

2075
78155
Dir. Pk.

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 November 9, 2011 and may 9, 2011

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 November 21, 2011:

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, 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 November 21, 2011

PASSED AND APPROVED this, the 21st day of November, 2011



MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST: Jame Wallaw

CITY SECRETARY
CITY OF NEW BERLIN, TEXAS

Return to:
THE CITY OF NEW BERLIN
NEW BERLIN, TEXAS
275 FM 2538
SEGUIN, 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, 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) *Perry M. Frisbey*
(Printed Name) PERRY M. FRISBEY

5/09/2011

(Signature) _____
(Printed Name) _____

(Signature) _____
(Printed Name) _____

FIELD NOTES
FOR
A 4.758 ACRE TRACT

Being a 4.758 acre tract of land, being approximately 0.432 acres out of the L. Martinez Survey, Abstract 218 and approximately 4.326 acres out of the Jose M. Sierra Survey, Abstract 294, Guadalupe County, Texas, and being the same tract of land called 4.758 acres recorded in Volume 1648, Pages 588-591 of the Official Public Records of Guadalupe County, Texas, and all bearings referred to in this description are referenced to a bearing of S 28° 20' 04" E between monumentation found along the Northeast line of the above referenced 4.758 acre tract, said 4.758 acre tract of land surveyed under the supervision of Richard A. Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more particularly described as follows:

BEGINNING: At a ½" iron pin found for the South corner of the above referenced tract, for a corner of the remainder of a tract called 30.23 acres described in Volume 404, Page 231 of the Deed Records of Guadalupe County, Texas, said point lying in the Northwesterly line of a tract called 10.120 acres described in Volume 745, Pages 1381-1384 of the Official Public Records of Guadalupe County, Texas, for the South corner and Point of Beginning of this tract;

THENCE: Along the Southwesterly line of the above referenced tract, N 29° 23' 02" W 781.72 feet to a 3/8" iron pin found in the Northeasterly line of a tract of land called 6.00 acres described in Volume 584, Page 673 of the Deed Records of Guadalupe County, Texas, the South corner of a tract called 5.00 acres described in Volume 761, Page 106 of the Official Public Records of Guadalupe County, Texas, for a Westerly Northwest corner of the above referenced tract, for a Westerly Northwest corner of this tract;

THENCE: Along the Southeasterly line of said 5.00 acre tract, a Northwesterly line of the above referenced tract, N 60° 09' 29" E 218.17 feet to a P.K. nail found for the Easterly Southeast corner of said 5.00 acre tract, an interior corner of the above referenced tract, for an interior corner of this tract;

THENCE: Along the Northeasterly line of said 5.00 acre tract, a Southwesterly line of the above referenced tract, N 28° 20' 04" W 910.79 feet to a ½" iron pin found in the Southerly line of a road, called Gin Road (called County Road No. 404), for the most Northerly Northwest corner of the above referenced tract, the North corner of said 5.00 acre tract, for the most Northerly Northwest corner of this tract;

Page 2: 4.758 Acre Tract

THENCE: Along the Southerly line of Gin Road, N 81° 24' 45" E 26.56 feet to a ½" iron pin found for the most Northerly corner of the above referenced tract, for the most Northerly corner of this tract;

THENCE: Along the Northeast line of the above referenced tract, S 28° 20' 04" E 1683.97 feet to a ½" iron pin found in the Northwesterly line of said 10.120 acre tract, for the East corner of the above referenced tract, for the East corner of this tract;

THENCE: Along the Northwesterly line of said 10.120 acre tract, the Southeast line of the above referenced tract, S 60° 22' 06" W 228.84 feet to the Point of Beginning and containing 4.758 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, March 14, 2007. Reference plat prepared of this 4.758 acre tract.

Richard A. Goodwin, RPLS #4069

Job #07-207(4.758)

FIELD NOTES
FOR
A 0.105 ACRE TRACT
(5' Access Easement)

Being a 0.105 acre tract of land, being approximately 0.02 acres out of the Jose M. Sierra Survey, Abstract 294 and approximately 0.085 acres out of the L. Martinez Survey, Abstract 218, Guadalupe County, Texas, being out of that certain 5.00 acre tract recorded in Volume 761, Page 106 of the Official Public Records of Guadalupe County, Texas, and all bearings referred to in this description are referenced to a bearing of S 28° 20' 04" E between monumentation found along the Northeast line of a 4.758 acre tract recorded in Volume 1648, Page 588 of the Official Public Records of Guadalupe County, Texas, said 0.105 acre tract of land surveyed under the supervision of Richard A. Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more particularly described as follows:

BEGINNING: At a ½" iron pin found on the South line of Gin Road, for the North corner of the above referenced 5.00 acre tract, a Northwesterly corner of said 4.758 acre tract, for the North corner of this tract;

THENCE: Leaving the Southerly line of Gin Road, with the Northeast line of the above referenced 5.00 acre tract, a Southwest line of said 4.758 acre tract, S 28° 20' 04" E 910.79 feet to a P.K. nail found for an interior corner of said 4.758 acre tract, the East corner of the above referenced 5.00 acre tract, for the East corner of this tract;

THENCE: With the Southeast line of the above referenced 5.00 acre tract, S 60° 09' 29" W 5.00 feet to the South corner of this tract;

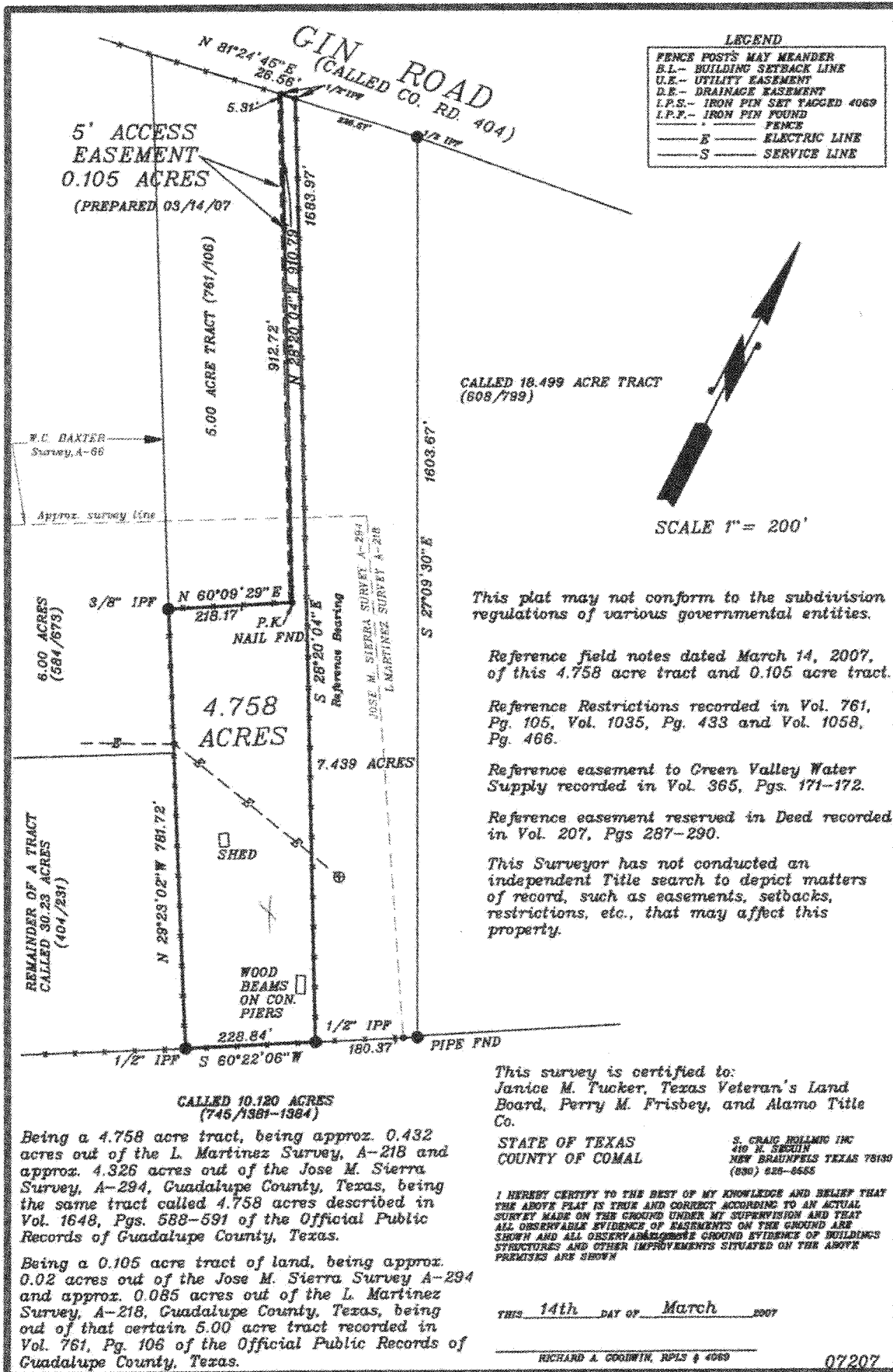
THENCE: Parallel with and 5 feet from the Northeast line of the above referenced 5.00 acre tract, N 28° 20' 04" W 912.72 feet to the West corner of this tract, situated on the Southerly line of Gin Road;

THENCE: With the Southerly line of Gin Road, N 81° 24' 45" E 5.31 feet to the Point of Beginning and containing 0.105 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, March 14, 2007. Reference plat prepared of this 0.105 acre tract.

Job #07-207(0.105)

Richard A. Goodwin, RPLS #4069



LEGEND

FENCE POSTS MAY MEANBER

B.L. - BUILDING SETBACK LINE

U.E. - UTILITY EASEMENT

D.E. - DRAINAGE EASEMENT

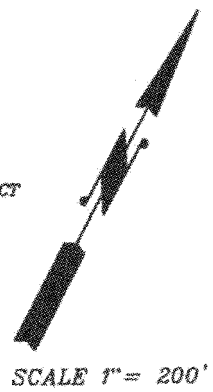
I.P.S. - IRON PIN SET TAGGED 4069

I.P.F. - IRON PIN FOUND

— FENCE

— E — ELECTRIC LINE

— S — SERVICE LINE



CALLED 18.499 ACRE TRACT (608/799)

This plat may not conform to the subdivision regulations of various governmental entities.

Reference field notes dated March 14, 2007, of this 4.758 acre tract and 0.105 acre tract.

Reference Restrictions recorded in Vol. 761, Pg. 105, Vol. 1035, Pg. 433 and Vol. 1058, Pg. 466.

Reference easement to Green Valley Water Supply recorded in Vol. 365, Pgs. 171-172.

Reference easement reserved in Deed recorded in Vol. 207, Pgs 287-290.

This Surveyor has not conducted an independent Title search to depict matters of record, such as easements, setbacks, restrictions, etc., that may affect this property.

This survey is certified to:
Janice M. Tucker, Texas Veteran's Land Board,
Perry M. Frisbey, and Alamo Title Co.

STATE OF TEXAS
COUNTY OF COMAL

S. CRAIG BELLING INC
210 N. SEGUN
NEW BRAUNFELS TEXAS 78130
(830) 828-8555

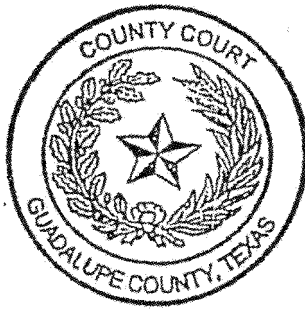
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT ALL OBSERVABLE EVIDENCE OF EASEMENTS ON THE GROUND ARE SHOWN AND ALL OBSERVABLE ABOVE GROUND EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES ARE SHOWN

THIS 14th DAY OF March 2007

RICHARD A. COONWIK, RPLS # 4069 07207

Being a 4.758 acre tract, being approx. 0.432 acres out of the L. Martinez Survey, A-218 and approx. 4.326 acres out of the Jose M. Sierra Survey, A-294, Guadalupe County, Texas, being the same tract called 4.758 acres described in Vol. 1648, Pgs. 588-591 of the Official Public Records of Guadalupe County, Texas.

Being a 0.105 acre tract of land, being approx. 0.02 acres out of the Jose M. Sierra Survey A-294 and approx. 0.085 acres out of the L. Martinez Survey, A-218, Guadalupe County, Texas, being out of that certain 5.00 acre tract recorded in Vol. 761, Pg. 106 of the Official Public Records of Guadalupe County, Texas.



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 12-815 affixed on the first page of this document.

FILED FOR RECORD

12 JAN 13 AM 11:49

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY 

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
Guadalupe County Clerk