

4/C  
James Rice  
& partners

4-015477

VOL 4269 PGO 368

ORDINANCE No. 2013-0032

**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 September 16 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 November 18, 2013; and

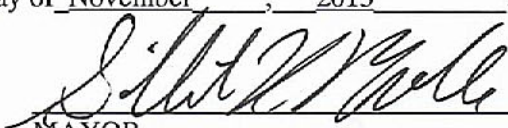
**NOW THEREFORE:**

**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 November 18, 2013.

PASSED AND APPROVED this, the 18th day of November, 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 3.001 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 L. Rice

Sep 16, 2013

(Printed Name) James L. Rice

(Signature) E. C. Rice

(Printed Name) E. C. Rice

(Signature) \_\_\_\_\_

(Printed Name) \_\_\_\_\_

Mailing Address: 5361 GIN RD. MARION TX 78124

Property Address: 5361 GIN RD. MARION TX 78124

Telephone: 210-860-6626

Amount of Land 3.01 acres

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

Amount Paid 40.<sup>00</sup> Check # 233 Accepted by Jean Malanovic

**State of Texas**  
**County of Guadalupe**

Before me on this day personally appeared

Edith C. Rice  
James L. Rice, known  
(name/names of signers)

to me or proved to me through TX DL #1018748 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 16<sup>th</sup> day of September, 2013.

Clara Joan Milanovich  
Notary Public's Signature



(Notary Seal)

1018/0706

Being 3.001 acres of land, more or less, out of Vicente Gortari League Survey Abstract 24, Guadalupe County, Texas and also being described as a 3.0 acre tract in Volume 464, Page 409 of Deed Records, Guadalupe County, Texas and being more particularly described as follows:

BEGINNING at an iron pin found in the southeast R.O.W. line of Gin Road (County Road 304) for the most westerly corner of this tract, said point also being the most westerly corner of this tract;

THENCE, North 61°09'00" East, 120.10 feet along said R.O.W. line to an iron pin set in same for the most northerly corner of this tract;

THENCE, South 31°46'08" East, 1089.60 feet to an iron pin set for the most easterly corner of this tract;

THENCE, South 61°00'01" West, 120.08 feet to an iron pin set for the most southerly corner of this tract;

THENCE, North 31°44'08" West, 1089.91 feet to the POINT OF BEGINNING and containing 3.001 acres of land, more or less.

## EXHIBIT "A"

THE STATE OF TEXAS  
COUNTY OF GUADALUPE

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Guadalupe County, Texas, in the Volume and Page as noted hereon by me. FILED AT 3:47 O'CLOCK P M



*Lizzie M. Lorenz*  
County Clerk, Guadalupe County, Texas  
BY *Ginger Busley* DEPUTY



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 14-15477 affixed on the first page of this document.

**FILED FOR RECORD**

**14 SEP -3 PM 2:47**

**TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY**

BY: *A 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