

D/C



ORDINANCE NO. 2019-005: ANNEXING BROWN TERRITORY

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF NEW BERLIN, GUADALUPE COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY.

WHEREAS, pursuant to Chapter 43 of the Texas Local Government Code of the City of New Berlin, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state; and

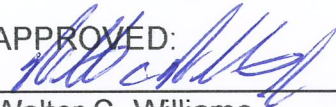
WHEREAS, the procedures prescribed by the Texas Local Government Code of the City of New Berlin, Texas, and the laws of this state have been duly followed with respect to the following described territory, currently fully located within the Extraterritorial Jurisdiction of the City of New Berlin to wit: particularly described in Exhibit A (pages A1-A5) attached hereto.

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

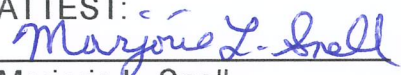
That the heretofore described property is hereby annexed to the City of New Berlin, Guadalupe County, Texas, and that the boundary limits of the City of New Berlin be and the same are hereby extended to include the above described territory within the city limits of the City of New Berlin, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of New Berlin and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

The City Secretary is hereby directed to file with the County Clerk of Guadalupe, Texas, a certified copy of this ordinance.

PASSED by an affirmative vote of all members of the City Council, this the 18th day of November, 2019.

APPROVED:


Walter C. Williams
Mayor of New Berlin, Texas

ATTEST:


Marjorie L. Snell
City Secretary of New Berlin, Texas

(city seal)

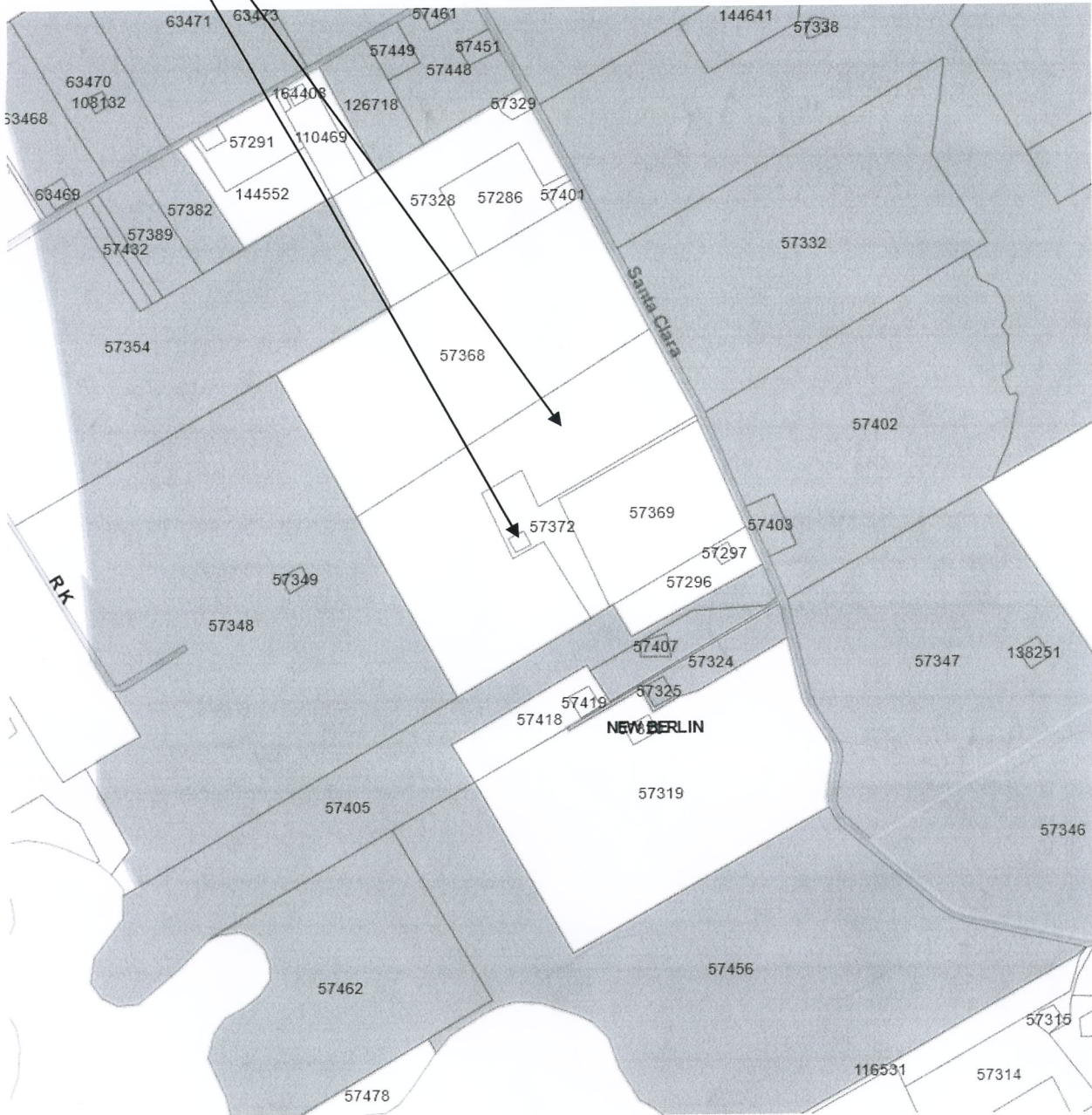


After recording, please return to: City of New Berlin, 275 FM 2538, Seguin, TX 78155

Ordinance No. 2019-005

(See attached pages of the Property ID Descriptions on file with the Guadalupe County for the following Exhibit A1 through A5)

Guadalupe County Property ID	Geographic ID	Acres	Property Address
57368	2G0024-0000-06500-0-00	100.0000	SANTA CLARA RD
57369	2G0024-0000-06501-0-00	34.8750	SANTA CLARA RD
57370	2G0024-0000-06502-0-00	85.4250	SANTA CLARA RD
57371	2G0024-0000-06510-0-00	.5000	5700 S SANTA CLARA RD
57372	2G0024-0000-06520-0-00	12.5300	S SANTA CLARA RD



Map Notations: Shaded color is New Berlin City Limits; White color is the City's ETJ that extends up to ½ mile from the boundaries of New Berlin City Limits. The Brown Territory is located within the ETJ being surrounded by New Berlin City Limits.

**Dix & Julie Ann Brown
5700 S. Santa Clara Road
Seguin, TX 78155**

September 24, 2019

Walt Williams
Mayor, City of New Berlin
275 FM 5238
New Berlin, TX 78155


RE: Century Oaks Subdivision

Dear Mr. Williams,

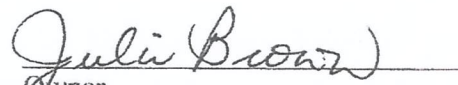
As the sole owner of 233.30 acres of land along S Santa Clara Rd, which encompasses the entire land area known as the Century Oaks Subdivision Master Plan, we are requesting annexation into the City of New Berlin City Limits. Attached you will find the notarized petition for annexation, as well as the legal description of the land to be annexed.

We ask that the city consider this request at its earliest opportunity. We look forward to continuing our involvement with the City of New Berlin. Should you have any questions, you can contact me at (210) 273-1115.

Sincerely,



Owner
Dix Brown



Owner
Julie Ann Brown

PETITION REQUESTING VOLUNTARY ANNEXATION

PURSUANT TO SECTION 43.028

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:

233.30 acres, lying in the Vicente Gortari Survey, Abstract 24, Guadalupe County, Texas and being more particularly described by metes and bounds in Exhibit A

I (We) hereby certify, under oath, that the above described tract of land consisting of 233.30 acres and duly platted is contiguous and adjacent to the City of New Berlin, Texas, and 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 interest in said land.

Owner(s) Signature(s)

Date Signed

Signature: Julie Brown

10/07/19

Printed Name: Julie Brown

Mailing Address: 5700 S. Santa Clara Rd.

Phone Number: 210-273-1115

Signature: Dix Brown

10/7/19

Printed Name: Dix Brown

Mailing Address: 5700 S. Santa Clara Rd

Phone Number: 210-254-5779

Signature: _____

Printed Name: _____

Mailing Address: _____

Phone Number: _____

Signature: _____

Printed Name: _____

Mailing Address: _____

Phone Number: _____

THE STATE OF TEXAS
COUNTY OF GUADALUPE

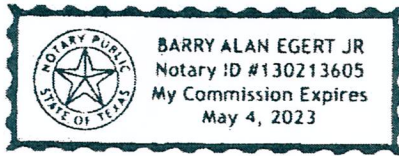
BEFORE ME, the undersigned, on this day personally appeared, the individual(s) known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and each acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 7 day of October, 2019.

(Notary Seal)



Notary Public in and for
Guadalupe County, Texas.

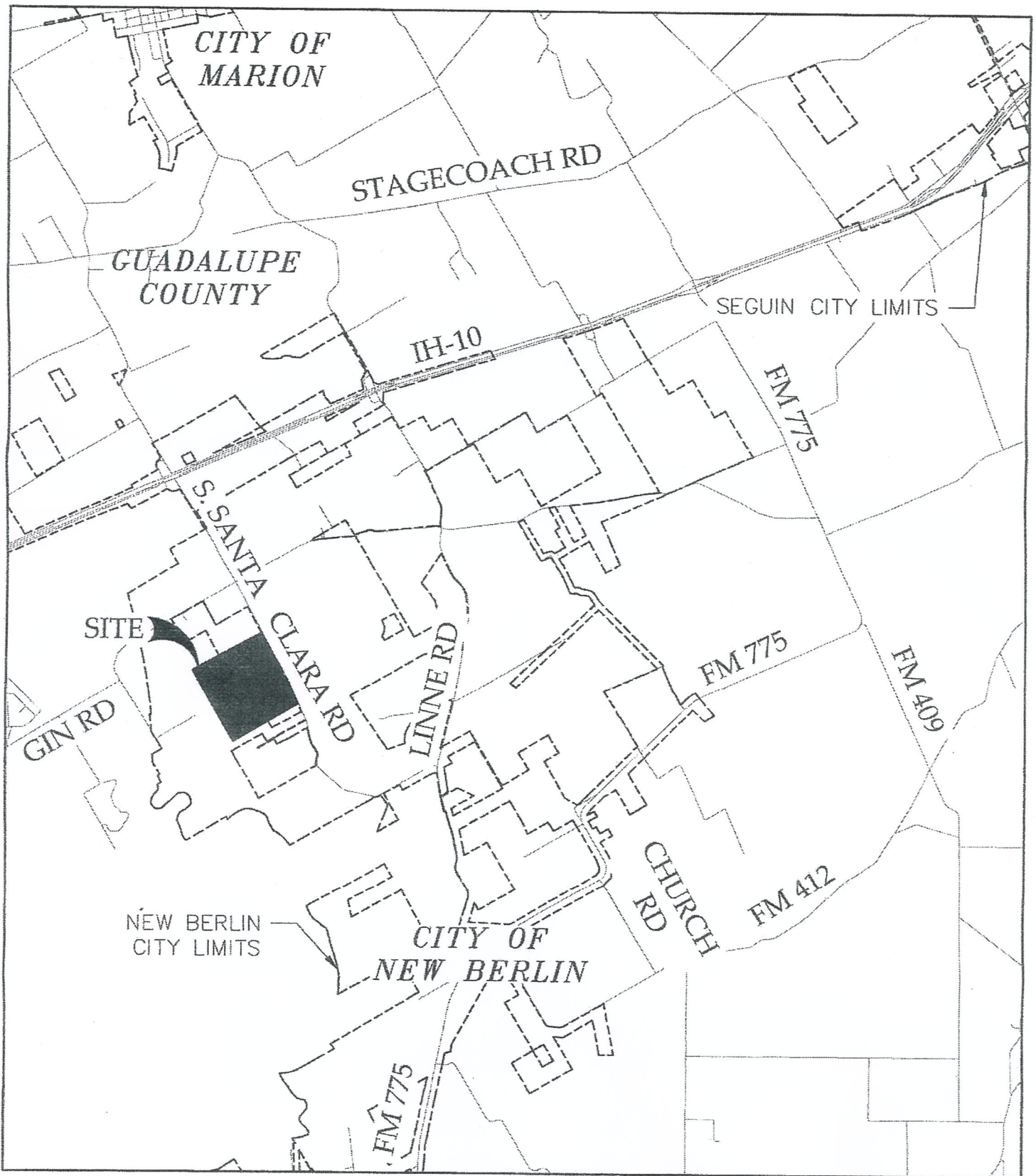


Note: A Recording Fee must accompany your petition. If your petition is not accepted, your fee will be refunded. Your fee will be calculated when your petition is received.

Amount Paid _____ Check # _____ Accepted by _____

Exhibit A

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N.T.S.

LOCATION MAP

233.30 ACRE TRACT
 NEW BERLIN, TEXAS



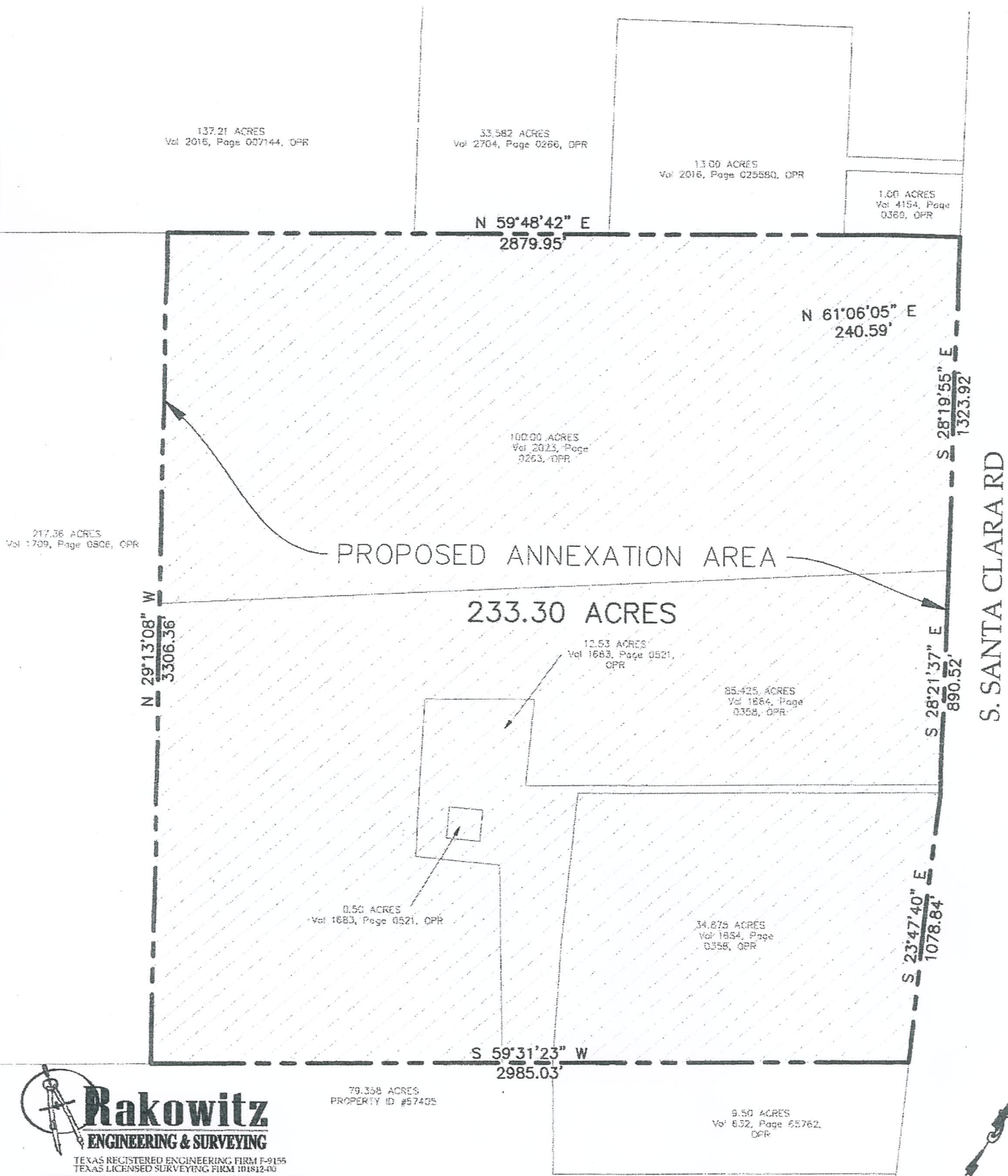
830.281.4080 PO BOX 172 PLEASANTON, TX 78064

Exhibit Page A2

ANNEXATION EXHIBIT

OF

A 233.30 ACRE TRACT OF LAND, OUT OF A 186.99 ACRE TRACT OF LAND, LYING IN THE VINCENTE GORTARI SURVEY, ABSTRACT NO. 24, GUADALUPE COUNTY, TEXAS



Rakowitz
ENGINEERING & SURVEYING
TEXAS REGISTERED ENGINEERING FIRM F-9155
TEXAS LICENSED SURVEYING FIRM 10181240
830.281.4060 PO BOX 172 PLEASANTON, TX 78064
Date of survey: September 24, 2019
Job No. 19-1820



State of Texas
County of Guadalupe

Field notes for a tract of land containing 230.30 acres, lying in the Vicente Gortari Survey, Abstract No. 24, Guadalupe County, Texas, prepared for R & D Land, LLC, dated September 24, 2019.

A tract of land containing 230.30 acres, lying in the Vicente Gortari Survey, Abstract No. 24, Guadalupe County, Texas, and being a conglomeration of a 13.030 acre tract of land, described in a instrument recorded in Volume 1683, Page 521 of the Official Public Records of Guadalupe County, Texas, a 34.875 acre tract of land, and a 85.425 acre tract of land, described in a instrument recorded in Volume 1684, Page 358 of the Official Public Records of Guadalupe County, Texas, and a 100.00 acre tract of land, described in a instrument recorded in Volume 2023, Page 0263 of the Official Public Records of Guadalupe County, Texas, said tract of land being more particularly described by metes and bounds as follows:

Beginning at a point marked by a steel rod monument, found for the North corner of said 100.00 acre tract of land, lying on the Southwest right-of-way line of Santa Clara Road, and the East corner of a 1.00 acre tract of land, described in a instrument recorded in Volume 4154, Page 0369 of the Official Public Records of Guadalupe County, Texas, said point of beginning being the Northeast corner of this tract of land;

Thence along the Northeast line of said 100.00 acre tract of land, 85.425 acre tract of land, 12.53 acre tract of land, and a 34.875 acre tract of land, being the Southwest line of Santa Clara Road the following bearings and distances:

Thence South 28° 19' 55" East, 1323.92 feet, to a steel rod monument, found, said point being an angle point of this tract;

Thence South 28° 21' 37" East, 890.52 feet, to a steel rod monument, found, said point being an angle point of this tract;

Thence South 23° 47' 40" East, 1078.84 feet, to a steel rod monument, found for the East corner of said 34.875 acre tract of land, being the North corner of a 9.50 acre tract of land, described in a instrument recorded in Volume 632, Page 65762 of the Official Public Records of Guadalupe County, Texas, said point being the East corner of this tract;

Thence South 59° 31' 23" West, 2985.03 feet, along the Southeast line of said 34.875 acre tract of land, 12.53 acre tract of land, and a 85.425 acre tract of land, being the Northwest line of said 9.50 acre tract of land, and a 79.358 acre tract of land, described in GCADD Parcel No. 57405, to a steel rod monument, found for the South corner of said 85.425 acre tract of land, being the East corner of a 217.36 acre tract of land, described in a instrument recorded in Volume 1709, Page 0806 of the Official Public Records of Guadalupe County, Texas, said point being the South corner of this tract;

Exhibit Page A4


Thence North 29° 13' 08" West, 3306.36 feet, along the Southwest line of said 85.425 acre tract of land, and 100.00 acre tract of land, being the Northeast line of said 217.36 acre tract of land, to a steel rod monument, found for the West corner of said 100.00 acre tract of land, being the North corner of said 217.36 acre tract of land, lying on a 137.21 acre tract of land, described in a instrument recorded in Volume 2016, Page 7144 of the Official Public Records of Guadalupe County, Texas, said point being the West corner of this tract;

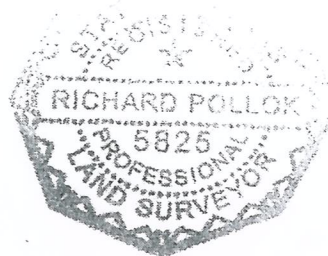
Thence North 59° 48' 42" East, 2879.95 feet, along the Northwest line of said 100.00 acre tract of land, being the Southeast line of said 137.21 acre tract of land, and a 33.582 acre tract of land, described in a instrument recorded in Volume 2704, Page 266 of the Official Public Records of Guadalupe County, Texas, and a 13.00 acre tract of land, described in a instrument recorded in Volume 2016, Page 25580 of the Official Public Records of Guadalupe County, Texas, to a steel rod monument, found for the South corner of said 1.00 acre tract of land, said point being an angle point of this tract;

Thence North 61° 06' 05" East, 240.59 feet, along said Northwest line of said 100.00 acre tract of land, being the Southeast line of said 1.00 acre tract of land, to the point of beginning;

The basis of bearing for this survey is Grid North, Texas State Plane Coordinate System, NAD 83 (2011), South Central Zone.

I, Richard Pollok, being a Registered Professional Land Surveyor, registered in the State of Texas, do hereby certify that the foregoing field notes for a tract of land containing 233.30 acres, as shown on the accompanying Plat of Survey prepared for R & D Land, LLC, dated September 24, 2019, were prepared from an actual survey done under my supervision and that to the best of my knowledge and belief they are a true and correct representation of said survey.


Richard Pollok R.P.L.S. 5825
Rakowitz Engineering and Surveying
PO Box 172
Pleasanton, Texas 78064
830-281-4060
Firm No. 10181200



201999027190
I certify this instrument was FILED and RECORDED
in the OFFICIAL PUBLIC RECORDS
of Guadalupe County, Texas on
11/25/2019 04:02:32 PM PAGES: 10 COURTNEY
TERESA KIEL, COUNTY CLERK





Exhibit Page A5



Teresa Kiel
Guadalupe County Clerk
211 W. Court Street
Seguin, TX 78155
(830)-303-8859

Receipt for Services

Cashier COURTNEY

Trans # 55735

Customer Name CITY OF NEW BERLIN
275 FM 2538
NEW BERLIN, TX 78155

Date: 11/25/2019 Time: 04:02:32PM

Date	Instrument No	Document Type	Fee Type	Fee Amount	Pg
11/25/2019 4:02:32PM	201999027190	ORDNC		\$ 62.00	10
Party 1:		Party 2:			
		Rec Fee OPR		5.00	
		Additional Page		36.00	
		Record Management Fee		10.00	
		Record Archive Fee		10.00	
		Courthouse Security		1.00	
		Fee Total:		\$ 62.00	
CHECK	5551	CITY OF NEW BERLIN			62.00
		Payment Total:			62.00