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VOL 4180 P60034

14-000192

ORDINANCE No. 2013-000g

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 July 19, 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 August 19, 2013; and

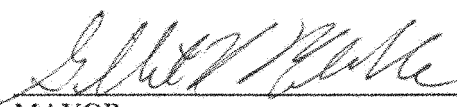
NOW THEREFORE:

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 August 19, 2013.

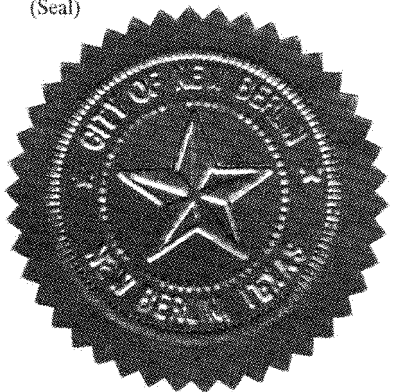
PASSED AND APPROVED this, the 19th day of August, 2013.


MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:


CITY SECRETARY
CITY OF NEW BERLIN, TEXAS
(Seal)

*After Recording
Please return to*



THE CITY OF NEW BERLIN
NEW BERLIN, TEXAS
275 FM 2538
SECURITY 79, 70195

0 people

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 88.16 acres ⁹⁰ 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.

<u>Owner(s') Signature(s)</u>	<u>Date</u>
(Signature) <u>Jane Jahns Rice</u>	<u>7/19/2013</u>
(Printed Name) <u>JANE JAHNS RICE</u>	
(Signature) _____	_____
(Printed Name) _____	
(Signature) _____	_____
(Printed Name) _____	

Mailing Address: 1251 Belvin, San Marcos, TX 78666

Property Address: 4538 S. SANTA CLARA ROAD, MARION, TX 78124

Telephone: 

Amount of Land 90 acres

Note: \$40 Recording Fee must accompany your petition. If your petition is not accepted, your \$40 will be refunded CK# 344

Amount Paid \$40 Accepted by [Signature]

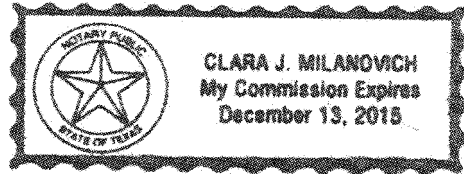
State of Texas
County of Guadalupe

Before me Clara Joan Milanovich on this day personally appeared

Jane Johns Rice, known
(name/names of signers)

to me or proved to me through T&DL [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 19th day of July, 2013.

Clara Joan Milanovich
Notary Public's Signature



(Notary Seal)

EXHIBIT A

15067

Deed

County of Guadalupe

Whereas, the last will of Otto C. Jahns, Deceased, late of Guadalupe County, Texas, was duly admitted to probate on the 17th day February, 2000 in the County Court in and for Guadalupe County, Texas and Dora W. Jahns was on that same 17th day of February, 2000 in such probate cause No. 12754 in said court appointed Independent Executrix of said will; and whereas, the said Otto C. Jahns, by his said will, did authorize and empower his said independent executrix to transfer and convey all of the below described and transferred real property to the daughter of the said Otto C. Jahns of a former marriage to Veletha Konde Jahns and said Otto C. Jahns (said Veletha Konde Jahns having departed this life, leaving Otto C. Jahns her widower), Jane Jahns Rice, and to make good and sufficient deed of transfer and conveyance therefor to the said Jane Jahns Rice, which directions in said will are in full force and effect; Now, therefore, I, Dora W. Jahns, independent executrix as aforesaid under said last will admitted to probate as aforesaid, by virtue of the power and authority aforesaid and for the purpose of carrying out the directions of the said Otto C. Jahns under his, the said Otto Jahns', said last will, have transferred and conveyed, and by these presents do transfer and convey, to the said Jane Jahns Rice, a certain tract of land as to the 1/8 undivided property interest therein and as to all and any other right, title and interest therein, if any, of the said Otto C. Jahns, Deceased, together with the ownership interest of the said Otto C. Jahns, Deceased in the same 1/8 undivided property interest and as to all and any other right, title and interest therein, if any, of all improvements situated on and being a part of said certain tract of land, that certain tract of land being situated in Guadalupe County, Texas and being described as follows, to wit: Being all that certain tract of land situated in Guadalupe County, Texas, part of the Jose Flores original survey particularly described as BEGINNING at the east, southern corner, in the center of the Miller Bridge and San Antonio road; Thence S. 60 1/2 degs. W. with said Miller Bridge-San Antonio road 578-1/5 varas to a stake set on the NE bdy. of a 12 feet road formerly conveyed to Louis Zuehl by H. J. Wieters; Thence N. 30 degs. W. with the NE bdy of said roadway 800 varas to stake set for terminus of said 12 ft. roadway; Thence S 60 degs. W. 12 feet to another stake set on line between the H. J. Wieters and Louis Zuehl land; Thence N. 30 degs. W. 86.4 varas to stake under fence; Thence N. 60 degs. E. 584 varas to Youngs Ford and Lavernia road; Thence S. 30 degs. E. with the S. W. bdy. of said road 336.2 vs. to the place of beginning, containing 90 acres of land, more or less. A strip 24 feet by 1442 feet off of the NE side has heretofore been sold off of said tract for road purposes.

This is the same land conveyed to Ernst Konde by Herbert Eoenig and wife by deed dated Sept. 5, 1929 recorded in Volume 133, Pages 159-160, Deed Records of Guadalupe County, Texas.

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This is the same land conveyed to Mrs. Veletha Konde Jahns by Mrs. Hulda Konde by deed dated the 16th day of September, 1941, of record in Volume 194, Pages 229-230, Deed Records of Guadalupe County, Texas;

together with all and singular the rights, members, hereditaments and appurtenances to the same belonging or in anywise incident or appertaining; To Have and to Hold, all and singular, the premises above mentioned unto the said Jane Jahns Rice, as her separate property and estate, her heirs and assigns, forever.

Witness my hand this 7th day of September, 2000 at Seguin, Texas.

Rosa Oviedo Valcagone
Witness to signature of
Dora W. Jahns, Independent
Executrix of the last will of
Otto C. Jahns, Deceased

Dora W. Jahns
Dora W. Jahns, Independent Executrix
of the last will of Otto C. Jahns,
Deceased

Hilda Brooks
Witness to signature of
Dora W. Jahns, Independent
Executrix of the last will of
Otto C. Jahns, Deceased

The State of Texas
County of Guadalupe

Before me, the undersigned authority, in and for the State of Texas, on this day personally appeared Dora W. Jahns, known to me to be the person whose name is subscribed to the foregoing instrument, and she acknowledged to me that she executed the same for the purposes and consideration therein expressed in the capacity therein stated.

Given under my hand and seal of office this 13th day of September, 2000.

My commission expires the
31st day of August,
2003.

Barbara N. Walker
Notary Public in and for the State of
Texas

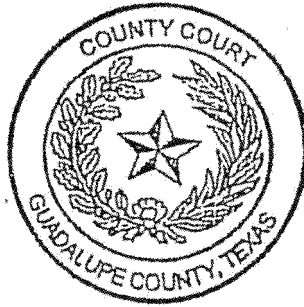


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00 SEP 20 AM 10:49

LIZZIE M. LORENZ
COUNTY CLERK GUADALUPE CTY.
BY Lizzie M. Lorenz

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.

Lizzie M. Lorenz
County Clerk,
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 14-192 affixed on the first page of this document.

FILED FOR RECORD

14 JAN -3 PM 2:34

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