

6
C
23.362 acres

VOL 3048 P60452
Recorded
Sent to Justice

11-018096
ORDINANCE No. 07 009

Return to:
CITY OF NEW BERLIN
NEW BERLIN TEXAS
275 FM 2538
SEGUIN TX 78155

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

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.

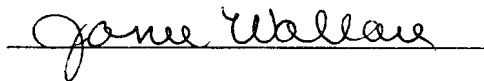
SECTION 3. This ordinance shall be effective from and after May 21, 2007.

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



MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:



CITY SECRETARY
CITY OF NEW BERLIN, TEXAS



Date Requested: _____
Date Granted : _____

Mayor and Board of Alderman;
City of New Berlin

~~Rt. 6, Box 600~~ 275 FM 2538
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 23.362 acres in that certain tract of land out of the V GORTARI Survey, conveyed by Warranty Deed recorded in Volume 583 page 843, Guadalupe County Deed of Records. This being acreage which was not annexed by incorporation on May 27, 1975.

Signed:

William M. Williams
Roney J. Kaerue

1062

VOL 464 PAGE 459

The State of Texas,

} Know All Men by These Presents:

County of GUADALUPE.

That We, CHARLOTTE KUEHLER YOUNG and husband, FRED YOUNG

of the County of BEXAR State of Texas, for and in consideration of the sum of Ten and NO/100 -----

----- (\$10.00) ----- DOLLARS and other good and valuable consideration and Agnes Kuehler to us in hand paid by PATRICIA KUEHLER CRENWELGE and KATHRYN KUEHLER MARKS/, receipt of which is hereby acknowledged and confessed and for which no lien, express or implied, is retained, ~~xxxxxxx~~

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said

Patricia Kuehler Crenwelge and Kathryn Kuehler Marks & Agnes Kuehler of the County of Gillespie State of Texas, all that certain 244.43 acres of land, situated in the V. Gortari Survey, Abst. 24, Guadalupe County, Texas. Said 244.43 acre tract is comprised of a part of First Tract of conveyance from George Kuehler et al to The Federal Land Bank of Houston recorded in Volume 21 at page 427 of the records of deeds of trust of said county and part of Second Tract of said conveyance and is hereinafter described by metes and bounds as follows: BEGINNING at a fence corner in a common line of the V. Gortari and James Reese Surveys, said corner being the east corner of the tract herein

thence N 0° 43' E 217.0 feet;
 thence N 34° 29' W 117.9 feet;
 thence N 76° 41' W 100.8 feet;
 thence N 30° 57' W 200.00 feet;
 thence N 12° 34' E 93.4 feet to the southeast line of the Frank Huebinger 116 acre tract;
 THENCE with the southeast line of said "Huebinger Tract", N 60° 0' E 122.1 feet to an iron stake;
 THENCE with fence along the northeast line of said "Huebinger Tract" as follows:
 N 30° 06' W 912.3 feet;
 thence N 5° 35' E 891.9 feet to the north corner of said "Huebinger Tract";
 THENCE with the fence along the northwest line of said "Huebinger Tract" S 61° 11' W 3,343.5 feet to a fence corner in the northeast line of a county road;
 THENCE with the fence along said line as follows:
 N 26° 59' W 1,413.0 feet;
 thence N 27° 13' W 54.9 feet to an iron stake set for the west corner of the tract herein described;
 THENCE into the parent tract, ends of all courses being marked with iron stakes, as follows:
 N 61° 11' E 2,726.3 feet;
 thence N 12° 19' W 539.4 feet;
 thence N 79° 04' E 1,114.4 feet;
 thence S 10° 56' E 490.4 feet;
 thence S 57° 58' E 767.0 feet to a fence;
 THENCE with the meanders of said fence as follows:
 S 45° 52' W 285.9 feet;
 thence S 31° 46' W 423.2 feet to an iron stake;
 THENCE S 30° 0' E 1,855.2 feet to an iron stake in a common line of First Tract and Second Tract of said conveyance from G. Kuehler et al to the Federal Land Bank of Houston;
 THENCE with said line, N 60° 0' E 642.2 feet to an iron stake;
 THENCE with the meanders of a fence as follows:
 S 17° 02' W 50.0 feet;
 thence S 0° 20' E 359.9 feet;
 thence S 26° 49' W 55.3 feet;
 thence S 14° 53' E 341.7 feet;
 thence S 0° 55' E 461.5 feet;
 thence S 11° 06' W 7.2 feet;
 thence N 60° E 1419.7 feet to an iron stake in a common line of the V. Gortari and James Reese Surveys;
 THENCE with fence along said line, S 29° 06' E 745.5 feet to the place of Beginning and containing 244.43 acres of land.

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 *07-009* (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
2009 OCT -1 PM 1:49
TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY
BY *[Signature]*

FILED FOR RECORD

11 OCT 13 PM 2:39

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

[Signature]

STATE OF TEXAS
COUNTY OF GUADALUPE
I certify the 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