

ORDINANCE SUBDIVIDING FOR COMMERCIAL PROPERTY

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS; APPROVING SUBDIVIDING 2.350 ACRES OF PROPERTY FROM 26.648 ACRES OF LAND OUT OF THE VICENTA DURAN SURVEY, ABSTRACT NO. 19, GUADALUPE COUNTY TEXAS.

WHEREAS, (Chapter 212.004 – Plat required, of the Texas Local Government Code and/or Charter) of the City of New Berlin, Texas, an incorporated city, provides for the process of final plat procedures of a subdivision:

(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access, and no public improvement is being dedicated.

(b) To be recorded, the plat must:

- (1) describe the subdivision by metes and bounds;
- (2) locate the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part; and
- (3) state the dimensions of the subdivision and of each street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part.

(c) The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds.

(d) The plat must be filed and recorded with the county clerk of the county in which the tract is located.

(e) The plat is subject to the filing and recording provisions of Section [12.002](#), Property Code.

WHEREAS, the procedures prescribed by the (Texas Local Government Code and/or Charter) of the City of New Berlin, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit for approval:

2.350 acres of property from 26.648 acres of land out of the Vicenta Duran Survey, Abstract No.19 Guadalupe County, Texas for commercial property.

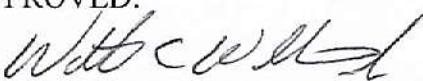
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL (OR COMMISSION) OF THE CITY OF NEW BERLIN, TEXAS:

Accepts and approves the attached request for subdividing 2.350 acres of property from 26.648 acres of land out of the Vicenta Duran Survey, Abstract No.19 Guadalupe County, Texas for commercial property. Attached as Exhibit A.

The Applicant is hereby directed to file with the County Clerk of Guadalupe, Texas, a certified copy of this ordinance.

PASSED by an affirmative vote of all members of the City Council (or Commission), this the 16th day of September 2024.

APPROVED:


WALTER WILLIAMS JR
Mayor

(City Seal)

ATTESTED BY:

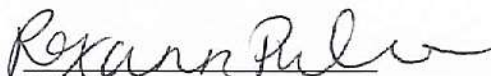

City Secretary



EXHIBIT A
Preliminary Plat of New Berlin 775 Addition
John Cowan & Associates, Inc

