

6/12

ORDINANCE No. 2016 - 006

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 September 22, 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 October 17th, 2016; and

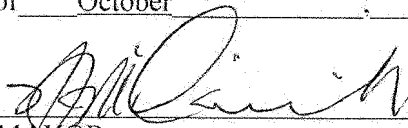
NOW THEREFORE:

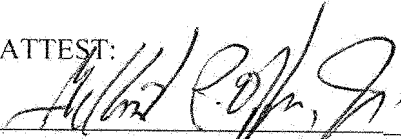
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS:

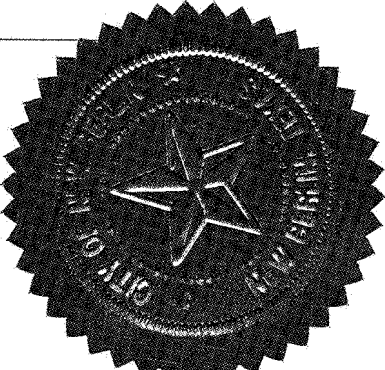
SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of New Berlin, Texas, more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference, is hereby added and annexed to the City of 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 October 17, 2016.

PASSED AND APPROVED this, the 17th day of October, 2016.


MAYOR
CITY OF NEW BERLIN, TEXAS
NICHOLAS J. MILANOVICH

ATTEST:

CITY SECRETARY
CITY OF NEW BERLIN, TEXAS
(Seal) *ALBERT P. ...*

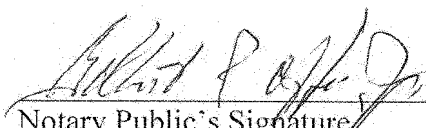


After recording Please return to:
City of New Berlin
New Berlin, Texas
275 FM 2538
Seguin, TX 78155
→

State of Texas
County of Guadalupe

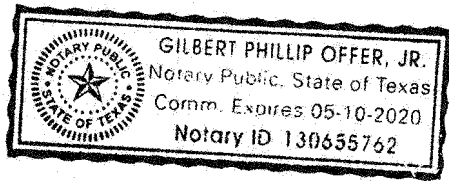
Before me, Gilbert P Offer, Jr, Notary Public, on this day personally appeared Nicholas J Milanovich, known to me, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 17th day of October, 2016.



Notary Public's Signature

(Notary Seal)



Certificate of Acknowledgment

Ordinance Number - 2016-006

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:

1Acre 7388 LINNE RD (Any One or All: Street Address / Metes and Bounds / Geo Tag)
Property ID: 141915 5.364 Acres 137623
Geo ID: RA 0024-0000-05730-0-00 260024-0000-05725-0-00
Owner ID: 146734 146733

I (WE) HEREBY CERTIFY, UNDER OATH, that the above-described tract of land consisting of 6.364 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: _____

10-16-16

Printed Name: _____

Kimberly Schlichting

Mailing Address: _____

7388 LINNE ROAD SEGUIN, TX 78155

Telephone: _____

Signature: *Jeff Schlitching* 16 Oct 2016
Printed Name: JEFF Schlitching
Mailing Address: 7389 LINDE RD SPANISH TX 78155
Telephone: [REDACTED]

Signature: _____
Printed Name: _____
Mailing Address: _____
Telephone: _____

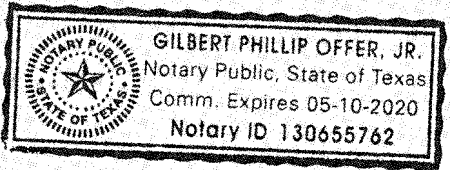
STATE OF TEXAS
COUNTY OF GUADALUPE

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 16th day of October, 2016.

(Notary Seal)

Gilbert Phillip Offer, Jr.
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 _____ Check # _____ Accepted by _____
Petitionrequestingannexation-43.028

Jeff + Kim Schlichting

EXHIBIT "A"

Being a **6.364 ACRE TRACT** situated in the Vicente Gortari Survey, A-24, Guadalupe County, Texas, said **6.364 ACRE TRACT** is part of a tract called 69 acres in conveyance from Roma Lenz to Melvin E. Strey, et ux, and recorded in Volume 1324 at Page 419 of the Official Records of said county and being described by metes and bounds as follows:

BEGINNING at a mag nail set in base of 10 inch creosote fence corner post marking the east corner of the tract herein described, same being the east corner of said 69 acre tract and being a re-entrant corner of a tract called 111.395 acre tract in conveyance from Tommy R. Smith to Calvin H. Gerhart, et ux, and recorded in Volume 462 at Page 827.

THENCE with a segment of the southeast line of the tract herein described, same being a segment of the common line of said 69 acre tract and said 111.395 acre tract, S 60°39'48" W 539.44 feet (called S 61° W) to a ½ inch diameter rebar set with cap (B&A) marking the south corner of the tract herein described;

THENCE with the southwest line of the tract herein described, into said 69 acre tract, N 17°05'45" W 595.71 feet to a ½ inch diameter rebar set marking the west corner of the tract herein described;

THENCE with the northwest line of the tract herein described as follows:

N 60°40'14" E 253.44 feet to a ½ inch diameter rebar set with cap (B&A), and

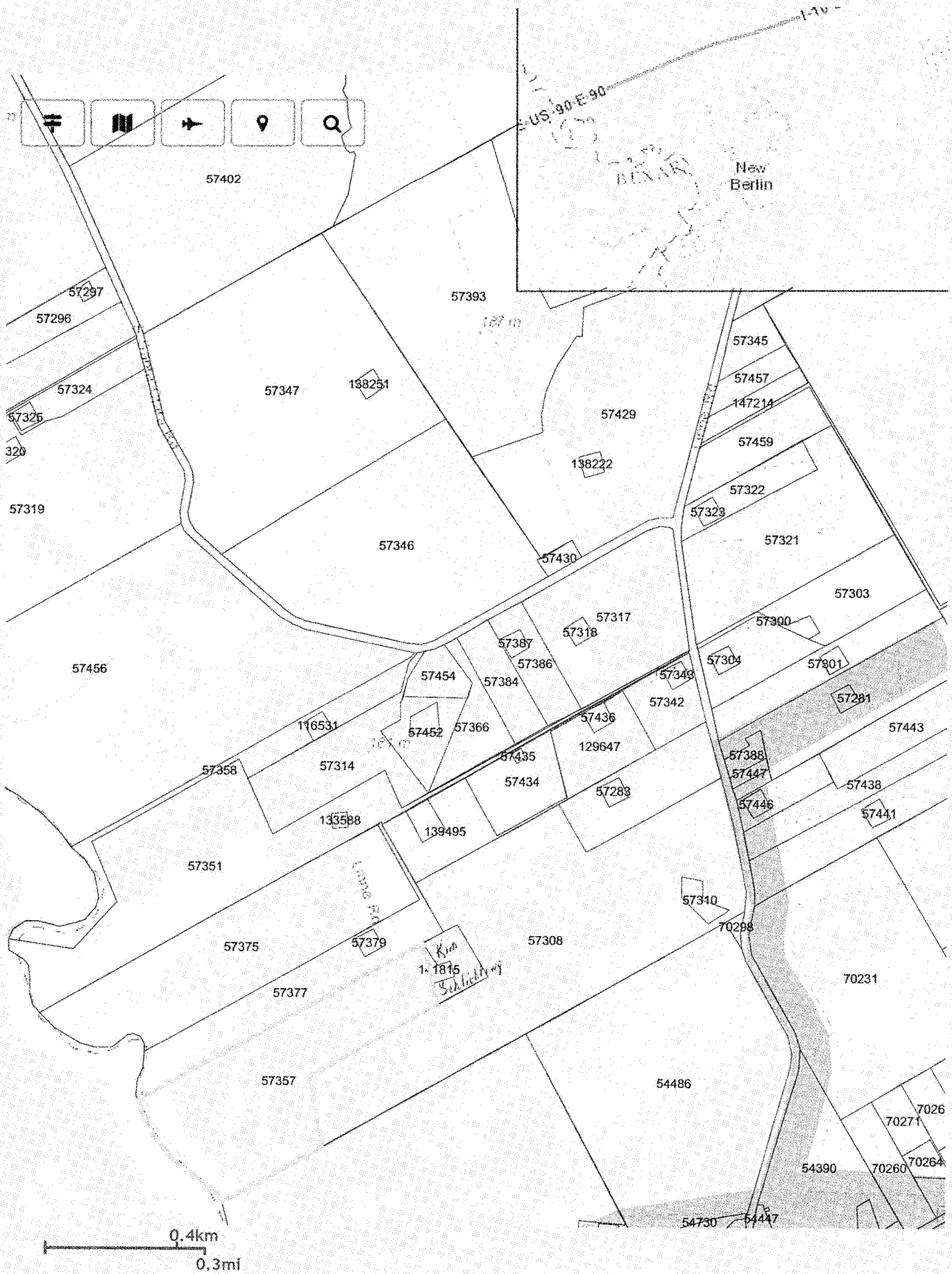
N 61°04'05" E 159.74 feet to a ½ inch diameter rebar set, with cap (B&A), marking the north corner of the tract herein described and lying in the common line of said 69 acre tract and said 111.395 acre tract, said post further described as bearing S 33°52'40" E 20.36 feet from an 8 inch diameter treated wood fence corner post marking the north corner of said 69 acre tract;

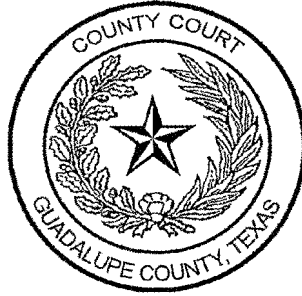
THENCE with the northeast line of the tract herein described, along a segment of the common line of said 69 acre tract and said 111.395 acre tract as follows:

S 33°52'40" E 0.28 feet to an 8 inch diameter treated fence corner post, and

S 29°19'49" E 580.73 feet (called S 29° E) to the **PLACE OF BEGINNING** and containing **6.364 ACRES OF LAND.**

TRACT 1





This page has been added by the Guadalupe County Clerk's office to comply with the statutory requirement that the recording information shall be placed at the foot of the record.

2017002349

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

01/30/2017 3:27:24 PM

PAGES: 7

TERESA KIEL, COUNTY CLERK

GUADALUPE COUNTY, TEXAS



The following are Ordinances for the City of New Berlin to be posted in accordance with Section 52.012 of the Texas Local Government Code.

The Following are Annexation Ordinances

2014-007 Property located at 4753 Gin Rd

2015-001 Property located on FM 467

2016-002 Property located at 6779 Linne Rd

2016-003 Portion of Property located at 8270 Linne Rd

2016-004 Remainder of Property located at 8270 Linne Rd

2016-005 Property located at 7400 Linne Rd

2016-006 Property located at 7388 Linne Rd

Other Ordinances

2013-0026

AN ORDINANCE ESTABLISHING THE RULES AND REGULATION FOR DEVELOPMENT OF PROPERTY ADJOINING RECOGNIZED HISTORIC PROPERTIES IN THE CITY OF NEW BERLIN AND PROVIDING PENALTY FOR VIOLATIONS

15-003

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS FOR PROPER DEVELOPMENT AND MANAGEMENT OF TRESS IN THE CITY OF NEW BERLIN AND PROVIDING A PENALTY FOR VIOLATIONS.

16-001

AN ORDINANCE REQUESTING A TAX ROLL FOR THE CITY OF NEW BERLIN, TEXAS, FOR THE PURPOSE OF SETTING A TAX RATE TO THE PLANNED EXPENSES THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017.

2016-007

AN ORDINANCE BY THE BOARD OF ALDERMAN OF THE CITY OF NEW BERLIN, TEXAS, ESTABLISHING STRUCTURE, DUTIES AND TERMS, AND SETTING A MISSION STATEMENT, GUIDELINES, AND APPOINTMENT OF MEMBERS FOR THE PLANNING AND ZONING COMMISSION OF THE CITY OF NEW BERLIN, TEXAS. THIS ORDINANCE REPLACES ORDINANCE 99-004.

2016-008

AN ORDINANCE BY THE BOARD OF ALDERMAN OF THE CITY OF NEW BERLIN, TEXAS, CHANGING THE DATE FOR THE GENERAL ELECTIONS OF NEW BERLIN ALDERMEN AND CITY OFFICERS TO THE UNIFORM ELECTION DATE; CHANGING THE TERM OF OFFICE FOR THE CITY MARSHAL, PROVIDING FOR THE EXTENSION OF CURRENT ELECTED CITY OFFICES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

NB VFD

POSTED ON THE 26th DAY OF JANUARY, 2017 AT 6 PM.
COPY Thursday, February 2, 2017

REMOVED

*1:00 PM
2/1/2017*

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9:05 PM 2/2

POSTED ON THE 26th DAY OF JANUARY, 2017 AT 6 PM.
COPY Thursday, February 2, 2017

REMOVED 12:45
2/1/2017

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9100
FM TTS
City Hall

POSTED ON THE 26th DAY OF January, 2017 AT 6 AM

REMOVED 12 PM 2/1/2017

COPY Thursday, February 2, 2017