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VOL 3048 PBO 424

11-018092

07 005

Return to:

ORDINANCE No. \_\_\_\_\_

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

Recorded  
2500  
Sept 2007

**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 \_\_\_\_\_ ~~10/12/2005~~

**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.

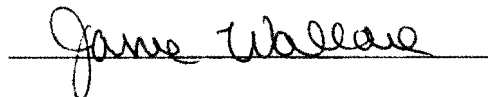
**SECTION 3.** This ordinance shall be effective from and after May 21, 2007.

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



MAYOR  
CITY OF NEW BERLIN, TEXAS

ATTEST:



CITY SECRETARY  
CITY OF NEW BERLIN, TEXAS

**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:

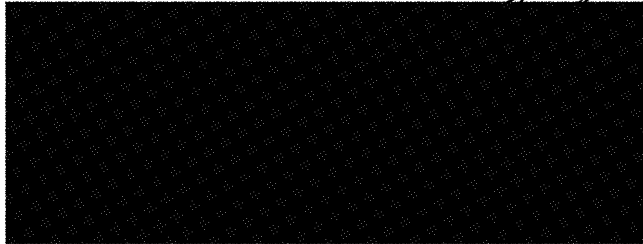


CITY SECRETARY  
CITY OF NEW BERLIN, TEXAS



Freddy CALL ME IF YOU NEED  
ANY MORE INFO OR QUESTIONS

Regan



Being a 116.801 acre tract of land out of the V. Gortari League, Abstract No. 24, Guadalupe County, Texas, said 116.801 acre tract being out of a tract called 212.6 acres, as described in Volume 607, Pages 850-853 of the Deed Records of Guadalupe County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of N 60° 00' E between iron pins along the Northwest line of the above referenced 212.6 acre tract, said 116.801 acre tract of land being more particularly described as follows:

BEGINNING: At an iron pin set at a fence corner on the Easterly line of what is called Santa Clara Road No. 315, for the West corner of the above referenced 212.6 acre tract, as now found upon the ground, for the West corner of this tract;

THENCE: With the Northwest line of the above referenced 212.6 acre tract, same being the Southeast line of a tract called 109.4 acres as described in Volume 302, Pages 411-412 of the Deed Records of Guadalupe County, Texas, generally with fence, N 60° 00' 00" E 1,988.14 feet to an iron pin set for the North corner of this tract, the North corner of the above referenced 212.6 acre tract;

THENCE: Generally with fence and the Northeasterly line of the above referenced 212.6 acre tract, the Southwesterly line of that certain tract described in Volume 321, Page 577 of the Deed Records of Guadalupe County, Texas, S 34° 04' 12" E 1,405.03 feet to a 60 D nail set at a fence corner and S 33° 53' 53" E 769.42 feet to an iron pin set in same for the East corner of this tract;

THENCE: Severing the above referenced 212.6 acre tract, S 59° 56' 49" W 1,946.12 feet to an iron pin set and S 52° 46' 48" W 613.51 feet to an iron pin set on the Northeasterly line of the aforementioned Santa Clara Road No. 315;

THENCE: Generally with fence and the Northeasterly line of said Santa Clara Road No. 315, the Southwesterly line of the above referenced 212.6 acre tract, as now found upon the ground, as follows:

- N 49° 11' 24" W 325.58 feet, an iron pin set
- N 43° 40' 01" W 70.75 feet, an iron pin set
- N 19° 09' 09" W 96.56 feet, an iron pin set
- N 02° 28' 16" E 124.67 feet, a 60 D nail set
- N 09° 42' 07" E 213.63 feet, a 60 D nail set
- N 15° 03' 42" E 99.35 feet, an iron pin set
- N 28° 20' 48" W 174.39 feet, a 60 D nail set
- N 31° 35' 56" W 401.10 feet, an iron pin set

N 13° 40' 01' W 898.25 feet to the Point of Beginning and containing 116.801 acres of land, more or less.

FILED FOR RECORD

95 JAN 20 PM 3:22

LIZZIE H. LORENZ  
COUNTY CLERK GUADALUPE CTY.

BY

*Janita Brown*

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.



*Lizzie M. Lorenz*  
County Clerk,  
Guadalupe County Texas

*Wallace*

*07-005*

*07-005*

VOL3048 P60429

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 (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

FILED FOR RECORD  
2007 OCT -1 PM 1:47  
TARRANT COUNTY  
COUNTY CLERK  
*[Signature]*

10-12-05

We the undersigned, REGAN & MICHELE  
WIEDNER on sheets Notarized 9-30-05  
By Jerry Penzhen & 10-7-05 By Jo Ann  
Garcia Do hereby Petition that the property  
owned by us BETWEEN Mr Otto Radtke & Mrs  
William Kuncle East of Santa Clara Road &  
of the Depth from Santa Clara Road East of  
250 Feet out of the tract of land of the  
U. GORTARI LEAGUE SURVEY, PAGE 850-853  
Vol 607 BE ANNEXED AS A PART OF THE  
INCORPORATED AREA OF THE CITY OF NEW BELTON TEXAS

Regan Wiedner  
Michele Wiedner

Date Requested: 10-12-05  
Date Granted : \_\_\_\_\_

Mayor and Board of Alderman;  
City of New Berlin  
Rt. 6, Box 600  
Seguin, Texas 78155

Dear Mayor and Board of Alderman;

We the undersigned residents, who own property located within the extra territorial jurisdiction of the City of New Berlin, Texas, do hereby petition the Board of Alderman of the City of New Berlin, Texas, to annex said additional territory as a part of the incorporated area of the City of New Berlin,

TO WIT:

That parcel of land adjoining the City Limits and being \_\_\_\_\_ acres in that certain tract of land out of the V. GORTARI LEAGUE Survey, conveyed by Warranty Deed recorded in Volume 607 page 850-853, Guadalupe County Deed of Records. This being acreage which was not annexed by incorporation on May 27, 1975.

Signed:

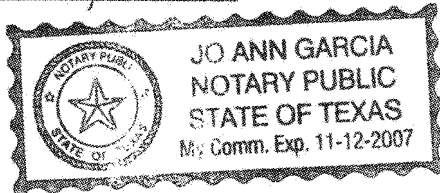
Michele Wiedner  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF TEXAS  
COUNTY OF COMAL

MICHELE WIEDNER APPEARED BEFORE ME OCTOBER 7, 2005 known by me.

Jo Ann Garcia, Notary

Date 10-7-2005





Date Requested: 10-12-05  
Date Granted : \_\_\_\_\_

Mayor and Board of Alderman;  
City of New Berlin  
Rt. 6, Box 600  
Seguin, Texas 78155

Dear Mayor and Board of Alderman;

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Signed:

Regan Wiedner  
\_\_\_\_\_  
\_\_\_\_\_

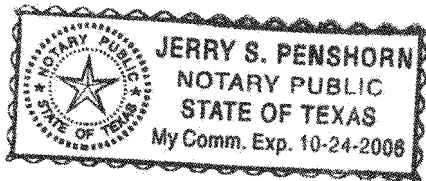
State of Texas  
County of Guadalupe

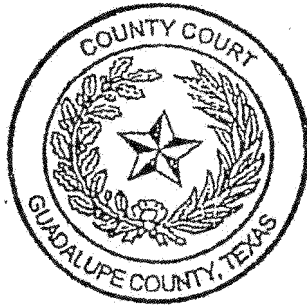
Regan Wiedner appeared before me September 30, 2005, known by me.

Jerry S. Penshorn, Notary

Date 9-30-05

Jerry S. Penshorn





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 11-18092 affixed on the first page of this document.

FILED FOR RECORD

11 OCT 13 PM 2:27

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