

6/c
VanderWaal
2 votes

VOL 4180 PG 0040

14-000193

ORDINANCE No. 2013-0009

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 July 25, 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

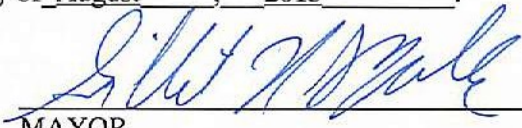
NOW THEREFORE:

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 1.50 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)

William G. Vander Waal

7-25-13

(Printed Name)

WILLIAM G. VANDER WAAL

(Signature)

Michelle Torbet Vander Waal

7-25-13

(Printed Name)

MICHELLE TORBET VANDER WAAL

(Signature)

(Printed Name)

Mailing Address:

4890 S. SANTA CLARA SEGUIN TX 78155

Property Address:

4890 S. SANTA CLARA SEGUIN TX 78155

Telephone:

830-560-0426

Amount of Land 1.50 acres

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

Amount Paid

\$40 cash

Accepted by

Joan Milamant

State of Texas
County of Guadalupe

Before me Clara Joan Milanovich on this day personally appeared
William & Michelle Vander Wal, known
(name/names of signers) 09140405-His
to me or proved to me through TX DL 08985292-Hers 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 25th day of July, 20123.

Clara Joan Milanovich
Notary Public's Signature



(Notary Seal)

County of Guadalupe

Know all men by these presents, that we, Lester A. Self and his wife, Audrey S. Self, of the County of Guadalupe, State of Texas, for and in consideration of the love and affection which we bear unto our granddaughter, Michelle Torbet Vanderwaal, which is good, valuable and sufficient consideration for the conveyance evidenced by this deed, have Granted, Transferred and Conveyed, and by these presents, do Grant, Transfer and Convey unto the said Michelle Torbet Vanderwaal as her separate property and estate and not as the community of her and any spouse, the said Michelle Torbet Vanderwaal being of the County of Guadalupe, State of Texas, all that certain real property situated in Guadalupe County, Texas and described as follows, to wit:

Being a 1.00 Acre Tract situated in the V. Gortari Survey, A-24, Guadalupe County, Texas. Said 1.00 Acre Tract is part of a tract called 48.260 acres in conveyance from Dalvin A. Granzin and wife to Lester A. Self and wife, Audrey S. Self, recorded in Volume 431 at Page 582 of the Deed Records of Guadalupe County, Texas and being described by metes and bounds, as follows:

BEGINNING at a $\frac{1}{2}$ inch diameter iron stake set marking the north corner of the tract herein described and lying in a fence along the southwest line of County Road No. 315 (Santa Clara Road-aka Marion-NewBerlin Road). Said iron stake bears, S 28 degs. 02' 11" E. 466.42 feet from a $\frac{1}{2}$ inch diameter iron stake found marking the intersection of the southeast line of County Road No. 304 (Gin Road-aka Zuehl Road) and the southwest line of said Santa Clara Road and marking the occupied north corner of a tract called 48.260 acres;

Thence with a fence along the northeast line of the tract herein described, same being a segment of the southwest line of said Santa Clara Road, S 28 degs. 02' 11" E 208.71 feet to a $\frac{1}{2}$ inch diameter iron stake set marking the east corner of the tract herein described. Said iron stake bears, N 28 degs. 02' 11" W 403.80 feet from a $\frac{1}{2}$ inch diameter iron stake found at a two-way fence corner marking the occupied east corner of said 48.260 acres tract;

Thence with the southeast line of the tract herein described, S. 61 degs. 57' 52" W 208.71 feet to a $\frac{1}{2}$ inch diameter iron stake set marking the south corner of the tract herein described;

Thence with the southwest line, N 28 degs. 02' 11" W 208.71 feet to a $\frac{1}{2}$ inch diameter iron stake set marking the west corner;

Thence with the northwest line, N 61 degs. 57' 52" E 208.71 feet to the PLACE OF BEGINNING and containing 1.00 Acre of Land.

All in accordance with an on-the-ground survey made under the supervision of Ken L. Reininger, Professional Land Surveyor No. 2633 on the 9th day of June, 1992.

This conveyance is subject to all conditions, covenants, easements, rights-of-way, reservations and restrictions, if any, applying to the herein described 1.00 acre of land of record in the public records of Guadalupe County, Texas in so far, but only in so far.

ROBERT E. HOUSIERE
ATTORNEY AT LAW
SEGUIN, TEXAS

Michelle Torbet Vanderwaal, and not as the community of her and any spouse and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said Michelle Torbet Vanderwaal as her separate property and estate and not as the community property of her and any spouse, her heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under us and not otherwise.

Witness our hands at Seguin, Texas this 18th day of June, 1992.

Lester A. Self
Lester A. Self

Audrey S. Self
Audrey S. Self

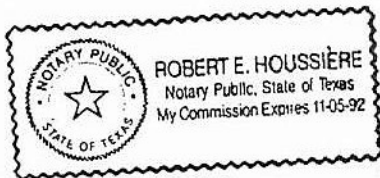
The State of Texas
County of Guadalupe

Before me, the undersigned authority, in and for the State of Texas, on this day personally appeared Lester A. Self and Audrey S. Self, known to me to be the persons whose names are subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18th day of June, 1992.

My commission expires the

5th day of November, 1992. Robert E. Houssiere, Notary Public
in and for the State of Texas.





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114 North Austin Street
Seguin, Texas 78155
Phone: (830) 372-1001 Fax: (830) 379-1155

Field notes describing a 0.50 of an acre tract of land out of the Vicente Gortari Survey, Abstract 24, Guadalupe County, Texas, being a portion of a tract of land called 21.99 acres, conveyed to Trudy Torbet by deed recorded in Volume 1075, Page 762, Official Records, Guadalupe County, Texas and being more particularly described as follows: Note: All set pins are 1/2" diameter rebar with an orange plastic cap stamped "Tri-County".

Beginning at a 1/2" diameter iron pin found for the west corner of a tract of land called 1.00 acre, conveyed to Michelle Torbet Vanderwaal by deed recorded in Volume 995, Page 178, Official Records, Guadalupe County, Texas and the north corner of the herein described tract. Said pin bears S 28° 00' 20" E, 466.42 feet and S 61° 56' 39" W, 208.40 feet from the intersection of the Santa Clara Road and Gin Road.

Thence, S 28° 02' 11" E, 208.79 feet with the westernmost east line of the 21.99 acre tract and the west line of the 1.00 acre tract to a 1/2" diameter iron pin found for an interior corner of the 21.99 acre tract, the south corner of the 1.00 acre tract and the east corner of the herein described tract.

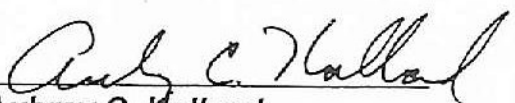
Thence, S 61° 56' 51" W, 104.43 feet crossing a portion of the 21.99 acre tract to an iron pin set for the south corner of the herein described tract.

Thence, N 28° 02' 15" W, 208.78 feet crossing a portion of the 21.99 acre tract to an iron pin set for the west corner of the herein described tract.

Thence, N 61° 56' 39" E, 104.44 feet crossing a portion of the 21.99 acre tract to the **Place of Beginning** and containing 0.50 of an acre of land according to a survey made on the ground on June 21, 2002, by Tri County Land Surveying Inc.

Corresponding plat prepared.
Project No. 0206115

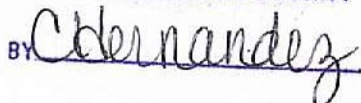



Aubrey C. Holland
Registered Professional
Land Surveyor No. 4493

FILED FOR RECORD

14 JAN -3 PM 2:34

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY 

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
Guadalupe County Clerk