

VOL 3048 P60416

11-018091

07004

Return to

THE CITY OF NEW BERLIN
NEW BERLIN, TEXAS
275 FM 2538
SEGUIN, TX 78155

ORDINANCE No. _____

6/2/07
G. ...

ETS
sent to ...

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 _____ : ~~and~~ 8/23/05

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 May 21, 2007; and

WHEREAS, on the 21 day of May, 2007 the City Council of the City of New Berlin, Texas held public hearings on the proposed annexation of land situated outside of, but immediately adjacent to, the current corporate limits of the City of New Berlin, Texas and such public hearings gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

WHEREAS, notice of the above mention public hearings was published in the Seguin Gazette Enterprise on May 11, 2007, a newspaper having general circulation in the City of New Berlin, Texas and within the territory to be annexed, in accordance with law; and

WHEREAS, the aforementioned public hearings were conducted not more that twenty (20) days nor less that ten (10) days prior to the institution of annexation proceedings; 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.

SECTION 2. The land and territory more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference shall be part 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.

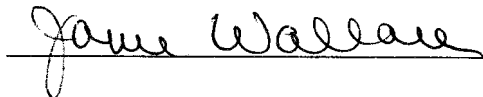
SECTION 3. This ordinance shall be effective from and after May 21, 2007.

PASSED AND APPROVED this, the 21 day of May, 2007.



MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:



CITY SECRETARY
CITY OF NEW BERLIN, TEXAS



**PETITION REQUESTING INCLUSION IN THE CITY OF NEW BERLIN'S
EXTRA TERRITORIAL JURISDICTION (ETJ)**

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF NEW BERLIN, TEXAS

The undersigned owners of the hereinafter described tract of land, hereby petition your honorable Body to extend the present Extra Territorial Jurisdiction (ETJ) so as to include as part of the City of New Berlin, Texas, the following described territory, to wit:

(Attached metes and bounds with plat)

We certify that the above described tract of land is contiguous and adjacent to the existing ETJ of the City of New Berlin, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: Brenda La Kunde

Signed: William K Kunde

Signed: Chh K Kunde

THE STATE OF TEXAS
COUNTY OF Williamson

Laurie J. Huebinger
LAURIE J. HUEBINGER
Notary Public
State of Texas
Comm. Exp. 12-06-2007

BEFORE ME, the undersigned authority, on this day personally appears

Brenda Kunde

William Kunde, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 23 day of August 2005.



Mudita W. Reddy
Notary Public in and for
Williamson County, Texas.

General Warranty Deed

Date: ~~April~~ ^{MAY} 15, 2002

Grantor: BONNIE DELL KUNDE, individually and as independent executrix of the estate of WILLIAM C. KUNDE, deceased

Grantor's Mailing Address:

BONNIE DELL KUNDE
900 RK Lane
Marion, Texas 78124
Guadalupe County

Grantee: BRENDA LEE KUNDE; WILLIAM KIRK KUNDE; and CHARLES KEITH KUNDE

Grantee's Mailing Address:

BRENDA LEE KUNDE - Social Security Number [REDACTED]
2478 Terminal Loop Road
McQueeney, Texas 78123
Guadalupe County

WILLIAM KIRK KUNDE - Social Security Number [REDACTED]
3201 Century Park Boulevard #816
Austin, Texas 78727
Travis County

CHARLES KEITH KUNDE - Social Security Number [REDACTED]
888 RK Lane
Marion, Texas 78124
Guadalupe County

Consideration:

Pursuant to the Terms of the Last Will and Testament of WILLIAM C. KUNDE, deceased, probated in Cause No. 13,264 in the County Court of Guadalupe County, Texas.

Property (including any improvements):

All that certain 91.445 acres, more or less, situated in the V. Gortari League, Abst. No. 24, Guadalupe County, Texas, more particularly described 212.6 acres in Warranty Deed dated October 24, 1980 recorded in Volume 607, Pages 850-852 of the Deed Records of Guadalupe County, Texas. LESS AND EXCEPT 116.801 acre tract conveyed by William C. Kunde and wife, Bonnie D. Kunde to Regan Cary Weidner et ux, dated January 20, 1995, more particularly described in Deed of Trust recorded in Volume 1131, Pages 0774-0779 of the Official Records of Guadalupe County, Texas.

6787

LOUIS KUNDE, JR., ET AL

TO

WILLIAM C. KUNDE

WARRANTY DEED

THE STATE OF TEXAS

X

COUNTY OF GUADALUPE

X

KNOW ALL MEN BY THESE PRESENTS:

That we, LOUIS KUNDE, JR., owning, occupying and claiming other real property as my homestead; and LEONA KUNDE, a widow, of the County of Guadalupe and State of Texas, for and in consideration of the partition of the Estate of Louis Kunde, Sr., deceased, #8060, Guadalupe County, Texas, have GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto WILLIAM C. KUNDE, of the County of Guadalupe and State of Texas, all of the following described real property in Guadalupe County, Texas, to-wit:

212.6 acres of land, more or less, located about 12 miles SW of the Town of Seguin, and consisting of the following surveys and parts of surveys, to-wit:
 Being out of the central part of the V. Gortari League, Abst. No. 24, Patent dated December 28, 1833, described as follows:
 BEGINNING at Lorenz Henzen's North corner in Marion Road, from which a mesq. 16 in. dia. (now cut down, stump remains) brs. N. 60° E. 4 vrs. and another 6" in dia. brs. N. 67-1/2° E. 12 vrs; THENCE with said road S. 13° E. 345 vrs. to st. set in road from which a mesq. 4 in. dia. brs. S. 78° W. 13.7 vrs. from which another 5" dia. brs. N. 56-1/4° E. 11 vrs; THENCE S. 34° E. 180 vrs. to stk. in road from which a mesq. 3" dia. brs. N. 63-1/4° E. 9 vrs; THENCE S. 16° E. 76 vrs. to stk. on West bank of Santa Clara from which elm 10" in dia. brs. S. 84-1/4° E. 20-3/5 vrs; THENCE S. 80° W. across said Santa Clara Creek 113 vrs. to stk. on bank from elm 7" in dia. brs. N. 67° E. 6 vrs., another 10" in dia. brs. S. 52° W. 4.9 vrs; THENCE S. 30° E. 93 vrs. from which a mesq. 6" dia. (now cut down, stump remains) brs. S. 52° E. 4-4/5 vrs; THENCE S. 60° W. 8-4/5 vrs; THENCE S. 49° E. 534 vrs. to stk; THENCE S. 78° E. 440 vrs. to stk. set on Herm Schultz line from which a mesq. 6 in. in dia. brs. S. 86° W. 9-1/3 vrs. This tree is cut off, but stump remains. Another 8" in dia. brs. N. 8-1/2° E. 14.3 vrs. to which H. Cahulz wire fence is nailed; THENCE N. 60° 30' E. (magnetic variation 8 30 E) 528 vrs. to a stk. set in road from which a mound 4 in. dia. brs. N. 71-1/2° W. 15-1/5 vrs., another forked mesq. 5" dia. brs. N. 42-1/2° E. 30.7 vrs., this point is approximately 970 vrs. S. 60° 30' W. and N. 29° W. 1346 vrs. from Southeast corner Gortari League; THENCE N. 34° W. 1460 vrs. to stk. set on Northwest boundary of said Santa Clara from which elm 14" dia. brs. S. 55-3/4° E. 9-4/5 vrs; THENCE S. 60 W. with L. Koehler South line 729 vrs. to the place of beginning, all bearing trees mkd. X;

THE STATE OF TEXAS X
 COUNTY OF GUADALUPE X

KNOW ALL MEN BY THESE PRESENTS:

That we, LOUIS KUNDE, JR., owning, occupying and claiming other real property as my homestead; and LEONA KUNDE, a widow, of the County of Guadalupe and State of Texas, for and in consideration of the partition of the Estate of Louis Kunde, Sr., deceased, #8060, Guadalupe County, Texas, have GRANTED and CONVEYED and by these presents do GRANT and CONVEY unto WILLIAM C. KUNDE, of the County of Guadalupe and State of Texas, all of the following described real property in Guadalupe County, Texas, to-wit:

212.6 acres of land, more or less, located about 12 miles SW of the Town of Seguin, and consisting of the following surveys and parts of surveys, to-wit:
 Being out of the central part of the V. Gortari League, Abst. No. 24, Patent dated December 28, 1833, described as follows:
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 THENCE with said road S. 13° E. 345 vrs. to st. set in road from which a mesq. 4 in. dia. brs. S. 78° W. 13.7 vrs. from which another 5" dia. brs. N. 56-1/4° E. 11 vrs;
 THENCE S. 34° E. 180 vrs. to stk. in road from which a mesq. 3" dia. brs. N. 63-1/4° E. 9 vrs;
 THENCE S. 16° E. 76 vrs. to stk. on West bank of Santa Clara from which elm 10" in dia. brs. S. 84-1/4° E. 20-3/5 vrs;
 THENCE S. 80° W. across said Santa Clara Creek 113 vrs. to stk. on bank from elm 7" in dia. brs. N. 67° E. 6 vrs., another 10" in dia. brs. S. 52° W. 4.9 vrs;
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 THENCE S. 60 W. with L. Koehler South line 729 vrs. to the place of beginning, all bearing trees mkd. X;

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Ord. 07-004

Janie

City of New Berlin, Texas
275 FM 2538
Seguin, Tx, 78155
830-914-2455

JUNE 4, 2007

CHIEF, VOTING SECTION
CIVIL RIGHTS DIVISION
ROOM 7254 - NWB
DEPARTMENT OF JUSTICE
950 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20530

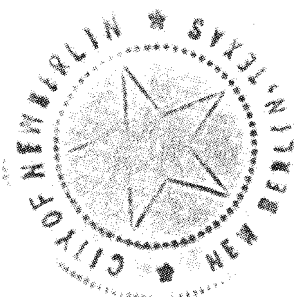
TO WHOM IT MAY CONCERN:

BE ADVISED THAT ORDINANCE *07-004* (ENCLOSED) FOR THE ANNEXATION OF THE PROPERTY INTO THE CITY OF NEW BERLIN, TEXAS 275 FM 2538, SEGUIN, TEXAS 78155, INVOLVES PROPERTY THAT HAS FEWER THAN THREE VOTERS RESIDING ON IT AND ANNEXATION WILL NOT AFFECT THE VOTING STRENGTHS OF MINORITY VOTERS. THE REASON FOR THE ANNEXATION WAS PETITION FOR ANNEXATION BY ALL RESIDENTS OF THE PARCEL.

SINCERELY

Janie Wallace

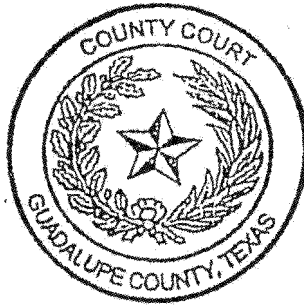
JANIE WALLACE
SECRETARY
CITY OF NEW BERLIN, TEXAS



TERESA ANNE
COUNTY CLERK
BY *Teresa Anne*

2009 OCT -1 PM 1:46

FILED FOR RECORD



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 11-18691 affixed on the first page of this document.

FILED FOR RECORD

11 OCT 13 PM 2:26

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

[Handwritten signature]

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.



[Handwritten signature]
TERESA KIEL
Guadalupe County Clerk