

Appendix A  
Sibert  
2011  
C

11 018110 VOL 3048 PG 0541  
ORDINANCE No. 2011-~~0017~~ 008

Return to:  
THE CITY OF NEW BERLIN  
NEW BERLIN, TEXAS  
275 M 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.**

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 Feb 11, 2011 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

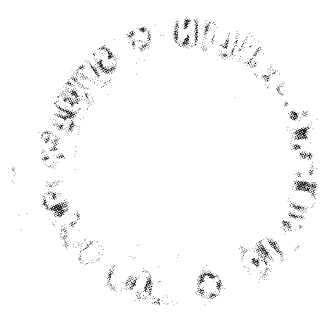
Gilbert K. Pepl

MAYOR  
CITY OF NEW BERLIN, TEXAS

ATTEST:

Jane Wallace  
CITY SECRETARY  
CITY OF NEW BERLIN, TEXAS

FILED FOR RECORD  
JUN 28 PM 1:29  
TERESA KIEL  
COUNTY CLERK COADAUPE COUNTY  
Teresa Kiel



**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.

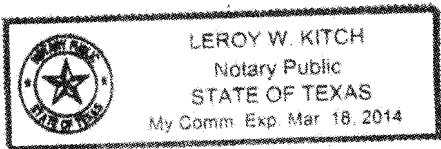
Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Signature) Alfred L. Seibert 2-10-2011  
(Printed Name) ALFRED L SEIBERT

(Signature) Catherine J. Seibert 2-10-2011  
(Printed Name) CATHERINE J SEIBERT

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

Alfred L Seibert and Catherine J Seibert known to me  
acknowledged before me the above on 2/10/2011.

Leroy W. Kitch  
Notary Public  
Brewer County,  
State of Texas



THE STATE OF TEXAS  
COUNTY OF GUADALUPE

§  
§ AGREEMENT FOR FUTURE ASSIGNMENT OR DEED  
§

VOL 3048 PG 0543

This agreement is made and entered into by and between JAMES A. BEARD and wife, EVA BEARD, hereinafter called Seller, and ALFRED L. SEIBERT and wife, CATHERINE J. SEEBERT, hereinafter called Purchaser. This agreement pertains to two tracts of land, hereinafter called Tract 1 and Tract 2 as fully described hereafter. Tract 1 contains 15.00 acres of land and the rights thereto are presently held by Seller as the Veteran-Purchaser in that Contract of Sale and Purchase dated August 2, 1974, recorded in Volume 488, Page 831, of the Deed Records of Guadalupe County, Texas. Tract 2 contains 5.61 acres and was conveyed to JAMES A. BEARD by Warranty Deed recorded in Volume 532, Page 283, Deed Records of Guadalupe County, Texas. Said property is fully described as follows:

Tract 1:

All that certain 15.00 acres of land situated in the Juan Jose Guerrero Survey, Abst. 140, Guadalupe County, Texas. Said 15.00 acre is part of a tract called 76.05 acres in conveyance from Oscar F. Zwicke to John M. Seitz, dated October 30, 1951, and is recorded in Vol. 254, Page 188 of the Deed records of said county and is described by metes and bounds as follows:

BEGINNING at an iron stake set at a fence corner marking the east corner of the parent tract and the tract herein described, said corner being in a common line of the Juan Jose Guerrero Survey, Abst. 140, and the V. Gortari Survey Abst. 23 and situated S. 61 deg. 19' W. 68.4 feet from the north corner of said Gortari Survey;

THENCE with fence along a common line of the Guerrero and the Gortari Surveys, S. 61 deg. 19' W. 571.7 feet to an iron stake set for the south corner of the tract herein described;

THENCE into the parent tract, N. 29 deg. 25' W. at 30 feet and iron stake and at 1,144.0 feet an iron stake marking the west corner of the tract herein described;

THENCE N. 60 deg. 52' E. 568.5 feet to an iron stake set in the northeast line of the parent tract;

THENCE with the fence along said line, S. 29 deg. 34' E. 1,148.5 feet to the place of beginning and containing 15.00 acres of land. Further, the rights of Seller as a Veteran-Purchaser as stated above also includes an access easement to a strip of land 30 feet wide, the southeast line of which begins at the south corner of the tract herein

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described and extends S. 61 deg. 19' W. 460.8 feet to a re-entrant corner of the easement herein described;

THENCE with the Northeast line of said easement, S. 29 deg. 25' E. 171.2 feet to the north line of a county road.

Tract 2:

5.61 acres of land situated in the Juan Jose Guerrera Survey, Abst. 140, Guadalupe County, Texas. Said 5.61 acre tract is a part of a tract called 76.05 acres in conveyance from Oscar F. Zwicke to John M. Seitz dated October 30, 1951 and recorded in Volume 254 at Page 188 of the deed records of said county and is described by metes and bounds as follows:

BEGINNING at a fence corner and iron stake marking the north corner of the parent tract and the tract herein described, said corner being in a common line of the Juan Jose Guerrera Survey, Abst. 140 and the G. Torres Survey, Abst. 313;

THENCE with the fence along the northeast line of the parent tract, S. 29° 34' E 430.3 feet to an iron stake;

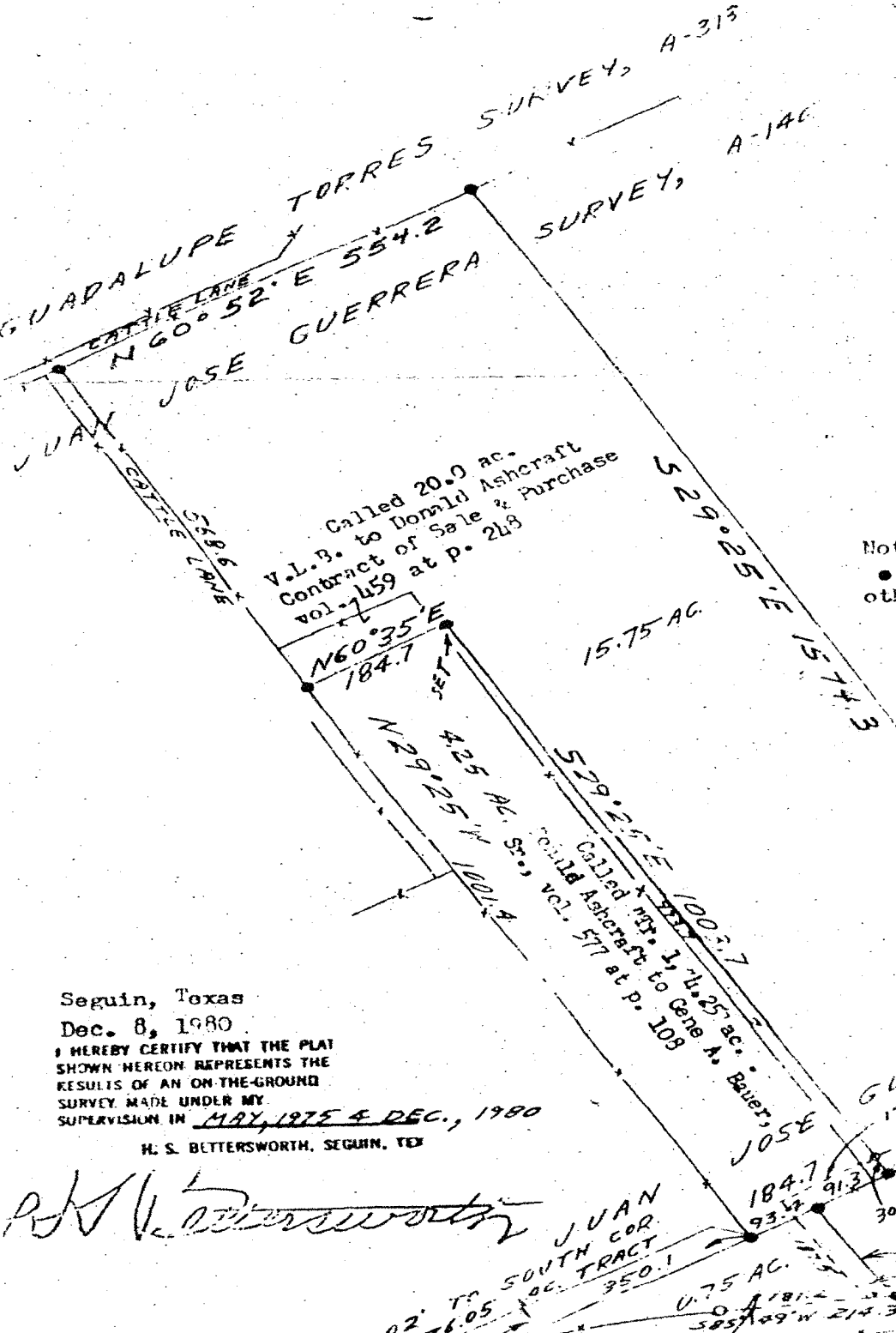
THENCE into the parent tract, S. 60° 52' W 568.5 feet to an iron stake marking the south corner of the tract herein described;

THENCE N 29° W 430.3 feet to an iron stake set in the northeast line of the parent tract;

THENCE with fence along said line and the common line of the Guerrera and the Torres Surveys, N 60° 52' E 567.4 feet to the place of beginning and containing 5.61 acres of land.

The consideration for this agreement, which Purchaser agrees to pay, is the sum of \$28,854.00, of which the sum of \$5,000.00 shall be paid in cash upon the execution of this contract on or about December 10, 1981, and the balance of \$23,854.00 to be payable to Seller at such address as he requests as follows:

In monthly installments of \$315.25 or more each, payable on the 20th day of each and every calendar month, beginning January 20, 1982, and continuing regularly thereafter until the whole of said sum of \$23,854.00, with interest thereon from the date of this contract until maturity at the rate of ten percent (10%) per annum, has been duly paid, interest being calculated on the unpaid principal to the date of each installment paid and the payment made credited first to the discharge of the interest accrued and the balance to the reduction of the principal. Purchaser shall have the right to prepay any amount of the sum due at any time without penalty.



Note:  
 • indicates iron stake found un otherwise noted.

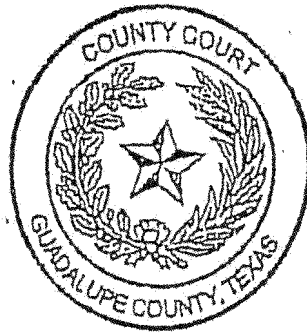
Seguin, Texas  
 Dec. 8, 1980  
 I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON REPRESENTS THE RESULTS OF AN ON-THE-GROUND SURVEY MADE UNDER MY SUPERVISION IN MAY, 1975 & DEC., 1980  
 H. S. BETTERS WORTH, SEGUIN, TEX

*H. S. Betterworth*

Called Tr. 2, 4.75 ac. vol. 577 at p. 108  
 Called Tr. 1, 14.25 ac. Buier's Donald Ashcraft to Gene A. Buier vol. 577 at p. 108  
 Called 20.0 ac. V.L.B. to Donald Ashcraft Contract of Sale & Purchase vol. 1459 at p. 248  
 PLAT OF 4.25 ACRES OF LAND, Part of the Donald Ashcraft 20.0 ac. tract, J.J. GUERRERA SURVEY, A-140, GUADALUPE COUNTY, TEXAS.

Seguin, Texas,  
 May 10, 1973  
 I hereby certify that the 4.25 acre tract shown hereon was computed from a survey of the parent tract made on the grounds and under my supervision in July, 1972





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 11-18110 affixed on the first page of this document.

FILED FOR RECORD

11 OCT 13 PM 3:11

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 thereon and  
was duly recorded in the Official Public  
Records of Guadalupe County, Texas.



*Teresa Kiel*  
TERESA KIEL  
Guadalupe County Clerk