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P. 4/10/13
2/10/13

VOL 4180 PGO 132

14-000206

ORDINANCE No. 2013-0023

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 of land, contiguous to the City of New Berlin, Texas, and 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 13, 2013; 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 19, 2013; 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 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 19, 2013.

PASSED AND APPROVED this, the 19th day of August, 2013.


MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:


CITY SECRETARY
CITY OF NEW BERLIN, TEXAS
(Seal)



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

PETITION REQUESTING ANNEXATION:
TERRITORY THAT IS VACANT AND WITHOUT
RESIDENTS OR ON WHICH FEWER THAN THREE
QUALIFIED VOTERS RESIDE

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 vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present municipal limits so as to include and annex as a part of the City of New Berlin, Texas, the property described by metes and bounds. See Attached Exhibit "A."

I (we) certify that the above-described tract of land consisting of 25.787 acres is contiguous and adjacent to the City of New Berlin, Texas, and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

Owner(s') Signature(s) _____ Date _____
(Signature) James E. Moos _____ 8-13-13

(Printed Name) James E. Moos _____

(Signature) Christine J. Moos _____ 8-13-13

(Printed Name) Christine J. Moos _____

(Signature) _____

(Printed Name) _____

Mailing Address: 5262 Gin Rd. Marion, Texas 78124

Property Address: _____

Telephone: 830-914-3709

Amount of Land 25.787 acres

Note: \$40 Recording Fee must accompany your petition. If your petition is not accepted, your \$40 will be refunded ck# 4834

Amount Paid 40.00 Accepted by Joan Melanovich

State of Texas
County of Guadalupe

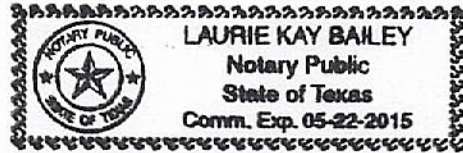
Before me Laurie Kay Bailey on this day personally appeared

JAMES E. MOOS & CHRISTINE J. MOOS, known
(name/names of signers)

to me or proved to me through actual identification 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 13th day of AUGUST, 2012.

Laurie Kay Bailey
Notary Public's Signature



(Notary Seal)

EXHIBIT "A"

FIELD NOTES
October 11, 1999

BEING 25.787 acres of land, more or less, out of the Jose Flores Survey No. 63, Abstract 134, Guadalupe County, Texas and also being out of a 50.552 acre tract described in Volume 727, Page 1389 of the Official Records of Guadalupe County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set in the existing northwest R.O.W. line of Gin Road (County Road #304) for the most easterly corner of this tract and the most easterly corner of the above referenced 50.552 acre tract, said point also being the most southerly corner of a 56.524 acre tract described in Volume 714, Page 521 of the Official Records of Guadalupe County, Texas;

THENCE, along said northwest R.O.W. line, S 61°24'45" W, 337.25 feet to an iron rod set, and S 62°09'45" W, 315.01 feet to an iron rod set at a fence corner post for the most southerly corner of this tract;

THENCE, N 29°21'24" W, along an existing fence line, crossing said 50.552 acre tract, and passing a fence corner post at 714.72 feet and continuing across said 50.552 acre tract a total distance of 1694.83 feet to an iron rod set for the most westerly corner of this tract, said point being N 59°53'00" E, 652.60 feet from an iron rod found for the most westerly corner of said 50.552 acre tract;

THENCE, N 59°53'00" E, (Ref. Brg.) 562.57 feet along the common fence line with a 114.4 acre tract described in Volume 461, Page 27 of the Deed Records of Guadalupe County, Texas to an iron rod set for an angle point of this tract;

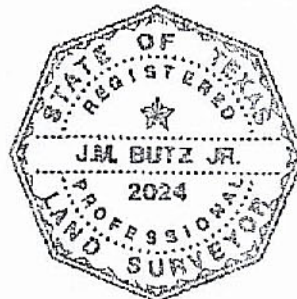
THENCE, N 59°48'30" E, 101.64 feet along the common fence line with a 114.4 acre tract described in Volume 1275, Page 801 of the Official Records of Guadalupe County, Texas to an iron rod set at a fence corner post for the most northerly corner of this tract;

THENCE, S 28°57'18" E, 1716.69 feet along the common fence line with said 56.524 acre tract to the POINT OF BEGINNING and containing 25.787 acres of land, more or less.

Note: Plat also prepared this day.

J. M. Butz, Jr.
Registered Professional Land Surveyor
No. 2024

FN99-271





This page has been added by the Guadalupe County Clerk's office to comply with the statutory requirement that the clerk shall stamp the recording information at the foot of the last page of the document.

This page becomes a part of the document identified by Document Number 14-206 affixed on the first page of this document.

FILED FOR RECORD

14 JAN -3 PM 2:39

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY C. Hernandez

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