

Ordinance 2018-003

Approved: August 20, 2018



ORDINANCE No. 2018 - 003

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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

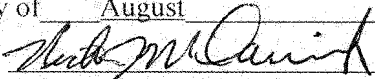
NOW THEREFORE:

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

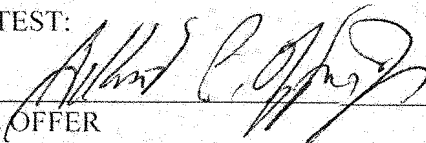
SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of New Berlin, Texas, more particularly described as that portion of the tract of land described in Exhibit "A." attached hereto and incorporated herein by reference, is hereby added and annexed to the City of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

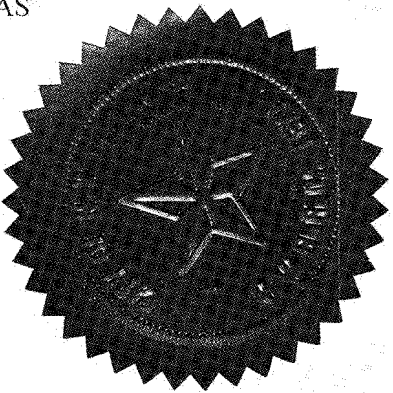
PASSED AND APPROVED this, the 20th day of August, 2018.



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)

613 Fritz Zwicke Rd. / 260294-0000-01200-0-00
625 Fritz Zwicke Rd. / 260294-0000-01270-0-00


I (WE) HEREBY CERTIFY, UNDER OATH, that the above-described tract of land consisting of 9.881 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: 

8-18-18

Signature:  MD


8-18-18

Printed Name: Michael J. Ferris MD

Michael J. Ferris MD Dutton

Mailing Address: 625 Fritz Zwicke Rd. New Berlin, TX

625 Fritz Zwicke Rd. New Berlin, TX

Telephone: 

Signature: Terrri Dutton 8-18-18

Printed Name: Terrri Dutton

Mailing Address: 625 Fritz Zwicke Rd Seguin TX 78155

Telephone: [REDACTED]

Signature: _____

Printed Name: _____

Mailing Address: _____

Telephone: _____

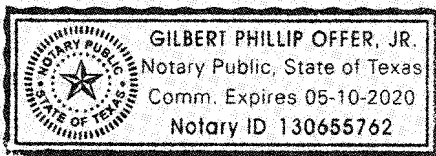
STATE OF TEXAS
COUNTY OF GUADALUPE

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 18th day of AUGUST, 2018

(Notary Seal)

Gilbert P. Offer, Jr.
Notary Public's Signature

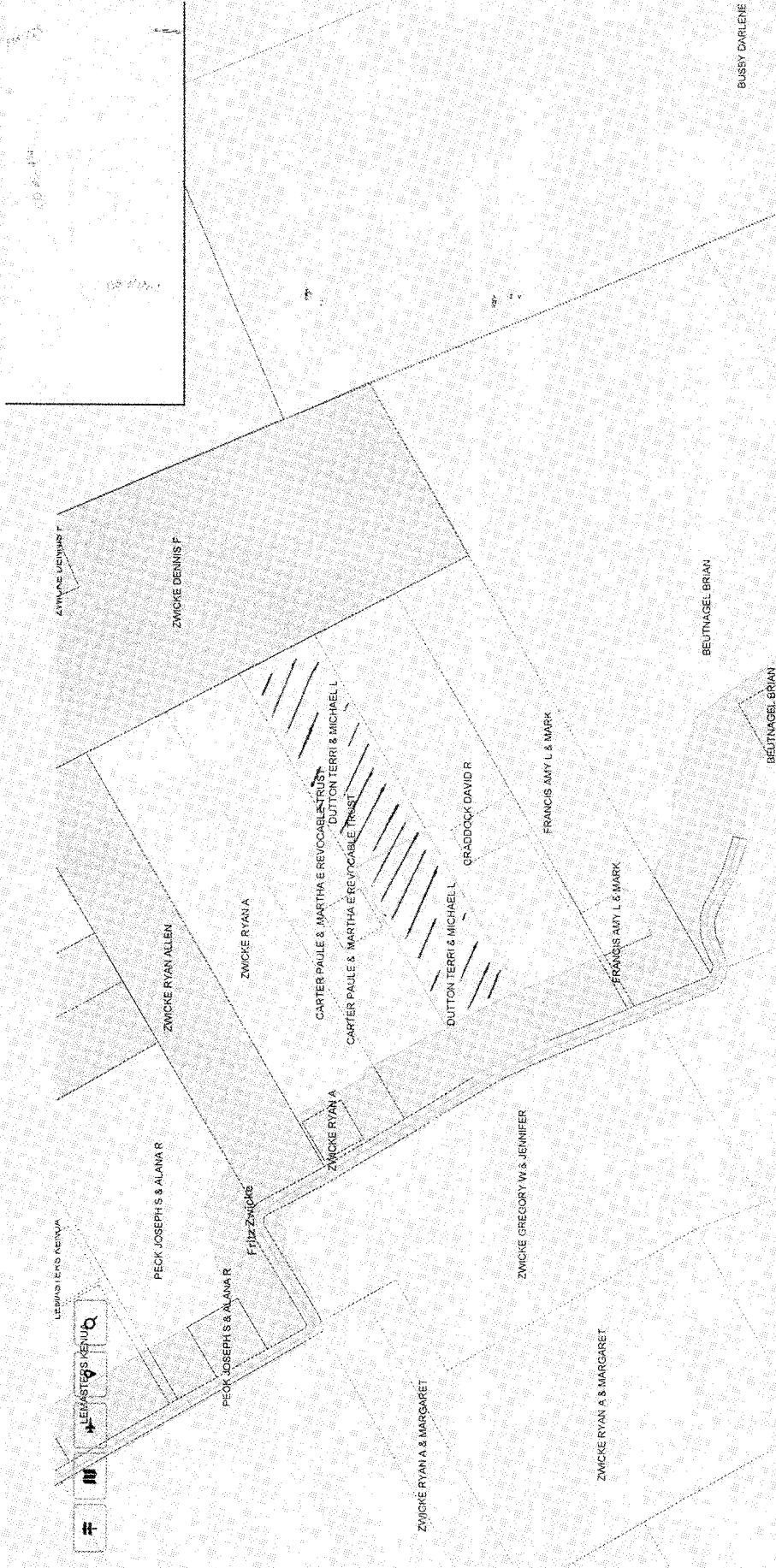


Note: A Recording Fee must accompany your petition. If your petition is not accepted, your fee will be refunded. Your fee will be calculated when your petition is received.

Amount Paid _____ Check # _____ Accepted by _____

Petitionrequestingannexation-43.028

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COPY Tuesday, September 4, 2018

EXHIBIT A

Being a 9.881 acre tract of land out of the Jose M. Sierra Survey, Abstract No. 294 in Guadalupe County, Texas, and being out of a tract called First Tract, called 52 acres, more or less, as described in Deed recorded in Volume 476, Pages 827-828 of the Deed Records of Guadalupe County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of S 60° 42' 51" W between iron pins found along the Northwest line of a tract called 11.00 acres described in Volume 1012, Page 860 of the Official Records of Guadalupe County, Texas, said 9.881 acre tract being more particularly described as follows:

BEGINNING: At an iron pin found at the North corner of the above referenced 11.00 acre tract, for the East corner of this tract, said point being S 60° 12' 55" E 790.86 feet (record call from Volume 745, Pages 1381-1384), S 26° 55' E 576.55 feet and S 26° 54' 01" E 554.89 feet from the North corner of the above referenced 52 acre tract, said point of beginning also being in the Southwest line of a tract called 28.301 acres, partly out of the above referenced tract, said 28.301 acre tract described in Volume 663, Pages 194-196 of the Official Records of Guadalupe County, Texas;

THENCE: Into the above referenced tract, along the Northwest line of said 11.00 acre tract, S 60° 42' 51" W passing an iron pin found at 1554.14 feet and continuing on along a total distance of 1573.14 feet to an iron pin found in existing road, for the South corner of this tract, said point, also being in the Northeast line of a 16 foot strip, partly out of the above referenced 52 acre tract, said 16 foot strip recorded in Volume 167, Page 372 of the Deed Records of Guadalupe County, Texas; said point also being in what is called a 35 foot road easement described in Volume 726, Pages 719-724 of the Official Records of Guadalupe County, Texas;

THENCE: Along the Northeast line of said 16 foot strip and along said existing road, more or less, N 22° 02' 32" W 170.33 feet to a 60 D nail set in existing road and N 30° 05' 18" W 103.98 feet to a 60 D nail set in existing road, for the West corner of this tract, same being the South corner of a tract called 10.00 acres, previously surveyed in April, 1994;

THENCE: Leaving the Northeast line of said road and along the Southeast line of said 10.00 acre tract, N 60° 33' 10" E at 19.0 feet, an iron pin set and continuing on along a total distance of 1564.68 feet to an iron pin set in the Southwest line of the above referenced 28.301 acre tract, said point being the East corner of said 10.00 acre tract, for the North corner of this tract;

THENCE: Along said Southwest line, S 26° 54' 01" E 277.59 feet to the Point of Beginning and containing 9.881 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, April 13, 1994. Reference plat prepared this same date of this 9.881 acre tract.

201899019962
I certify this instrument was FILED and RECORDED
in the OFFICIAL PUBLIC RECORDS
of Guadalupe County, Texas on
08/29/2018 02:28:36 PM PAGES: 5 JENIFER
TERESA KIEL, COUNTY CLERK



Teresa Kiel

Map of area

