

Ordinance 2018-002

Approved: August 20, 2018

6
C10



ORDINANCE No. 2018 - 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 August 1, 2018; 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 August 20, 2018; and

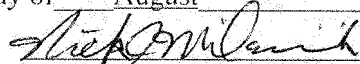
NOW THEREFORE:

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

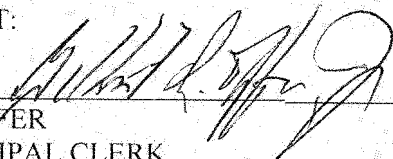
SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of New Berlin, Texas, more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference, is hereby added and annexed to the City of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

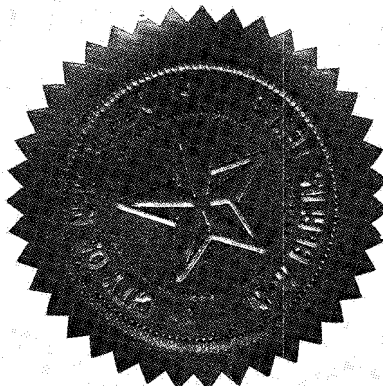
SECTION 2. This ordinance shall be effective from and after August 20, 2018.

PASSED AND APPROVED this, the 20th day of August, 2018.


NICK MILANOVICH
MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:


GIL OFFER
MUNICIPAL CLERK
CITY OF NEW BERLIN, TEXAS
(Seal)



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

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)

4727 LINNIE RD, NEW BERLIN, TX 78155
Metes & Bounds from deed VOL 3185 PG 0448 GARLAND COUNTY
GEO ID 260329-0000-00320-0-00
PROP ID 71758
that portion of County Rd 415 (Linnie Rd) that is contiguous to the above property

I (WE) HEREBY CERTIFY, UNDER OATH, that the above-described tract of land consisting of 5.40 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: Randy S. Martinez 8/1/2018

Printed Name: RANDY S. MARTINEZ

Mailing Address: 4727 LINNIE RD. NEW BERLIN, TX 78155

Telephone: _____

Signature: _____

Printed Name: _____

Mailing Address: _____

Telephone: _____

Signature: _____

Printed Name: _____

Mailing Address: _____

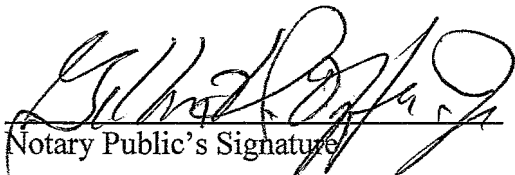
Telephone: _____

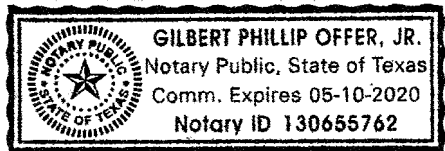
STATE OF TEXAS
COUNTY OF GUADALUPE

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 15 day of August, 2018

(Notary Seal)


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

Page 2

"Exhibit A"

Description of a 5.410 acre tract of land, Guadalupe County, Texas.

Being 5.410 acres of land out of the Joshua Williams Survey, Abstract No. 329, Guadalupe County, Texas, and being all of that certain 5.41 acre tract of land conveyed by Richard E. Bassett, Jr., et al to Sherry Joan Pruski by deed dated June 24, 2987 and recorded in Volume 813 on pages 10-12 of the Official Records of Guadalupe County, Texas, said 5.410 acre tract described more particularly by metes and bounds as follows:

BEGINNING at an iron pin found at a corner post in the Northeast line of Country Road No. 415, set for the Southwest corner of a called 2.51 acre tract of land conveyed by Coy J. Simmons to Gary Kircher by deed recorded in Volume 719 on page 1008 of the Official Records of Guadalupe County, Texas, for the Northwest corner of the above described Sherry Joan Pruski 5.41 acre tract, for the Northwest corner of the herein described 5.410 acre tract, said iron pin fence S 22° 18' E 1,056.3 feet from the point of intersection of the Northeast line of County 415 and the Southeast line of County Road 306, (deed call);

THENCE with the fence, the South line of the said called 2.51 acre tract, the North line of the said Sherry Joan Pruski 5.41 acre tract, as follows: N 74° 56' 00" E 251.60 feet to an iron pin found, S 23° 29' 00" E 45.90 feet to an iron pin found and N 75° 27' 00" E 678.10 feet to an iron pin found at a corner post, set for the Southeast corner of the said called 2.51 acre tract, for the Northeast corner of the said Sherry Joan Pruski 5.41 acre tract, for the Northeast corner of this 5.410 acre tract;

THENCE with the fence, the Northeast line of the Sherry Joan Pruski 5.41 acre tract, as follows: S 28° 44' 00" E 200.20 feet to an iron pin found, S 29° 10' 00" E 71.40 feet to an iron pipe found at a fence corner post and S 06° 31' 00" E 105.70 feet to an iron pin found, set for the Southeast corner of the Sherry Joan Pruski 5.41 acre tract, for the Southeast corner of this tract;

THENCE with the South line of the Sherry Joan Pruski 5.41 acre tract, N 89° 15' 00" W 1,004.60 feet to an iron pipe found in the fence, the Northeast line of the said County Road No. 415, set for the Southwest corner of the Sherry Joan Pruski 5.41 acre tract, for the Southwest corner of this tract;

THENCE with the fence, the Northeast line of County Road No. 415, the Southwest line of the Sherry Joan Pruski 5.41 acre tract, N 22° 23' 00" W 147.30 feet to the Place of Beginning.

FILED FOR RECORD

12 OCT -5 PM 1:54

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY: *[Signature]*

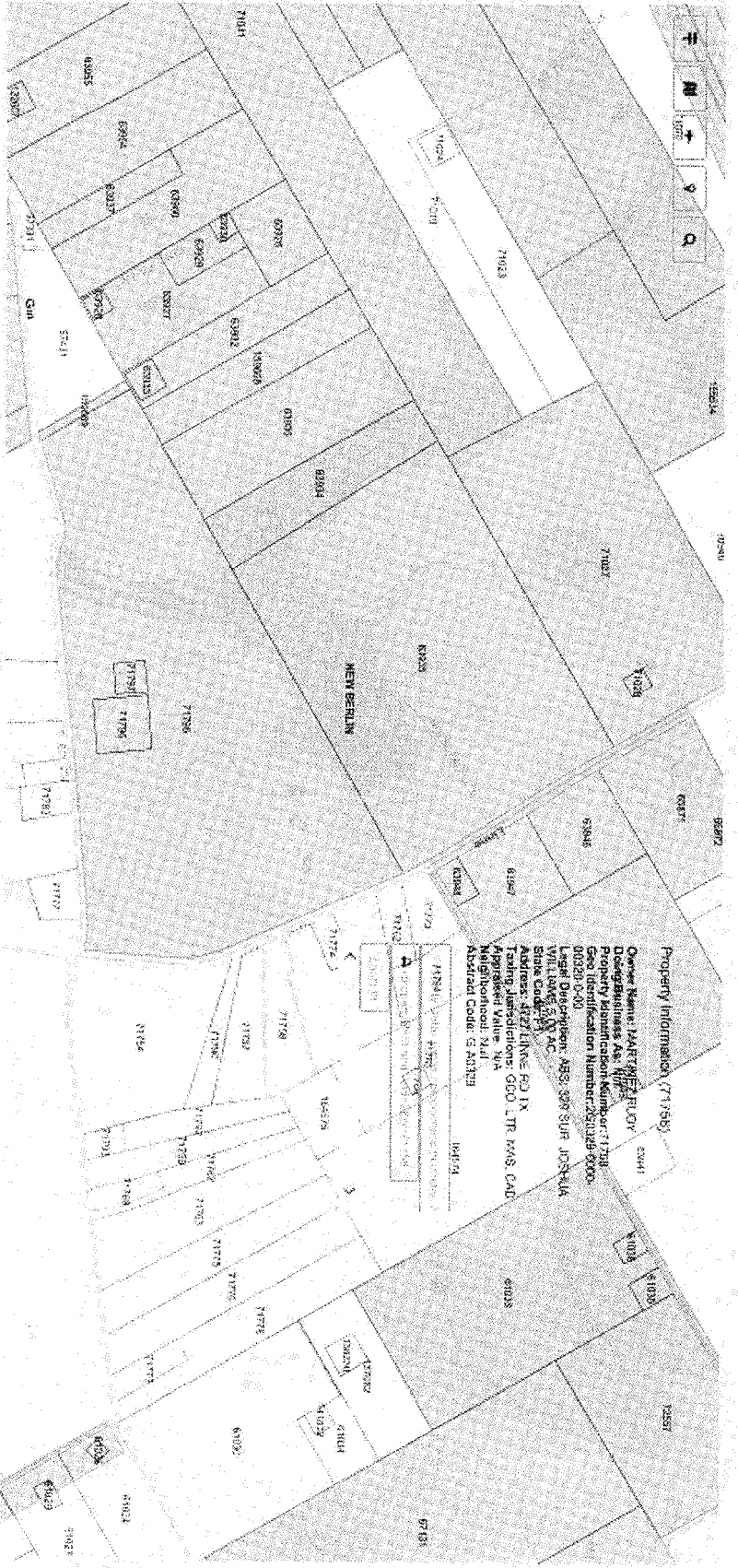
STATE OF TEXAS
COUNTY OF GUADALUPE
I certify this instrument was FILED on the
date and at the time stamped thereon and
was duly recorded in the Official Public
Records of Guadalupe County, Texas.



Teresa Kiel
TERESA KIEL
Guadalupe County Clerk

"EXHIBIT A" (conti.)

That portion of County Road 415 (aka Linne Road) that is contiguous to the property described in Exhibit A, page 1, and includes the entire width of the roadway beginning at the Southwest corner-intersection with County Road 415 and ending at the Northwest corner-intersection with County Road 415.





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.

201899019961

I certify this instrument was FILED and RECORDED
in the OFFICIAL PUBLIC RECORDS
of Guadalupe County, Texas on
08/29/2018 02:28:35 PM PAGES: 7 JENIFER
TERESA KIEL, COUNTY CLERK



Teresa Kiel

Map of area

