

84C
Cynthia Juarez
Secretary
2 notes

VOL 4269 PGO 388

14-015480
ORDINANCE No. 2013-0035

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 September 12, 2013; 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 November 18, 2013; and

NOW THEREFORE:

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

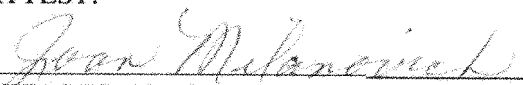
SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of New Berlin, Texas, more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference, is hereby added and annexed to the City of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

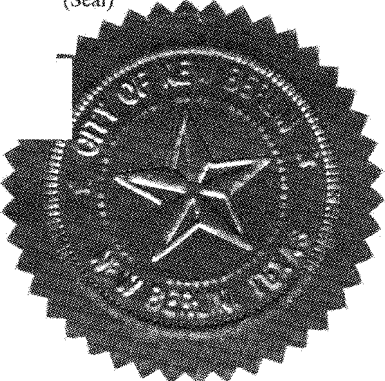
SECTION 2. This ordinance shall be effective from and after November 18, 2013.

PASSED AND APPROVED this, the 18th day of November, 2013.


MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:


CITY SECRETARY
CITY OF NEW BERLIN, TEXAS
(Seal)



After recording
Please return to:
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 consisting of .624 acres 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(s) Signature(s)

Date

(Signature) _____

Teesha Zwicke Autry

9/12/13

(Printed Name) _____

Teesha Zwicke Autry

(Signature) _____

(Printed Name) _____

(Signature) _____

(Printed Name) _____

Mailing Address:

2311 Partnership Rd., Seguin, TX 78155

Property Address:

2311 Partnership Rd., Seguin, TX 78155

Telephone: _____



Note: \$40 Recording Fee must accompany your petition. If your petition is not accepted, your \$40 will be refunded

Amount Paid 40.⁰⁰

Check # 6231 Accepted by

Joan Malasovich

State of Texas
County of Guadalupe

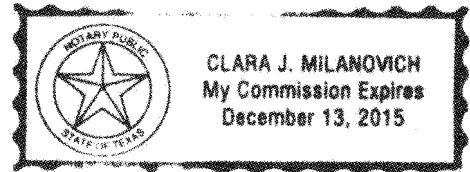
Before me on this day personally appeared

Teesha Zwickel Butry, known
(name/names of signers)

to me or proved to me through TXDL [REDACTED] to be the
person(s) whose name(s) is/are subscribed to the foregoing instrument and each acknowledged
to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 12th day of September, 2013.

Clara Joan Milanovich
Notary Public's Signature



(Notary Seal)

DEED OF TRUST

1269 PRO391

Date: September 1, A.D. 1995.

Grantor: ALAN W. FRIESENHAHN and wife, TEESHA M. FRIESENHAHN.

Grantor's Mailing Address (including county): 2311 Partnership Road, Seguin,
Guadalupe County, Texas 78155.

Trustee: JOEL HAILEY

Trustee's Mailing Address (including county): P. O. Box 23336, San Antonio,
Bexar County, Texas 78223.

Beneficiary: ELMER G. ZWICKE and wife, PEGGY L. ZWICKE.

Beneficiary's Mailing Address (including county): Route 4, Box 556, Seguin,
Guadalupe County, Texas 78155.

Note(s)

Date: September 1, 1995.

Amount: XXXXXXXXXX

Maker: Alan W. Friesenhahn and wife, Teesha M. Friesenhahn.

Payee: Elmer G. Zwicke and wife, Peggy L. Zwicke.

Final Maturity Date: As stated in said note.

Terms of Payment (optional): As stated in said note.

Property (including any improvements):

A tract of land in the William C. Baxter Survey, Abstract 66,
in Guadalupe County, Texas, and being more particularly described
in EXHIBIT "A", attached hereto and made a part hereof.

Prior Lien(s) (including recording information):

None

EXECUTED this the 1st day of September, A.D. 1995.

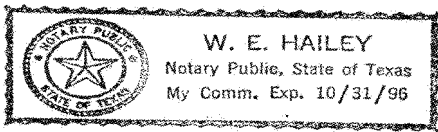
Alan W. Friesenhahn
Alan W. Friesenhahn

Teesha M. Friesenhahn
Teesha M. Friesenhahn

(Acknowledgment)

STATE OF TEXAS
COUNTY OF BEXAR

This instrument was acknowledged before me on the 26th day of October, 1995, by Alan W. Friesenhahn and Teesha M. Friesenhahn.



W. E. Hailey
Notary Public, State of Texas
Notary's name (printed):
Notary's commission expires:

(Corporate Acknowledgment)

STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on the _____ day of _____, 19____, by _____ of _____ a _____ corporation, on behalf of said corporation.

Notary Public, State of Texas
Notary's name (printed):
Notary's commission expires:

AFTER RECORDING RETURN TO:

Elmer G. Zwicke
Route 4, Box 556
Seguin, Texas 78155

PREPARED IN THE LAW OFFICE OF:

William E. Hailey
4115 E. Southcross Blvd.
San Antonio, Texas 78222

EXHIBIT "A"

Being a tract of land situated in the William C. Baxter Survey, Abstract 66, Guadalupe County, Texas, said tract is part of First Tract (hereinafter called the parent tract) of conveyance to Walter Zwicke recorded in Volume 205, on page 2, of the Deed Records of Guadalupe County, Texas, and is described by metes and bounds as follows:

BEGINNING at the North corner of the tract herein described and the parent tract; S 60° 07' W 305 feet to an iron stake set for the North corner of the tract herein described;

THENCE into and across the parent tract, ends of courses being marked with iron stakes as follows:

- S 29° 24' E 170 feet;
- thence S 60° 07' W 160 feet;
- thence N 29° 24' W 170 feet;
- thence N 60° 07' E 160 feet, to the place of beginning.

FILED FOR RECORD

95 OCT 27 AM 8: 18

LIZZIE M. LORENZ
COUNTY CLERK GUADALUPE CTY.

BY *[Signature]*

THE STATE OF TEXAS
COUNTY OF GUADALUPE

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly recorded in the Official Public Records of Guadalupe County, Texas.



[Signature]
County Clerk,
Guadalupe County, Texas

SPECIAL ASSUMPTION WARRANTY DEED

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GUADALUPE

§

§

That I, **ALAN W. FRIESENHAHN**, GRANTOR, of the County of San Patricio and State of Texas, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the GRANTEE herein named, the receipt of which is hereby acknowledged, and for the further consideration that GRANTEE hereby assumes and promises to pay, according to the terms, all principal and interest now remaining unpaid on that one (1) certain promissory note dated September 1, A.D. 1995, executed by Alan W. Friesenhahn and wife, Teesha M. Friesenhahn, payable to the order of Elmer G. Zwicke and wife, Peggy L. Zwicke, also known as Peggy M. Zwicke, in the sum of SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00) and secured by a Deed of Trust duly recorded in the Deed of Trust Records of Guadalupe County, Texas; said note being additionally secured by a vendor's lien retained in Deed of even date therewith recorded in the Real Property Records of Guadalupe County, Texas; GRANTEE herein expressly assuming all covenants and obligations of said instruments, being a part of the consideration exchanged by the parties in a division of the marital estate in Cause No. 96-0008-CV in the 25th Judicial District Court of Guadalupe County, Texas, has GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto **TEESHA M. FRIESENHAHN**, of the County of Guadalupe and State of Texas, all of the following described real property in Guadalupe County, Texas, to-wit:

Being a tract of land situated in the William C. Baxter Survey, Abstract 66, Guadalupe County, Texas, said tract is part of First Tract (hereinafter called the parent tract) of conveyance to Walter Zwicke recorded in Volume 205, on page 2, of the Deed Records of Guadalupe County, Texas, and is described by metes and bounds as follows:

BEGINNING at the North corner of the tract herein described and the parent tract; S 60° 07' W 305 feet to an iron stake set for the North corner of the tract

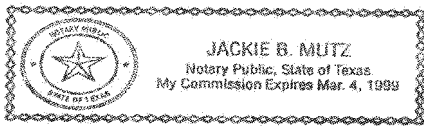
TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said GRANTEE, her heirs, executors, administrators and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said GRANTEE, her heirs, executors, administrators and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under me, but not otherwise.

EXECUTED this the 19th day of January, 1996.

Alan W. Friesenhahn
ALAN W. FRIESENHAHN

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the 19th day of January, 1996, by
ALAN W. FRIESENHAHN.



Jackie B. Mutz
Notary Public in and for
The State of Texas

Printed name: Jackie B. Mutz
Commission expires: 3-4-99

PREPARED IN THE OFFICE OF:

✓ Richard P. Corrigan
1920 Nacogdoches Rd., #100
San Antonio, TX 78209-2294

FILED FOR RECORD

THE STATE OF TEXAS
COUNTY OF GUADALUPE
I hereby certify...

FILED FOR RECORD
14 SEP -3 PM 2:48

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY: C Hernandez

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