

ORDINANCE No. 2016 - 002

PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF NEW BERLIN, TEXAS BY THE ANNEXATION OF LAND LOCATED ADJACENT TO THE CITY OF NEW BERLIN, TEXAS CITY.

WHEREAS, the City of New Berlin, Texas received a petition requesting annexation from the owner(s) of land, contiguous to the City of New Berlin, Texas; and

WHEREAS, the area of said land is one-half mile or less in width; and

WHEREAS, the area of said land is vacant and without residents or on which fewer than three qualified voters reside; and

WHEREAS, Texas Local Government Code section 43.028 authorizes the City of New Berlin, Texas to annex a sparsely occupied area on petition of the area's landowners; and

WHEREAS, in accordance with state law, the above-described petition was filed with the City of New Berlin, Texas on April 5, 2016; and

WHEREAS, the City Council of the City of New Berlin, Texas, believing that the above-described petition was properly filed pursuant to Texas Local Government Code section 43.028, granted said petition on April 18, 2016; and

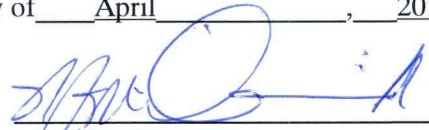
NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS:

SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of New Berlin, Texas, more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference, is hereby added and annexed to the City of New Berlin, Texas, and said territory, as described, shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City, at the various points contiguous to the area described in Exhibit "A," are altered and amended so as to extend and include said area within the corporate limits of the City of New Berlin, Texas, and inhabitants thereof shall be entitled to all of the rights and privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of New Berlin, Texas


SECTION 2. This ordinance shall be effective from and after April 18, 2016.

PASSED AND APPROVED this, the 18th day of April, 2016.



MAYOR PRO TEM
CITY OF NEW BERLIN, TEXAS

ATTEST:



CITY SECRETARY
CITY OF NEW BERLIN, TEXAS

(Seal)



After recording Please return to:

City of New Berlin
New Berlin, Texas
275 FM 2538
Seguin, TX 78155

Annexation Ordinance Form

Gil Offer

PETITION REQUESTING VOLUNTARY ANNEXATION
Pursuant To Section 43.028 of
The Texas Local Government Code:

TO: THE MAYOR AND GOVERNING BODY OF THE CITY OF NEW BERLIN, TEXAS

The undersigned owner(s) of the hereinafter described tract of land which is (1) one-half mile or less in width, (2) contiguous to the City of New Berlin, Texas, (3) vacant and without residents, or on which less than three (3) qualified voters reside, and (4) not within the extraterritorial jurisdiction of any other municipality, hereby petition your Honorable body to extend the present City limits so as to include and annex as a part of the City of New Berlin, Texas, the following described property, which is additionally detailed in Exhibit "A", attached hereto and made a part hereof, to wit:

(Any One or All: Street Address / Metes and Bounds / Geo Tag)

6779 Linne Rd.

*GEO - 260045-0000-00917-0-00
260045-0000-00915-0-00*

*1 acre
29 acres*

I (WE) HEREBY CERTIFY, UNDER OATH, that the above-described tract of land consisting of 30 acres is contiguous and adjacent to the City of New Berlin, Texas, is not more than one-half mile in width, is not within the extraterritorial jurisdiction of any other municipality, and that this petition is signed and duly acknowledged by each and every person or duly authorized representative of a corporation having an ownership interest in said land.

Owner(s) Signature(s)

Date

Signature: *Gilbert P. Offer Jr*

4-5-2016

Printed Name: *GILBERT P. OFFER JR*

Mailing Address: *6779 LINNE RD, SEQUIM, TX 79155*

Telephone: *830-305-9848*

Signature: [Handwritten Signature] 4-5-2016

Printed Name: SARAH K. VFFER

Mailing Address: 6779 LINNE Rd Seguin Tx 78155

Telephone: 830-481-7009

Signature: _____

Printed Name: _____

Mailing Address: _____

Telephone: _____

STATE OF TEXAS
COUNTY OF GUADALUPE

BEFORE ME, the undersigned, on this day personally appeared, the individual(s), known to me or proved to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and each acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5th day of April, 2016.

(Notary Seal)



Clara Joan Milanovich
Notary Public's Signature

Note: A Recording Fee must accompany your petition. If your petition is not accepted, your fee will be refunded. Your fee will be calculated when your petition is received.

Amount Paid \$40 Check # _____ Accepted by Joan Milanovich

EXHIBIT "A"

Being 30.016 acres of land, more or less, out of the Albert Alexander Survey, A-45 and the V. Gortari Survey, A-24, Guadalupe County, Texas, and being that same property described in a Deed of Trust recorded in Volume 3037, Page 357, Official Public Records, Guadalupe County, Texas, said 30.016 acres being more particularly described by metes and bounds as follows:

BEGINNING at a fence post found for a westerly corner of this 30.016 acres, same being the West corner of the Clyde R. Schultze, et ux 14.0 acres (Volume 801, Page 109) and on the southeast Right-of-Way line Linne Road, same also being the **POINT OF BEGINNING**;

THENCE along the southeast Right-of-Way line of said Linne Road, North 13 degrees 26 minutes 17 seconds East (called North 13 degrees 50 minutes 14 seconds), a distance of 44.53 feet to a 1/2 inch rod set for a second westerly corner of this 30.016 acres, same being the southwest corner of the Randy L. Harrison, et ux 10.00 acres (Volume 1580, Page 508);

THENCE along the line common to this 30.016 acres and said Harrison 5.0 acres, North 60 degrees 04 minutes 41 seconds East (called North 60 degree 28 minutes 38 seconds East), a distance of 1214.46 feet (called 1214.73 feet) to a 1/2 inch iron rod set for a northwesterly corner of this 30.016 acres, same being the East corner of said Harrison 5.0 acres and on the southwest line of the Bonnie D. Kunde, et al remainder of 316.6687 acres (Volume 4124, Page 495);

THENCE along the lines common to this 30.016 acres and said Kunde remainder of 316.6687 acres the following courses and distances:

South 30 degrees 34 minutes 34 seconds East (called South 30 degree 07 minutes 36 seconds East), a distance of 2522.29 feet (called 2529.78 feet) to a 1/2 iron rod set for an angle corner;

North 58 degrees 50 minutes 34 seconds East (called North 59 degree 09 minutes 39 seconds East), a distance of 1240.16 feet (called 1240.34 feet) to a 1/2 iron rod set for an interior corner of this 30.016 acres, same being an angle corner of said Kunde remainder of 316.6687 acres;

North 31 degrees 15 minutes 23 seconds West (called North 30 degree 56 minutes 18 seconds West), a distance of 792.77 feet to a 1/2 iron rod set for a westerly corner of this 30.016 acres, same being an interior corner of said Kunde remainder of 316.6687 acres;

North 58 degrees 44 minutes 37 seconds East (called North 59 degree 03 minutes 42 seconds East), a distance of 1387.86 feet to a 1/2 iron rod set for the northeast corner of this 30.016 acres, same being an interior corner of said Kunde remainder of 316.6687 acres;

South 31 degrees 15 minutes 23 seconds East (called South 30 degree 56 minutes 18 seconds East), a distance of 826.11 feet to a 1/2 iron rod found for the East corner of this 30.016 acres, same being an angle corner of said Kunde remainder of 316.6687 acres and an angle corner of the Dwayne S. Reiley, et ux 38.871 acres (Volume 2784, Page 964);

THENCE along the line common to this 30.016 acres and said Reiley 38.871 acres, South 58 degrees 41 minutes 16 seconds West (called North 59 degrees 03 minutes 42 seconds), a distance of 669.54 feet (called 669.52 feet) to a 1/2 inch iron rod found for an angle corner of this 30.016 acres, same being the northwest corner of said Reiley 38.871 acres and the northeast corner of the Friederick Family Living Trust tract (Volume 4154, Page 369);

THENCE along the south line of this 30.016 acres and the north line of said Friederick tract, South 58 degrees 51 minutes 41 seconds West (called South 59 degrees 09 minutes 39 seconds), a distance of 1989.14 feet (called 1991.15 feet) to a fence post found for an

EXHIBIT "A" continued

angle corner of this 30.016 acres, same being an angle corner of said Friederick tract and on the northeast line of the Garland R. Harms, et ux 16.95 acres (Volume 1149, Page 458);

THENCE along the line common to this 30.016 acres and said Harms 15.95 acres, North 31 degrees 04 minutes 39 seconds West (called North 30 degrees 10 minutes 16 seconds West), a distance of 217.94 feet (called 223.09 feet) to a 1/2 inch iron rod found for an angle corner of this 30.016 acres, same being the northeast corner of said Harms 15.95 acres, same being the southeast corner of the Michelle R. Welch tract (Volume 2275, Page 202);

THENCE along the line common to this 30.016 acres and said Welch 18.67 acres, North 30 degrees 32 minutes 38 seconds West (called North 30 degrees 05 minutes 39 seconds West), a distance of 624.76 feet (called 627.16 feet) to a point for an angle corner of this 30.016 acres, same being the northeast corner of said Welch 18.67 acres and the southeast corner of the James Henzen, et al 46.2 acres (Volume 2311, Page 909);

THENCE along the line common to this 30.016 acres and said Henzen 46.2 acres, North 30 degrees 37 minutes 15 seconds West (called North 30 degrees 10 minutes 17 seconds West), a distance of 1251.60 feet to a point for an angle corner of this 30.016 acres, same being the northeast corner of said Henzen 46.2 acres and the East corner of said Schultze 14.0 acres;

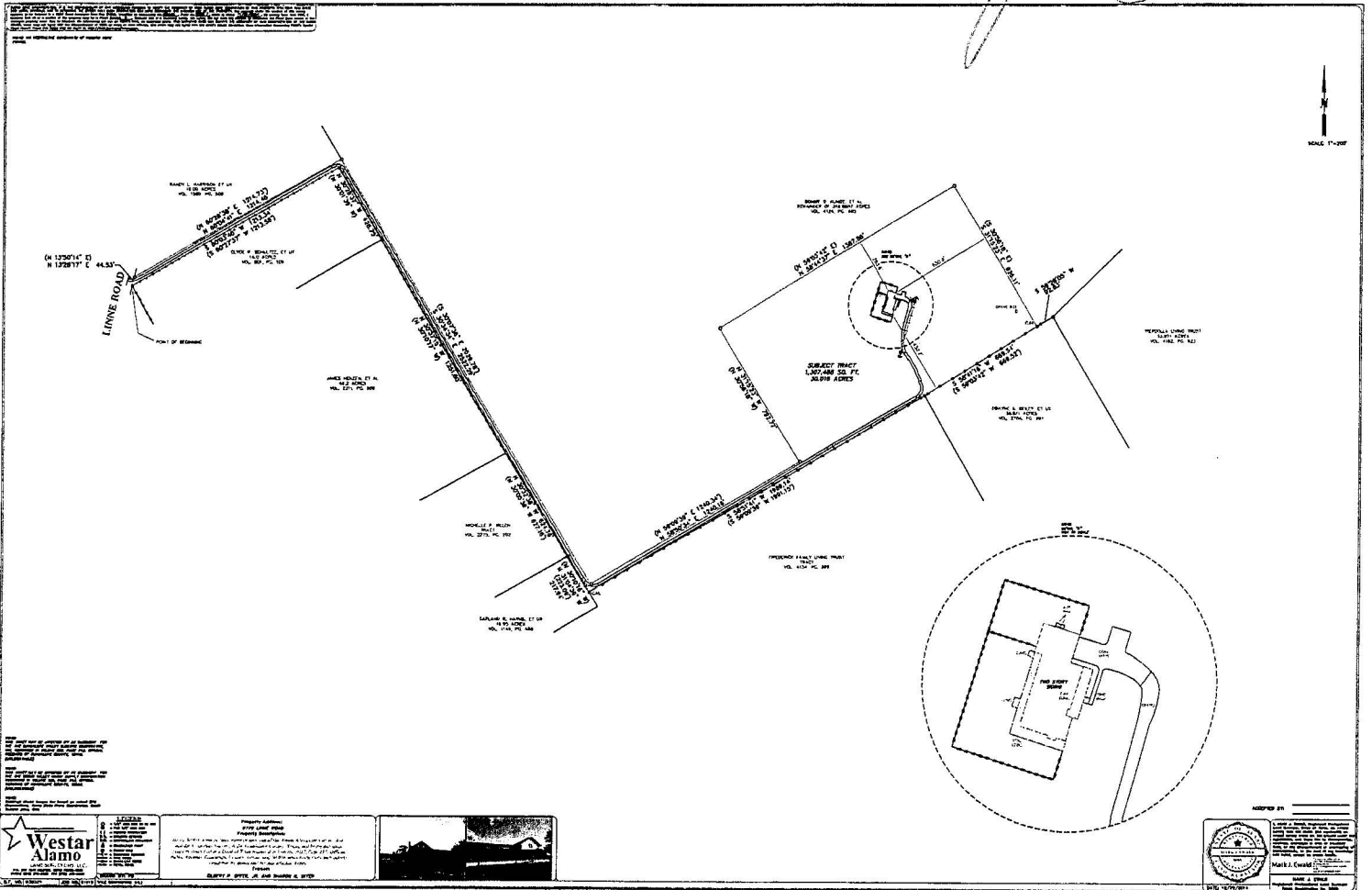
THENCE along the lines common to this 30.016 acres and said Schultze 14.0 acres the following courses and distances:

North 30 degrees 28 minutes 37 seconds West (called North 30 degree 01 minutes 39 seconds West), a distance of 428.75 feet to a fallen fence post found for an angle corner of this 30.016 acres, same being the northeast corner of said Schultze 14.0 acres;

South 60 degrees 03 minutes 40 seconds West (called South 60 degree 27 minutes 37 seconds West), a distance of 1213.34 feet (called 1213.58 feet) to the **POINT OF BEGINNING**, and containing 30.016 acres of land, more or less.

We hereby acknowledge that a survey
has been provided to me by the U.S.

Robert P. [Signature]
[Signature]



Property Address:
1111 S. [Address]
Alamo, TX 78002



Surveyed by:
Matt J. Cozick
Surveyor