

ORDINANCE No. 2011-0030

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, on the June 27, 2011 the City Council of the City of New Berlin, Texas received petition from Mr. Vernon Schwab to annex the land situated outside of, but immediately adjacent to, the current corporate limits of the City of New Berlin, Texas (petition attached hereto as Appendix B); 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,

WHEREAS, the City of New Berlin, Texas has agreed to annex property being more particularly described in Appendix A attached hereto except for that part that may lie within the Extraterritorial Jurisdiction of the City of Seguin, Texas:

NOW THEREFORE:


BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS:

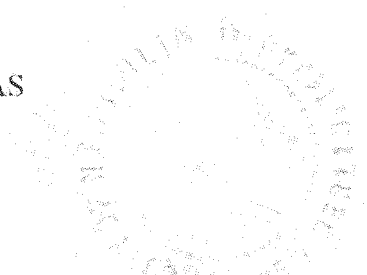
SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of New Berlin, Texas, more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference, is hereby added and annexed to the City of 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 June 27, 2011

PASSED AND APPROVED this, the 27 day of June 2011


MAYOR
CITY OF NEW BERLIN, TEXAS


ATTEST:
CITY SECRETARY
CITY OF NEW BERLIN, TEXAS



NEW BERLIN
NEW BERLIN TEXAS
775 - M 2538
SE - JUN. TX 78155

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, and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

Owner Name: VERNON + LULO MAE SCHWAB

Owner Address: 6815 W IH 10 SEGUIN TEXAS 78155

Property Address: 630 GIN ROAD

Signature

Date

(Signature) Vernon Schwab
(Printed Name) VERNON SCHWAB

6-25-11

(Signature) Lulu Mae Schwab
(Printed Name) LULO MAE SCHWAB

6-26-11

(Signature) _____
(Printed Name) _____

EXHIBIT "B"

All that certain property situated in the County of Guadalupe, State of Texas, described as follows:

80 acres of land, a part of the R. E. Brown original 640 acres survey, and being a part of the 340 acre tract conveyed to Ernst Salge by Emil Maurer and wife by deed dated March 3, 1894, and being a portion of that 240 acres known as the old Salge Homestead, and more fully described by metes and bounds as follows:

BEGINNING at a point in the south line of the public road 25 feet N. 60deg E. from the N. W. corner of what is known as the old Salge Homestead, being also the N. W. corner of said Salge 340 acres and of the R. E. Brown Survey;

THENCE with the south line of road along fence line N. 60° E. 729.3 varas to a fence post set for the N. W. corner of the Emil Salge land;

THENCE with fence line between this 80 acres and the Emil Salge land, S. 30deg E. 619.2 varas to an iron pin set in fence line;

THENCE S. 60° W. 720.3 varas to an iron stake set 25 feet N. 60° E. from the S. W. line of said Salge 240 acres;

THENCE N. 30° W. parallel to and 25 feet from said S. W. line 619.2 varas to the place of beginning;

and being the same conveyed to Richard Salge by Joyce Troell, Receiver in cause No. A-1061 in the District Court of Guadalupe County, Texas, styled Richard Salge et al vs. Emil Salge et al, by deed dated November 18, 1938, and recorded in Guadalupe County Deed Book 180, pp. 449-450.

Schwab 1e

SALGE FARM

RICHARD SALGE, ET UX TO KURT SCHWAB WARRANTY DEED #1867

STATE OF TEXAS
COUNTY OF GUADALUPE

KNOW ALL MEN BY THESE PRESENTS: That, we, Richard Salge and wife, Annie Salge, of Guadalupe County, Texas, in consideration of the sum of TEN DOLLARS (\$10.00) and other considerations to said grantors in hand paid by the grantee hereinafter named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto Kurt Schwab, of Guadalupe County, Texas, all that certain property situated in the County of Guadalupe, State of Texas, described as follows, to-wit:

80 acres of land, a part of the R. E. Brown original 640 acres survey, and being a part of the 340 acre tract conveyed to Ernst Salge by Emil Maurer and wife by deed dated March 3, 1894, and being a portion of that 240 acres known as the old Salge Homestead, and more fully described by metes and bounds as follows: BEGINNING at a point in the south line of the public road, 25 feet N. 60° E. from the N. W. corner of what is known as the old Salge Homestead, being also the N. W. corner of said Salge 340 acres and of the R. E. Brown Survey; THENCE with the south line of road along fence line N. 60° E. 729.3 varas to a fence post set for the N. W. corner of the Emil Salge land; THENCE with fence line between this 80 acres and the Emil Salge land, S. 30° E. 619.2 varas to an iron pin set in fence line; THENCE S. 60° W. 720.3 varas to an iron stake set 25 feet N. 60° E. from the S. W. line of said Salge 240 acres; THENCE N. 30° W. parallel to and 25 feet from said S. W. line 619.2 varas to the place of beginning; and being the same conveyed to Richard Salge by Joye Troell, Receiver in cause No. A-1061 in the District Court of Guadalupe County, Texas, styled Richard Salge et al vs. Emil Salge et al, by deed dated November 18, 1938, and recorded in Guadalupe County Deed Book 180, pp. 449-450.

TO HAVE AND TO HOLD the said premises, together with all rights, hereditaments and appurtenances thereto in anywise belonging, unto the said grantee above named, his heirs and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND the title to the said property unto the said grantee above named, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this October 29, 1943

\$6.60 Revenue Stamps Cancelled

RICHARD SALGE

ANNIE SALGE

STATE OF TEXAS
COUNTY OF GUADALUPE

Before me, the undersigned authority, on this day personally appeared Richard Salge and Annie Salge, wife of the said Richard Salge, personally known to me to be the person whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed. And the said Annie Salge having



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 12-828 affixed on the first page of this document.

FILED FOR RECORD
12 JAN 13 PM 12:02

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY
BY *[Signature]*

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

-> REC City of New Berlin