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VOL3048 P60434

11-018093 07 006
ORDINANCE No. ____-

Return to:

CITY OF NEW BERLIN
NEW BERLIN TEXAS
275 FM 2538
SEGUIN TX 78155

Recorded
sent to Justice
10/9/15 am

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 _____ ~~and~~ 9-19-2005

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 May 21, 2007; and

WHEREAS, on the 21 day of May, 2007 the City Council of the City of New Berlin, Texas held public hearings on the proposed annexation of land situated outside of, but immediately adjacent to, the current corporate limits of the City of New Berlin, Texas and such public hearings gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

WHEREAS, notice of the above mention public hearings was published in the Seguin Gazette Enterprise on May 11, 2007, a newspaper having general circulation in the City of New Berlin, Texas and within the territory to be annexed, in accordance with law; and

WHEREAS, the aforementioned public hearings were conducted not more that twenty (20) days nor less that ten (10) days prior to the institution of annexation proceedings; 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.

CITY

SECTION 2. The land and territory more particularly described as that portion of the tract of land described in Exhibit "A," attached hereto and incorporated herein by reference shall be part 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.

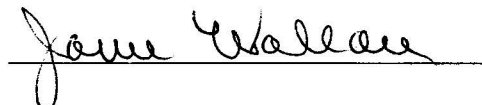
SECTION 3. This ordinance shall be effective from and after May 21, 2007.

PASSED AND APPROVED this, the 21 day of May, 2007.

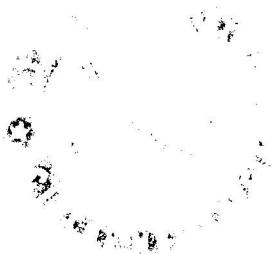


MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:



CITY SECRETARY
CITY OF NEW BERLIN, TEXAS



City of New Berlin, Texas
275 FM 2538
Seguin, Tx, 78155
830-914-2455

JUNE 4, 2007

CHIEF, VOTING SECTION
CIVIL RIGHTS DIVISION
ROOM 7254 - NWB
DEPARTMENT OF JUSTICE
950 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20530

TO WHOM IT MAY CONCERN:

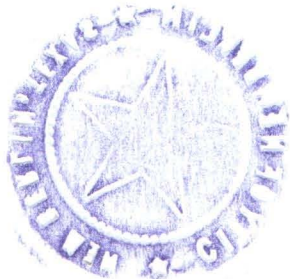
BE ADVISED THAT ORDINANCE *07-006* (ENCLOSED) FOR THE ANNEXATION OF THE PROPERTY INTO THE CITY OF NEW BERLIN, TEXAS 275 FM 2538, SEGUIN, TEXAS 78155, INVOLVES PROPERTY THAT HAS FEWER THAN THREE VOTERS RESIDING ON IT AND ANNEXATION WILL NOT AFFECT THE VOTING STRENGTHS OF MINORITY VOTERS. THE REASON FOR THE ANNEXATION WAS PETITION FOR ANNEXATION BY ALL RESIDENTS OF THE PARCEL.

SINCERELY

Janie Wallace

JANIE WALLACE
SECRETARY
CITY OF NEW BERLIN, TEXAS

FILED FOR RECORD
2009 OCT -1 PM 1:48
TERESA KIRK
COUNTY CLERK GUADALUPE COUNTY
BY *Robert [Signature]*



Date Requested: 9-19-05
Date Granted : _____

Mayor and Board of Alderman;
City of New Berlin
Rt. 6, Box 600
Seguin, Texas 78155

Dear Mayor and Board of Alderman;

We the undersigned residents, who own property located within the extra territorial jurisdiction of the City of New Berlin, Texas, do hereby petition the Board of Alderman of the City of New Berlin, Texas, to annex said additional territory as a part of the incorporated area of the City of New Berlin,

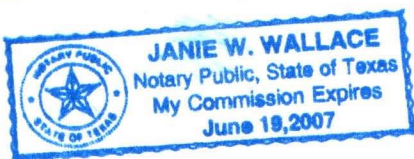
TO WIT:

That parcel of land adjoining the City Limits and being _____ acres in that certain tract of land out of the V. Gotari Survey, conveyed by Warranty Deed recorded in Volume 32 page 159-61, Guadalupe County Deed of Records. This being acreage which was not annexed by incorporation on May 27, 1975.

Signed:

Otto Radtke
Emma Radtke

Janie Wallace
Guadalupe County Texas



September, 19, 2005

STATE OF TEXAS,

COUNTY OF GUADALUPE

KNOW ALL MEN BY THESE PRESENTS:

That Otto Radtke and wife, Emma Radtke,

hereinafter called mortgagors, whether there be one or more parties executing this instrument, for and in consideration of the sum of Ten Dollars in hand paid by Sterling C. Evans, Trustee, of Houston, Harris County, Texas, the receipt whereof is hereby acknowledged, and the further consideration, uses, purposes and trust herein set forth and declared, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said Sterling C. Evans, Trustee, and to his successors and substitutes in the trust hereby created, all of the following described real estate situated in

Guadalupe County, Texas, about 6 miles South of the town of Marion, Texas,

containing 109-2/5 acres, more or less, and consisting of the following surveys and parts of surveys, to-wit:

All that certain tract and parcel of land, out of and a part of the V. Gortari League Survey, No. 411, Guadalupe County, Texas, and about 14 miles West of Seguin and described by metes and bounds as follows:

BEGINNING at a gate post on E. bdy. of New Braunfels and Marion Road, opposite Will Achterberg's entrance;

THENCE N. 60 1/2° E. (a magnetic variation of 9° E) 995 vrs. to a stake set in center of Santa Clara Creek from which an elm 14" in dia. brs. S. 72--3/4° W. 4-3/5 vrs. and a forked elm 16" in dia. brs. S. 54 1/2° W. 5-4/5 varas;

THENCE down the Santa Clara S. 19° E. 47 vrs. S. 52° E. 90-3/5 vrs., S. 7 1/2° E. 121-2/5 vrs.; S. 7° E. 115--3/5 vrs. N. 81° W. 28 vrs. S. 14-3/4° E. 59 vrs.; S. 25--3/4° E. 71-2/5 vrs.; S. 5 1/2° W. 71 vrs.; S. 16 1/2° E. 124-3/5 vrs.; S. 26° W. 67-2/5 vrs.; to a stake set in Santa Clara Creek on E. Linne's N. line fr. wh. a cluster of elms brs. S. 38° E. 6 vrs., another 14" in dia. brs. S. 81° W. 8-4/5 varas;

THENCE S. 60° W. with E. Linne's N. line 37-4/5 vrs. to Willie Radtke's NE cor. of 200 acres conveyed by E. Linne to said Radtke and 724 vrs. to a corner post to which a gate is hung, it being Willie Radtke's NW cor. of said 200 acres,

THENCE N. with E. bdy. of the New Braunfels and Marion Road 648 vrs. to the place of beginning, containing 109-2/5 acres of land, and being one of those certain tracts of land described in deed to Maria Kuehler by Ludwig Kuehler et ux, dated March 11, 1909, recorded in Vol. 32, pages 159-61 of the Deed Records of Guadalupe County, Texas.

VOL 50 PAGE 66

FILED FOR RECORD

11 OCT 13 PM 2:27

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

Dug Smith

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