

4/C  
Chinase  
foray

77 acres

11-018116

YOL3048 P60577

2011-

0017

Return to:

THE CITY OF NEW BERLIN  
NEW BERLIN, TEXAS  
275 M 2538  
SEGLIN, TX 78155

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

**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.**

**WHEREAS**, the City of New Berlin, Texas has agreed to annex property being more particularly described in Appendix A attached hereto; and

**WHEREAS**, the City Council of the City of New Berlin, Texas, believing that the above-described property is annexed pursuant to Texas Local Government Code section 43.028, and

**WHEREAS**, on the Nov. 24, 2010 the City Council of the City of New Berlin, Texas received petition from the land owner to annex the land situated outside of, but immediately adjacent to, the current corporate limits of the City of New Berlin, Texas;

**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.

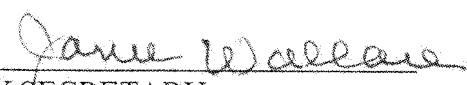
**SECTION 2.** This ordinance shall be effective from and after March 21, 2011

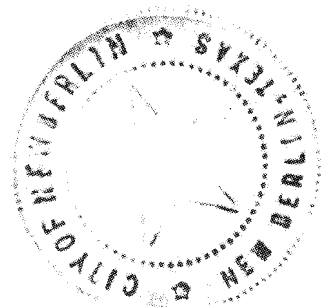
PASSED AND APPROVED this, the 21<sup>st</sup> day of March 2011

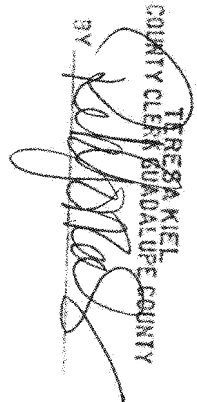


MAYOR  
CITY OF NEW BERLIN, TEXAS

ATTEST:

  
CITY SECRETARY  
CITY OF NEW BERLIN, TEXAS



BY   
TERESA KIEL  
COUNTY CLERK  
DALLAS COUNTY

FILED FOR RECORD  
11 JUN 28 PM 1:33

**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 is contiguous and adjacent to the City of New Berlin, Texas, is not more than one-half (1/2) mile in width, and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

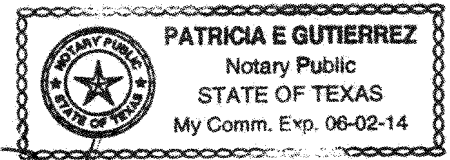
Signature

Date

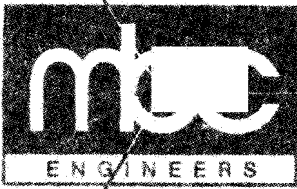
(Signature) Nelleene Froboese 11-24-2010  
(Printed Name) Nelleene Froboese

(Signature) Leroy E. Froboese 11-24-2010  
(Printed Name) Leroy E. Froboese

(Signature) \_\_\_\_\_  
(Printed Name) \_\_\_\_\_



[Handwritten Signature]  
11/24/10



Y013048 P60579

METES AND BOUNDS  
DESCRIPTION OF

A 2.006 ACRE (8,746 SQUARE FEET) TRACT OF LAND OUT OF A CALLED 77 ACRE TRACT SITUATED IN GUADALUPE COUNTY, TEXAS, WHICH IS OUT OF THE GUADALUPE TORRES SURVEY ABSTRACT 313, AND BEING A PART OF THAT 235 ACRE TRACT OF LAND CONVEYED BY FR. HOESE TO ADOLPH HOESE BY DEED DATED APRIL 25, 1883 AND RECORDED IN SAID COUNTY IN THE DEED RECORDS BOOK 3, PAGE 575 AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS;

- BEGINNING:** At a found 1/2" iron rod, said found 1/2" iron rod being the northwestern corner of said 77 acre tract, said found 1/2" iron rod being the southwestern corner of a called 116 Acre - Lena Hoese Tract said found 1/2" iron rod also being on the northeast right-of-way line of Santa Clara Road (a public right-of-way);
- THENCE:** N 60°00'00" E, 390.00 feet, leaving the northeast right-of-way line of said Santa Clara Road and along and with the southern line of said 116 Acre - Lena Hoese Tract, to a found 1/2" iron rod;
- THENCE:** S 30°00'00" E, 224.00 feet, leaving the southern line of said 116 Acre - Lena Hoese Tract, to a found 1/2" iron rod;
- THENCE:** S 60°00'00" W, 390.00 feet, to a found 1/2" iron rod, said found 1/2" iron rod being on the northeast right-of-way of said Santa Clara Road;
- THENCE:** N 30°00'00" W, 224.00 feet, along and with the northeast line of said Santa Clara Road, to the **POINT OF BEGINNING** of this tract.

I, Joe E. Hagle, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground by the firm of Macina, Bose, Copeland and Assoc., Inc., of which a survey map has been prepared.


  
 Joe E. Hagle, REG. NO. 4798  
 REGISTERED PROFESSIONAL LAND SURVEYOR

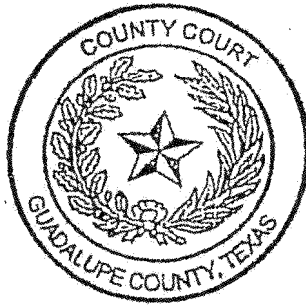
#30407-Guadalupe  
July 7, 2010  
JER/ajg

## EXHIBIT "A"

METES AND BOUNDS DESCRIPTION  
74.204 ACRE TRACT  
GUADALUPE COUNTY, TEXAS

BEING A 74.204 ACRE (3,232,309 SQUARE FOOT) TRACT OF LAND OUT OF 77 ACRE MORE OR LESS SITUATED IN GUADALUPE COUNTY, TEXAS, WHICH IS OUT OF THE GUADALUPE TORRES SURVEY, ABSTRACT 313, AND BEING A PART OF THAT 235 ACRE TRACT OF LAND CONVEYED BY FR. HOESE TO ADOLPH HOESE BY DEED DATED APRIL 25, 1883 AND RECORDED IN SAID COUNTY IN THE DEED RECORD BOOK 3, PAGE 575, SAID 74.204 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING:** At a found  $\frac{1}{8}$ " iron pin on the northeast right-of-way line of Santa Clara for the southwest corner of this 74.204 acre tract of land, said corner also being the southwest corner of the aforementioned 235 acre tract;
- THENCE:** N 30°00'00" W 355.00 feet along the northeast right-of-way line of Santa Clara right-of-way to a set  $\frac{1}{8}$ " iron pin;
- THENCE:** N 60°00'00" E 390.00 feet to a set  $\frac{1}{8}$ " iron pin;
- THENCE:** N 30°00'00" W 224.00 feet to a set  $\frac{1}{8}$ " iron pin for the northwest corner of this 74.204 acre tract, said corner being on the southeast line of the 116 acre Lena Hoese tract;
- THENCE:** N 60°00'00" E 5827.65 feet to a set  $\frac{1}{8}$ " iron pin for the northeast corner of this 74.204 acre tract;
- THENCE:** S 30°00'00" E 579.00 feet to a set  $\frac{1}{8}$ " iron pin for the southeast corner of this 74.204 acre tract said corner also being the southwest corner of the 20 acre tract conveyed to F.C. Hoese et, al, to Lena Hoese by deed dated January 20, 1934 and recorded in Deed Recorded in Book 150, Page 444, Guadalupe County, Texas;
- THENCE:** S 60°00'00" W 5727.65 feet to the southwest corner of the aforementioned 235 acre tract and to the POINT OF BEGINNING of this 74.204 acre of land.



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 11-18116 affixed on the first page of this document.

FILED FOR RECORD  
11 OCT 13 PM 3:24

TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY

BY *Mary Kelso*

STATE OF TEXAS  
COUNTY OF GUADALUPE  
I certify this instrument was FILED on the  
date and at the time stamped hereon and  
was duly recorded in the Official Public  
Records of Guadalupe County, Texas.



*Teresa Kiel*  
TERESA KIEL  
Guadalupe County Clerk