

8/12

ORDINANCE No. 2018-004

201999021895



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.

WHEREAS, the City of New Berlin, Texas has agreed to annex property being more particularly described in Appendix A attached hereto; and

WHEREAS, the City Council of the City of New Berlin, Texas, believing that the above-described property is annexed pursuant to Texas Local Government Code section 43.028, and

WHEREAS, on the 24th day of October, 2018 the City Council of the City of New Berlin, Texas received petition from the land owner to annex the land situated outside of, but immediately adjacent to, the current corporate limits of the City of New Berlin, Texas;

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 include said area within the corporate limits of the City of New Berlin, Texas.

SECTION 2. This ordinance shall be effective from and after November 19, 2018.

PASSED AND APPROVED this, the 19th day of November, 2018.

Walter C. Williams, Jr.
Mayor, City of New Berlin, Texas
Date Signed: September 5, 2019

ATTEST:

Marjorie L. Snell
City Secretary
City of New Berlin, Texas
Date Signed: September 5, 2019

CITY OF NEW BERLIN, TEXAS (Seal)



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:

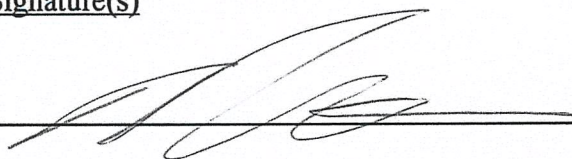
(Any One or All: Street Address / Metes and Bounds / Geo Tag)

2651 PARTNERSHIP ROAD
GO # 260329-0000-01000-0-00
260329-0000-01001-0-00
260329-0000-01220-0-00

I (WE) HEREBY CERTIFY, UNDER OATH, that the above-described tract of land consisting of 45.78 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)

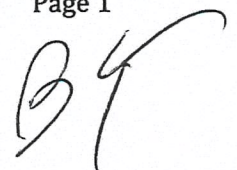
Date

Signature:  24 Oct 18

Printed Name: Norman L. Housley Jr.

Mailing Address: 2651 Partnership Rd. Seagraves, TX 75815

Telephone: 210-508-0989



Signature: _____

Printed Name: _____

Mailing Address: _____

Telephone: _____

Signature: _____

Printed Name: _____

Mailing Address: _____

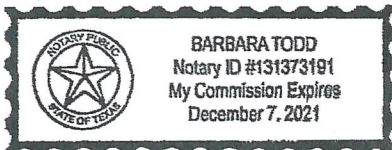
Telephone: _____

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 24 day of OCTOBER, ²⁰¹⁸~~2016~~.

(Notary Seal)



Barbara Todd

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

Exhibit A

240329-0000-01001-0-00

METES & BOUNDS DESCRIPTION

BEING A 0.50 ACRE TRACT OF LAND SITUATED IN THE CLAIRBORNE RECTOR SURVEY, ABSTRACT 270, GUADALUPE COUNTY, TEXAS, SAME BEING THE CALLED 0.50 ACRE TRACT OF LAND DESCRIBED IN A DEED TO NORM HOUSLEY, JR. AS RECORDED IN VOLUME 2127, PAGE 888, OF THE OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, SAID 0.50 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a found 1/2" iron rod along the east line of S. Center Street, at the southwest corner of the aforesaid Housley Tract, and being the northwest corner of a called 0.940 acre tract of land (Tract 3), as described in a deed to Holly Pfannstiel Garza, in Volume 2428, Page 595, of the Official Public Records, Guadalupe County, Texas for the southwest corner of the herein described tract;

THENCE, North 09°40'00" West (Bearing Basis), along the east right-of-way line of said S. Center Street, with the west line of said Housley Tract, a distance of 104.78 (called 104.69) feet to a point marking the northwest corner of said Housley Tract, and being the southwest corner of a called 0.50 acre tract of land, as described in a deed to Elida M. Zamora, in Volume 3055, Page 1022, of the Official Public Records, Guadalupe County, Texas for the northwest corner of the herein described tract;

THENCE, North 81°30'06" East (called North 81°28'36" East), departing the east right-of-way line of said S. Center Street, with the common line between said Housley Tract and the aforesaid Zamora Tract, at a distance of 0.45 feet passing a found 1/2" iron rod, and continuing for a total distance of 209.93 (called 209.57) feet to a set 1/2" iron rod, at the northeast corner of said Housley Tract, same being the southeast corner of said Zamora Tract, and being along the west line of a called 30.310 acre tract of land as described in the tax records to Victor Garza, Jr. and wife Marie Garza, recording information unknown, for the northeast corner of the herein described tract;

THENCE, South 09°28'15" East (called South 09°40'00" East), along the common line between said Housley Tract and the aforesaid 30.310 acre tract, a distance of 104.99 (called 105.00) feet to a set 1/2" iron rod, at the southeast corner of said Housley Tract, same being the northeast corner of said 0.940 acre tract, for the southeast corner of the herein described tract;

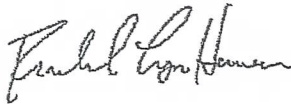
THENCE, South 81°33'40" West (called South 81°33'40" West), along the common line between said Housley Tract and said 0.940 acre tract, a distance of 209.58 (called 209.58) feet to the **POINT OF BEGINNING**, containing within these metes and bounds a 0.50 acre tract of land, more or less.

STATE OF TEXAS §

October 26th 2015

COUNTY OF BASTROP §

It is hereby certified that the above description was prepared from an actual survey on the ground of the described tract made under my supervision.



Rachel Lynn Hansen,
Registered Professional Land Surveyor
Registration No. 6358



Exhibit A (cont.)
260329-0000-01000-0-00

MARTINEZ
Surveying & Mapping Co.
Firm # 101822-00
8546 Broadway Suite 225
San Antonio, Texas 78217
(210) 829-4244

STATE OF TEXAS
COUNTY OF GUADALUPE

13.57 ACRE TRACT

All that certain tract or parcel of land containing 13.57 acre tract in Guadalupe County, Texas, out of Joshua Williams Survey, Abstract 329, being that certain tract called 17.98 acres described in conveyance to Norman L. Housley and wife, Gertrude A. Housley, of record in Volume 1015, Page 791, Official Records of Guadalupe County, Texas, Save and Except that portion conveyed to Arthur J. Mollenkopf recorded in Volume 464, Page 296, Deed Records of Guadalupe County, Texas.

Said 13.57 acre tract, being more particularly described by metes and bounds as follows:

- BEGINNING: at a ½" iron pin found on the Southeast line of Partnership Road at the North corner of Michele L. & Tracy H. Taylor, 5 acre tract, of record in Volume 2347, Page 302, Official Records of Guadalupe County, Texas, for the West corner of this herein described tract;
- THENCE: North 59 deg. 31 min. 47 sec. East, 477.59 feet to an iron pipe found at the West corner of Norman L. & Gertrude A. Housley, 31.98 acre tract, of record in Volume 461, Page 229, Deed Records of Guadalupe County, Texas, for the North corner of this herein described tract;
- THENCE: South 30 deg. 01 min. 48 sec. East, 1219.26 feet to a ½" iron pin found at the North corner of Norman L. & Gertrude A. Housley, 4.14 acre tract, of record in Volume 641, Page 542, Official Records of Guadalupe County, Texas, for the East corner of this herein described tract;
- THENCE: South 58 deg. 16 min. 42 sec. West, 488.32 feet to a ½" iron pin found on the Northeast line of Gary A. & Danalyn H. Kircher, 10 acre tract, of record in Volume 885, Page 632, Official Records of Guadalupe County, Texas, at the West corner of said Housley, 4.14 acre tract, for the South corner of this herein described tract;
- THENCE: North 29 deg. 32 min. 22 sec. West, 1230.05 feet to the POINT OF BEGINNING.

Bearing Based on GPS Observation using WGS84, NAVD 88.



Reynaldo Martinez Jr.

REYNALDO MARTINEZ JR.
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 5482
W. O. # 12-8-17
September 3, 2014
(SEE ATTACHED SURVEY PLAT)

Exhibit A (cont)

260329-0000-01220-0-00

MARTINEZ
SURVEYING AND MAPPING Co.
Firm # 101822-00
8546 Broadway, Suite 225
San Antonio, Texas 78217
(210) 829-4244

STATE OF TEXAS
COUNTY OF GUADALUPE

31.94 ACRE TRACT

All that certain tract or parcel of land containing 31.94 acres of land in Guadalupe County, Texas, out of the Joshua Williams Survey, Abstract 329, being the same tract called 31.98 acres described in conveyance to Norman L. & Gertrude Housley, of record in Volume 461, Page 229, Deed Records of Guadalupe County, Texas.

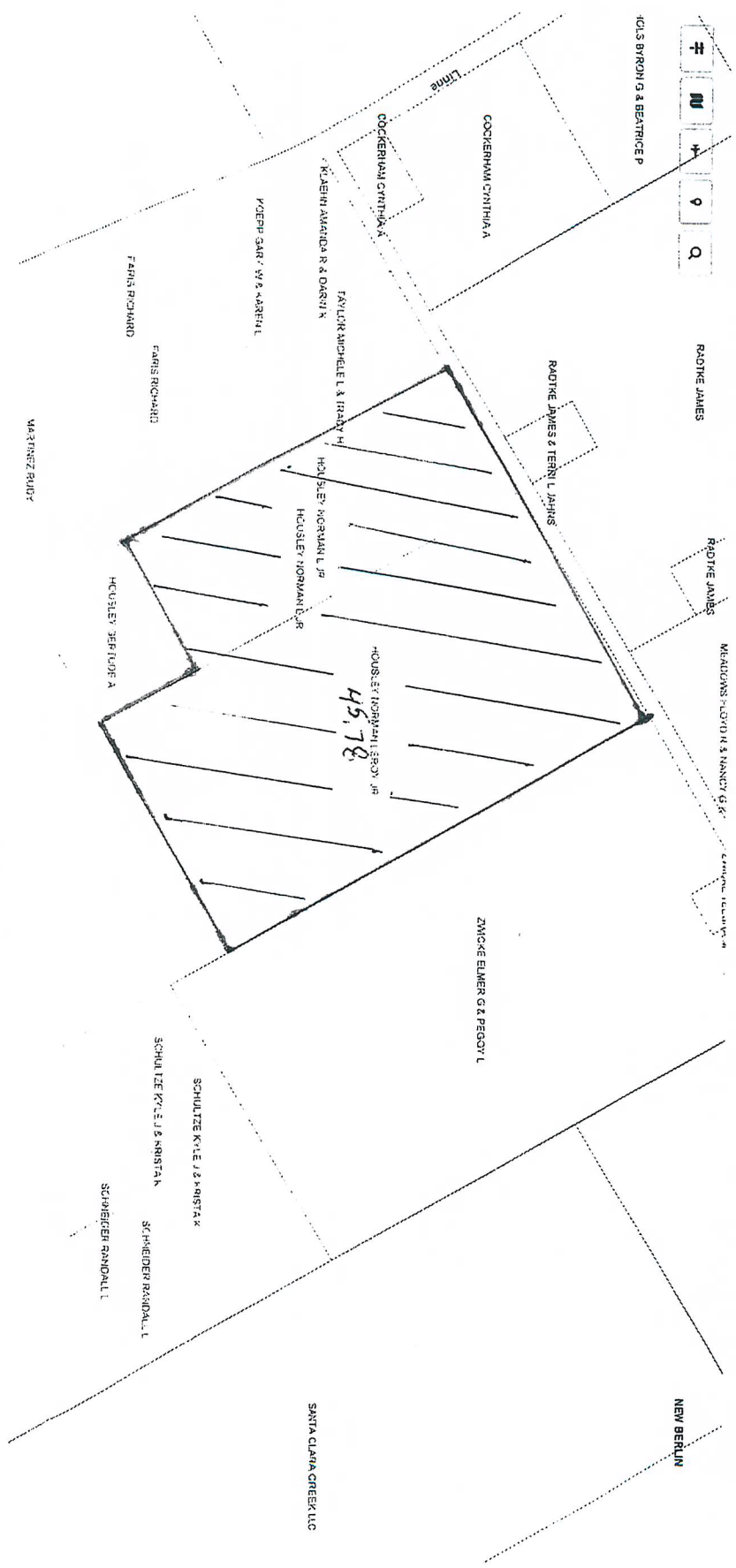
Said 31.94 acre tract being more particularly described as follows:

- BEGINNING:** at an iron pipe found on the South line of Partnership Road (County Road No. 306) at the West corner of Elmer G. & Peggy Zwicke, 42.476 acre tract, of record in Volume 1173, Page 54, Official Records of Guadalupe County, Texas, for the North corner of this herein described tract;
- THENCE;** South 30 deg. 05 min. 31 sec. East, 1596.29 feet to an iron pipe found at the North corner of John R. & Carol A. Barnes, 11.7 acre tract, of record in Volume 1565, Page 948, Official Records of Guadalupe County, Texas, for the East corner of this herein described tract;
- THENCE:** South 59 deg. 54 min. 38 sec. West, 529.68 feet to an iron pipe found and South 59 deg. 54 min. 15 sec. West, 343.12 feet to a metal "T" post found at the East corner of Norman L. & Gertrude A. Housley, 4.14 acre tract, of record in Volume 641, Page 542, Deed Records of Guadalupe County, Texas, for the South corner of this herein described tract;
- THENCE:** North 30 deg. 03 min. 28 sec. West, 1593.20 feet to an iron pipe found on the Southeast line of said Partnership Road at the North corner of Norman L. Housley Jr., 13.57 acre tract, of record in Document # 2014021889, Official Records of Guadalupe County, Texas, for the West corner of this herein described tract;
- THENCE:** North 59 deg. 42 min. 19 sec. East, 871.86 feet to the POINT OF BEGINNING.

Bearing Basis – South 27 deg. 56 min. 01 sec. East - from the East line of said 12.61 acre tract, taken using GPS observations WGS84, NAD83.



Reynaldo Martinez Jr.
REYNALDO MARTINEZ JR.
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 5482
W. O. # 16-9-2B
September 1, 2016
(SEE ATTACHED SURVEY PLAT)





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.

→ City of New Berlin
275 FM 2538
New Berlin TX 78155

201999021895
I certify this instrument was FILED and RECORDED
in the OFFICIAL PUBLIC RECORDS
of Guadalupe County, Texas on
09/25/2019 04:26:17 PM PAGES: 8 LINDA
TERESA KIEL, COUNTY CLERK



Teresa Kiel