

Super Heritage

09502

ORDINANCE NO. 01-003

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 THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY.

WHEREAS, a petition for annexation has been duly signed and acknowledged by each and every person or corporation having an interest in the following described territory, to wit:

A 161.026 acre tract of land out of the Vicente Duran Survey No. 4, Abstract 19, Guadalupe County, Texas, being that same tract of land called 161.02 acres, conveyed to Alfred Dylla, by deed recorded in Volume 986, Page 938, Official Records, Guadalupe County, Texas, and being more particularly described as follows:

BEGINNING at a 1½" diameter pipe found in the northeast right-of-way line of Zuehl Crossing (County Road 440) for the east corner of a tract of land called 58.89 acres, (First Tract) described in Volume 363, Page 607 Deed Records, Guadalupe County, Texas, the south corner of the 161.02 acre tract and the herein described tract.

THENCE, N 29° 03' 45" W, with the northeast line of the 58.89 acre tract, the northeast line of a tract of land called 19.63 acres (Second Tract) described in Volume 363, Page 607 Deed Records, Guadalupe County, Texas, and the southeast line of the 161.02 acre tract, at 1461.16 feet a 1½" diameter pipe found for the north corner of the 58.89 acre tract and the east corner of the 19.63 acre tract, continuing for a total distance of 1947.65 feet to a 1½" diameter iron pipe found for the south corner of a tract of land called 43.19 acres, described in Volume 512, Page 416 Deed Records, Guadalupe County, Texas, for the north corner of the 19.63 acre tract, the southernmost west corner of the 161.02 acre tract and the herein described tract.

THENCE, N 61° 04' 10" E, 1161.70 feet with the southeast line of the 43.19 acre tract and the easternmost northwest line of the 161.02 acre tract to a ½" diameter iron pin with an orange plastic cap stamped "TRI-COUNTY" set for the east corner of the 43.19 acre tract, being an interior corner of the 161.026 acre tract and the herein described tract.

THENCE, N 29° 23' 33" W, 896.40 with the northeast line of the 43.19 acre tract and the westernmost northwest line of the 161.02 acre tract to a 1" diameter pipe found for a south corner of a lane called a water lane in Volume 512, Page 416, Deed Records, Guadalupe County, and Volume 986, Page 938, Official Records, Guadalupe County, Texas, also said lane called a old roadway in Volume 1042, Page 447, and Volume 720,

Page 243, Official Records, Guadalupe County, Texas, said 1" diameter pipe being the northernmost west corner of the 161.026 acre tract and the herein described tract.

THENCE, N 60° 31' 00" E, 1974.90 feet with the southeast line of the water lane and northwest line of the 161.02 acre tract to a ½" diameter iron pin with an orange plastic cap stamped "TRI-COUNTY" set in the southwest line of a tract of land called 115.2 acres described in Volume 51, Page 204, Deed Records, Guadalupe County, Texas, for the north corner of the 161.02 acre tract and the herein described tract.

THENCE, S 29° 15' 07" E, 1652.41 feet with the southwest line of the 115.2 acre tract and the northeast line of the 161.02 acre tract to a ½" diameter iron pin in concrete found for the north corner of a tract of land called 10.0 acres described in Volume 498, Page 57, Deed Records, Guadalupe County, Texas, the northernmost east corner of the 161.02 acre tract and the herein described tract.

THENCE, S 60° 54' 47" W, 723.74 feet with the northwest line of the 10.0 acre tract, the northwest corner of another tract of land called 10.0 acres described in Volume 518, Page 140 Deed Records, Guadalupe County, Texas, and the westernmost southeast line of the 161.02 acre tract to a 1" diameter pipe found for the west corner of the 10.0 acre tract described in Volume 518, Page 140, being an interior corner of the 161.02 acre tract and the herein described tract.

THENCE, S 29° 11' 14" E, 1201.58 feet with the southwest line of the 10.0 acre tract described in Volume 518, Page 140, and the southernmost northeast line of the 161.02 acre tract to a 1" diameter pipe found in the northwest right-of-way line of Zuehl Crossing for the south corner of the 10.0 acre tract described in Volume 518, Page 140, the southernmost east corner of the 161.02 acre tract and the herein described tract.

THENCE, S 60° 54' 00" W, 2415.77 feet with the northwest right-of-way line of Zuehl Crossing and the southeast line of the 161.02 acre tract to the place of beginning and containing 161.026 acre of land according to a survey made on the ground on June 11, 1999 by Tri-County Land Surveying Inc.

WHEREAS, said tract of land is contiguous and adjacent to the City of New Berlin, Texas

WHEREAS, said petition was presented to the City Council on the 17th day of December, 2001, and public hearings on such petition were duly advertised and held on the 19th of November, 2001, and the 26th day of November; and

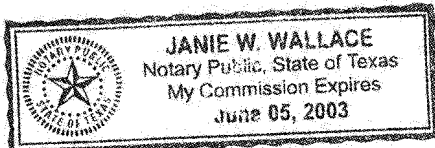
WHEREAS, after hearings on such petition were held and the arguments for and against the same the City Council has voted to grant such petition and to annex said territory to the City of New Berlin, Texas.

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF NEW BERLIN, TEXAS, that the above described territory be and the same is hereby annexed to the City of New Berlin, Guadalupe County, Texas, and the boundary limits of the City of New Berlin, Texas, be and the same are hereby extended to include the above described territory within the City Limits of the City of New Berlin, Texas, and the same shall hereinafter be entitled to all rights and privileges of other citizens of the City of New Berlin, Texas, and shall be bound by the acts and ordinances of said City, and the Municipal Service Plan for Annexation of 161.02 acres of land in New Berlin, Guadalupe County, Texas attached as Exhibit "A," and is incorporated herein by reference as if fully copied.

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

PASSED AND APPROVED this 17th day of December, 2001.



ATTEST:

Janie Wallace
Janie Wallace, City Secretary

Ferdinand Friederick
Ferdinand Friederick, Mayor

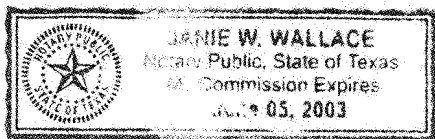
APPROVED AS TO FORM:

Susan C. Rocha
Susan C. Rocha, City Attorney

STATE OF TEXAS §
COUNTY OF GUADALUPE §

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS THE 17th DAY OF December 2001 PERSONALLY APPEARED FERDINAND FRIEDERICK, MAYOR, CITY OF NEW BERLIN, WHO BEING BY ME DULY SWORN ON HIS OATH DEPOSED AND SAID THAT HE HAS READ THE ABOVE AND FOREGOING ORDINANCE AND THAT EVERY STATEMENT CONTAINED THEREIN IS TRUE AND CORRECT.

Janie Wallace
NOTARY PUBLIC, STATE OF TEXAS
JANIE WALLACE



Ferdinand Friederick
FERDINAND FRIEDERICK
MAYOR, CITY OF NEW BERLIN



CITY OF NEW BERLIN
MUNICIPAL SERVICE PLAN FOR
ANNEXATION OF 161.02 ACRES OF LAND
IN GUADALUPE COUNTY, TEXAS

POLICE PROTECTION

The Guadalupe County Sheriff's Department currently provides regular and routine patrols in the area as part of its overall patrol activities. The department responds to any calls for assistance to the area and will continue to do so upon annexation.

EMS

Upon Annexation, this area will be served by the City of Seguin EMS in accordance with the contract between the City of New Berlin and the City of Seguin.

FIRE SERVICE

Fire service to the area is currently provided by the New Berlin Volunteer Fire Department and they will continue to provide this service upon annexation.

BUILDING INSPECTION - CODE ENFORCEMENT SERVICES

Building inspection activities will be provided upon annexation. The Building Inspector will provide consultation with project developers for building code requirements, plan review for structures, issuance of building permits, and on-site inspection services for new construction.

LIBRARY

All residents of the newly annexed area will be eligible for library services in the New Berlin City Library.

PLANNING AND ZONING

The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation. The Planning and Zoning Commission will initiate permanent zoning of the newly annexed area as soon as possible after annexation.

STREET AND DRAINAGE MAINTENANCE

Street and drainage maintenance will be provided by Guadalupe County for the public road. There are no public streets included in the Texas Heritage subdivision.

ELECTRIC SERVICE

Electric service is available to this tract by Guadalupe Valley Electric Cooperative.

GAS SERVICE

Natural gas service is not available to this tract.

WATER SERVICE

Water service is provided by Central Water Supply and is available to this tract. The extension of mains, services, and fire hydrants to and throughout the tract shall be in accordance with provisions of the Subdivision Ordinance.

SEWER SERVICE

Sewer service is not currently available to this tract. Sewer service will be provided by private septic system.

GARBAGE COLLECTION

Garbage collection is contracted on an individual basis.

FILED FOR RECORD

2002 JUN -6 PM 1:26

LIZAN M. LISKATZ
COUNTY CLERK GUADALUPE CTY.

Carol Oroszowski

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.



Lizan M. Lis Katz
County Clerk

Guadalupe County Texas