdivision;

**THENCE** N 48° 16' 24" W along the common line between the beforementioned 10 acre tract and North Forest Subdivision for a distance of 1083.35 feet to a 1/2" iron rod set at the north corner of Lot 1, Block 4, North Forest Subdivision and in the southeast right-of-way line of North Forest Parkway - 60' right-of-way, as shown on the plat of Lord's Acres - Lot 2, recorded in Volume 5709, Page 198, of the Official Records of Brazos County, Texas, the west corner of the said 10 acre tract bears N 48° 16' 24" W - 8.2 feet;

**THENCE** along the southeast right-of-way line of North Forest Parkway - 60' right-of-way as follows:

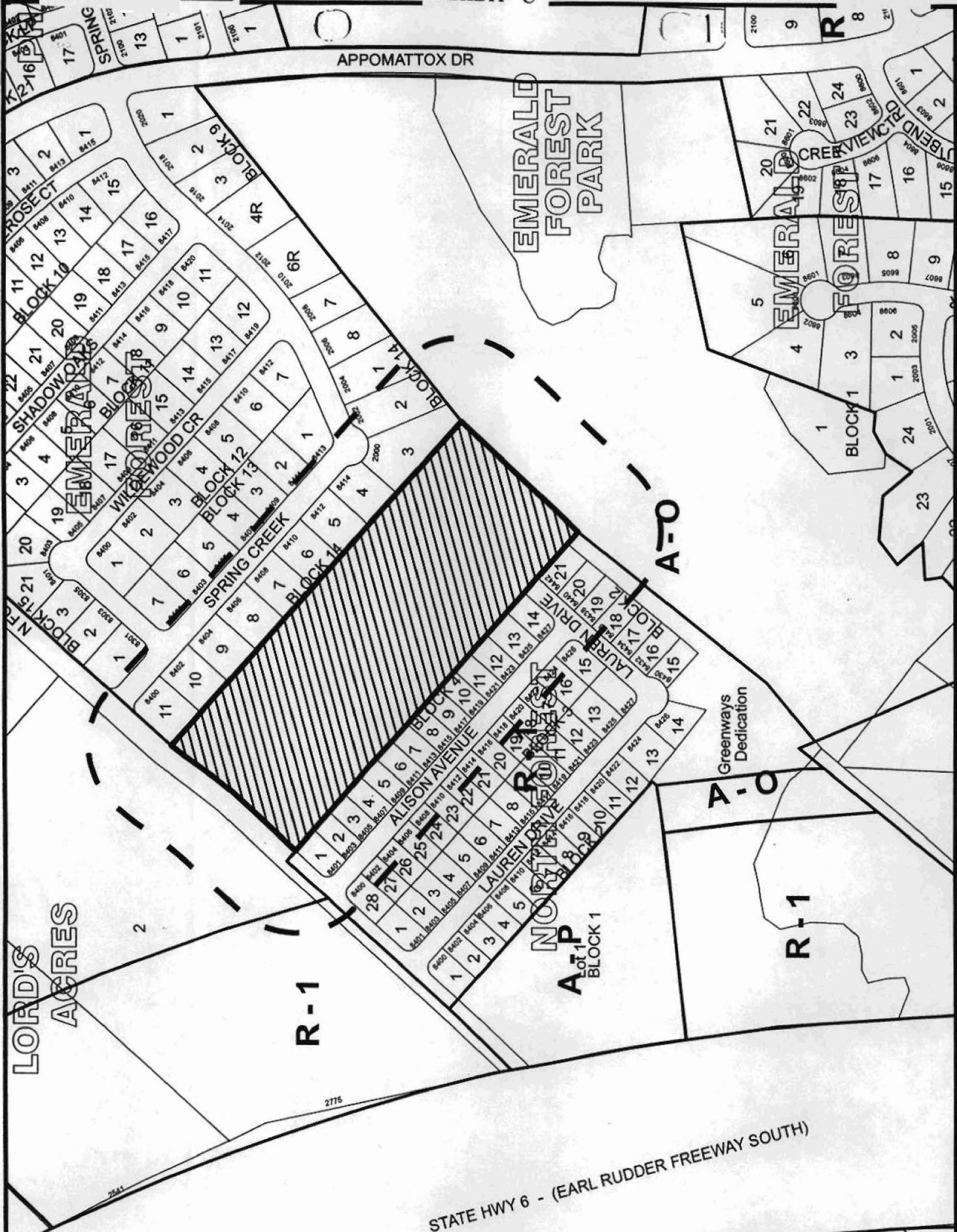
- N 42° 24' 23" E for a distance of 210.13 feet to a 1/2" iron rod set at the beginning of a curve concave to the northwest having a radius of 430.00 feet,
- Northeasterly along said curve for an arc distance of 53.20 feet to a 1/2" iron rod set at the end of this curve, the chord bears N 38° 51' 43" E - 63.17 feet,
- N 35° 19' 03" E for a distance of 102.42 feet to a 1/2" iron rod set at the beginning of a curve concave to the southeast having a radius of 370.00 feet,
- Northeasterly along said curve, for an arc distance of 39.35 feet to a 1/2" iron rod set at the west corner of a Lot 11, Block 14, Emerald Forest Phase 9, the chord bears N 38° 21' 51" E - 39.33 feet;

**THENCE** S 46° 15' 29" E along the common line between the beforementioned 10 acre tract Emerald Forest Phase 9, at a distance of 8.2 feet past the north corner of the said 10 acre tract, continue on for a total distance of 1071.69 feet to the PLACE OF BEGINNING, containing 9.95 acres of land, more or less.



By: *[Signature]*  
 S. M. Kling  
 R.P.L.S. No. 2003

Prepared 12/19/05  
 kw05-024747swetish@9.95ac.npd



REZONING

Case: 05-234

2075 NORTH FOREST PKWY

DEVELOPMENT REVIEW

