

7/12

ORDINANCE No. 2014 - 007

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(s) of land, contiguous to the City of New Berlin, Texas; and

WHEREAS, the area of said land is one-half mile or less in width; and

WHEREAS, the area of said land is 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 August 18, 2014; 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 September 15, 2014; and


NOW THEREFORE:

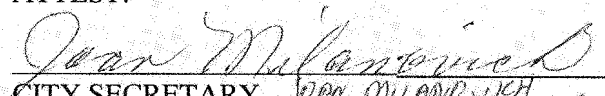
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS:

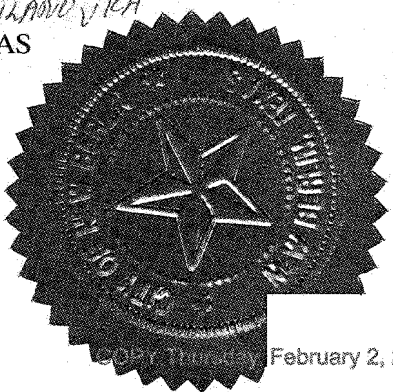
SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of New Berlin, Texas, more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference, is hereby added and annexed to the City of 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 extend and 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 September 15, 2014.

PASSED AND APPROVED this, the 15th day of September, 2014.


MAYOR
CITY OF NEW BERLIN, TEXAS
GILBERT MERKAC

ATTEST:

CITY SECRETARY JOAN MILANOVICH
CITY OF NEW BERLIN, TEXAS
(Seal)



After recording Please return to:
→ City of New Berlin
New Berlin, Texas
275 FM 2538
Seguin, TX 78155

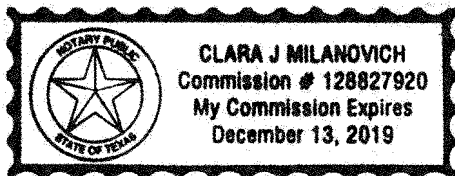
State of Texas
County of Guadalupe

Before me, Clara Joan Milanovich, Notary Public, on this day personally appeared Gilbert Merkle, known to me, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of September, 2014.

Clara J. Milanovich
Notary Public's Signature

(Notary Seal)



Certificate of Acknowledgment

Oridinance Number - 2014-007

COPY Thursday, February 2, 2017

Voters - 2

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 15.00 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) *Jimmy Moh* 08/18/14

(Printed Name) Jimmy Moh

(Signature) *Alicia Moh* 8/18/14

(Printed Name) Alicia Moh

(Signature) _____

(Printed Name) _____

Mailing Address: 4753 Gln Rd. Marion, TX 78124

Property Address: 4753 Gln Rd. Marion, TX 78124

Telephone: [REDACTED] [REDACTED]

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

Amount Paid \$40 Check # 2203 Accepted by *Jean Milonovic*

State of Texas
County of Guadalupe

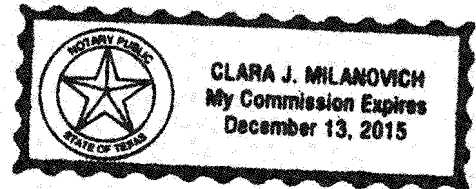
Before me on this day personally appeared

Jimmy L. Mott and Alicia A. Mott, known
(name/names of signers)

to me or proved to me through Texas Driver License 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 18th day of August, 2014.

Clara Joan Milanovich
Notary Public's Signature



(Notary Seal)

EXHIBIT A

BEING 11.987 acres of land, more or less, out of the Vicente Gortari Survey, Abstract 24, Guadalupe County, Texas and also being out of a 22.99 acre tract described in Volume 1074, Page 725 of the Official Records of Guadalupe County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found in the existing southeast R.O.W. line of Gin Road (County Road #404) for the most northerly corner of the above referenced 22.99 acre tract, said point also being the most westerly corner of a 1.155 acre tract surveyed the 9th day of June, 2006;

THENCE, S 27°44'31" E, along the common line with said 1.155 acre tract, passing an iron rod found at 417.95 feet and continuing along the common line with the remaining portion of a 21.99 acre tract described in Volume 1075, Page 762 of the Official Records of Guadalupe County, Texas to an iron rod found for the most easterly corner of this tract and the most easterly corner of said 22.99 acre tract;

THENCE, S 60°54'57" W, 485.10 feet along the common line with a 33.58 acre tract described in Volume 1219, Page 289 of the Official Records of Guadalupe County, Texas to an iron rod found in same for the most southerly corner of this tract;

THENCE, N 27°36'39" W, (Ref. Brg.) 1079.26 feet along the common line with a 2.880 acre tract, surveyed the 16th day of October, 2006 to an iron rod found in the existing southeast R.O.W. line of Gin Road for the most westerly corner of this tract;

THENCE, N 60°51'11" E, 482.64 feet along said southeast R.O.W. line to the POINT OF BEGINNING and containing 11.987 acres of land, more or less.

FILED FOR RECORD

06 DEC 22 PM 12:04

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY Sandra Hoelder

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

FIELD NOTES

June 9, 2006

BEING 1.155 acres of land, more or less, out of the Vicente Gortari Survey, Abstract 24, Guadalupe County, Texas and also being out of a 21.99 acre tract described in Volume 1075, Page 762 of the Official Records of Guadalupe County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found in the existing southeast R.O.W. line of Gin Road (County Road #404) for the most westerly corner of this tract and the most westerly corner of the above referenced 21.99 acre tract;

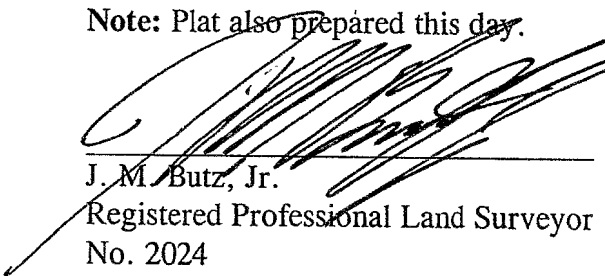
THENCE, N 61°01'38" E,(Ref. Brg.) 119.01 feet along said southeast R.O.W. line to an iron rod found in same for the most northerly corner of this tract, said point also being the most westerly corner of a 0.918 acre tract described in Volume 2011, Page 15 of the Official Records of Guadalupe County, Texas;

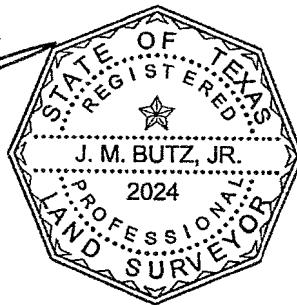
THENCE, S 28°01'18" E, along the common line with said 0.918 acre tract passing and iron rod found for the corner of same at 200.07 feet and continuing along the common line with a 1.000 acre tract described in Volume 2011, Page 15 of the Official Records of Guadalupe County, Texas, a total distance of 417.90 feet to an iron rod found for the most easterly corner of this tract and the most southerly corner of said 1.000 acre tract;

THENCE, S 61°01'38" W, 121.81 feet, crossing a portion of said 21.99 acre tract, to an iron rod set in the common line with a 14.880 acre tract described in Volume 1075, Page 758 of the Official Records of Guadalupe County, Texas for the most southerly corner of this tract;

THENCE, N 27°38'19" W, 417.95 feet along the common line with said 14.880 acre tract to the POINT OF BEGINNING and containing 1.155 acres of land, more or less.

Note: Plat also prepared this day.


J. M. Butz, Jr.
Registered Professional Land Surveyor
No. 2024



FN04-176.B

FIELD NOTES

May 17, 2004

BEING 0.918 acre of land, more or less, out of the Vicente Gortari Survey, Abstract 24, Guadalupe County, Texas and also being out of a 48.60 acre tract described in Volume 431, Page 582 of the Deed Records of Guadalupe County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found in the existing southeast R.O.W. line of Gin Road (County Road #404) for the most westerly corner of this tract, said point being N 61°01'38" E, 119.01 feet from an iron rod found for the most westerly corner of a 21.99 acre tract described in Volume 1075, Page 762 of the Official Records of Guadalupe County, Texas;

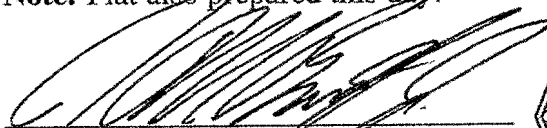
THENCE, N 61°01'38" E, (Ref. Brg.) 200.00 feet along said southeast R.O.W. line to an "X" on a telephone pedestal for the most northerly corner of this tract;

THENCE, S 28°01'18" E, 200.07 feet along the common line with said 21.99 acre tract to an iron rod found for the most easterly corner of this tract;

THENCE, S 61°01'38" W, 200.00 feet along the common line with said 21.99 acre tract and the common line with a 1.000 acre tract, surveyed this day, to an iron rod set for the most southerly corner of this tract;

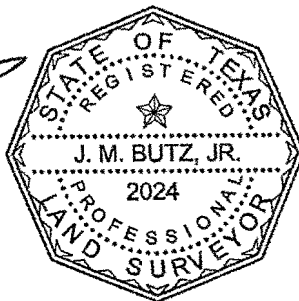
THENCE, N 28°01'18" W, 200.07 feet along the common line with said 21.99 acre tract to the POINT OF BEGINNING and containing 0.918 acre of land, more or less.

Note: Plat also prepared this day.


J. M. Butz, Jr.

Registered Professional Land Surveyor

No. 2024



FN04-176

FIELD NOTES

May 17, 2004

BEING 1.000 acre of land, more or less, out of the Vicente Gortari Survey, Abstract 24, Guadalupe County, Texas and also being out of a 21.99 acre tract described in Volume 1075, Page 762 of the Official Records of Guadalupe County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set for the most westerly corner of this tract and the most southerly corner of the remaining 0.918 acre of a 48.260 acre tract described in Volume 431, Page 382 of the Deed Records of Guadalupe County, Texas said point also being N 61°01'38" E, 119.01 feet and S 28°01'18" E, 200.07 feet from an iron rod found for the most westerly corner of the above referenced 21.99 acre tract;

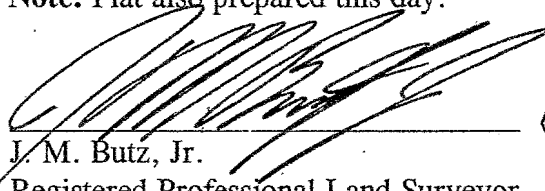
THENCE, N 61°01'38" E, 200.00 feet along the common line with said 0.918 acre tract to an iron rod found for the most northerly corner of this tract and the most easterly corner of said remaining 0.918 acre tract;

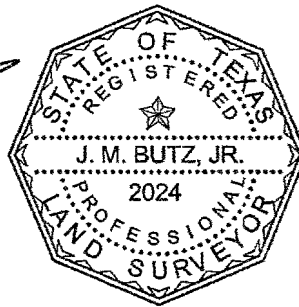
THENCE, S 28°01'18" E, 217.83 feet into said 21.99 acre tract to an iron rod set for the most easterly corner of this tract;

THENCE, S 61°01'38" W, 200.00 feet to an iron rod set for the most southerly corner of this tract;

THENCE, N 28°01'18" W, 217.83 feet to the POINT OF BEGINNING and containing 1.000 acre of land, more or less.

Note: Plat also prepared this day.


J. M. Butz, Jr.
Registered Professional Land Surveyor
No. 2024



FN04-176.A

2017002350
FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
01/30/2017 3:27:25 PM
PAGES: 8
TERESA KIEL, COUNTY CLERK
GUADALUPE COUNTY, TEXAS



Teresa Kiel

The following are Ordinances for the City of New Berlin to be posted in accordance with Section 52.012 of the Texas Local Government Code.

The Following are Annexation Ordinances

2014-007 Property located at 4753 Gin Rd

2015-001 Property located on FM 467

2016-002 Property located at 6779 Linne Rd

2016-003 Portion of Property located at 8270 Linne Rd

2016-004 Remainder of Property located at 8270 Linne Rd

2016-005 Property located at 7400 Linne Rd

2016-006 Property located at 7388 Linne Rd

Other Ordinances

2013-0026

AN ORDINANCE ESTABLISHING THE RULES AND REGULATION FOR DEVELOPMENT OF PROPERTY ADJOINING RECOGNIZED HISTORIC PROPERTIES IN THE CITY OF NEW BERLIN AND PROVIDING PENALTY FOR VIOLATIONS

15-003

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS FOR PROPER DEVELOPMENT AND MANAGEMENT OF TRESS IN THE CITY OF NEW BERLIN AND PROVIDING A PENALTY FOR VIOLATIONS.

16-001

AN ORDINANCE REQUESTING A TAX ROLL FOR THE CITY OF NEW BERLIN, TEXAS, FOR THE PURPOSE OF SETTING A TAX RATE TO THE PLANNED EXPENSES THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017.

2016-007

AN ORDINANCE BY THE BOARD OF ALDERMAN OF THE CITY OF NEW BERLIN, TEXAS, ESTABLISHING STRUCTURE, DUTIES AND TERMS, AND SETTING A MISSION STATEMENT, GUIDELINES, AND APPOINTMENT OF MEMBERS FOR THE PLANNING AND ZONING COMMISSION OF THE CITY OF NEW BERLIN, TEXAS. THIS ORDINANCE REPLACES ORDINANCE 99-004.

2016-008

AN ORDINANCE BY THE BOARD OF ALDERMAN OF THE CITY OF NEW BERLIN, TEXAS, CHANGING THE DATE FOR THE GENERAL ELECTIONS OF NEW BERLIN ALDERMEN AND CITY OFFICERS TO THE UNIFORM ELECTION DATE; CHANGING THE TERM OF OFFICE FOR THE CITY MARSHAL, PROVIDING FOR THE EXTENSION OF CURRENT ELECTED CITY OFFICES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

NB VFD

POSTED ON THE 26th DAY OF JANUARY, 2017 AT 6 PM
COPY Thursday, February 2, 2017

REMOVED

*1:30 PM
2/1/2017*

The following are Ordinances for the City of New Berlin to be posted in accordance with Section 52.012 of the Texas Local Government Code.

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16-001

AN ORDINANCE REQUESTING A TAX ROLL FOR THE CITY OF NEW BERLIN, TEXAS, FOR THE PURPOSE OF SETTING A TAX RATE TO THE PLANNED EXPENSES THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017.

2016-007

AN ORDINANCE BY THE BOARD OF ALDERMAN OF THE CITY OF NEW BERLIN, TEXAS, ESTABLISHING STRUCTURE, DUTIES AND TERMS, AND SETTING A MISSION STATEMENT, GUIDELINES, AND APPOINTMENT OF MEMBERS FOR THE PLANNING AND ZONING COMMISSION OF THE CITY OF NEW BERLIN, TEXAS. THIS ORDINANCE REPLACES ORDINANCE 99-004.

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9:05 PM 2/2

POSTED ON THE 26th DAY OF JANUARY, 2017 AT 4 PM.

COPY Thursday, February 2, 2017

REMOVED 12:45
2/1/2017

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9100
FM TTS
City Hall

POSTED ON THE 26th DAY OF January, 2017 AT 6 AM.
COPY Thursday, February 2, 2017

REMOVED 12 AM 2/1/2017