

VOL 3048 P60474

C/E

*Mr. Schultze
15 acres
Recorded
Sent to Justice*

11-018099

ORDINANCE No. _____

07-013

07-0013

THE CITY OF NEW BERLIN
NEW BERLIN, TEXAS
275 FM 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 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~~ *8/21/2006*

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.

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.

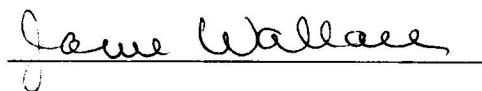
SECTION 3. This ordinance shall be effective from and after May 21, 2007.

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:

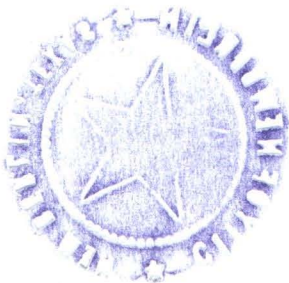
BE ADVISED THAT ORDINANCE *07-0013* (ENCLOSED) FOR THE ANNEXATION OF THE PROPERTY INTO THE CITY OF NEW BERLIN, TEXAS 275 FM 2538, SEGUIN, TEXAS 78155, INVOLVES PROPERTY THAT HAS FEWER THAN THREE VOTERS RESIDING ON IT AND ANNEXATION WILL NOT AFFECT THE VOTING STRENGTHS OF MINORITY VOTERS. THE REASON FOR THE ANNEXATION WAS PETITION FOR ANNEXATION BY ALL RESIDENTS OF THE PARCEL.

SINCERELY

JANIE WALLACE
SECRETARY
CITY OF NEW BERLIN, TEXAS

BY *Janie Wallace*
TERESAKI
COUNTY CLERK GUADALUPE COUNTY

FILED FOR RECORD
2009 OCT - 1 PM 1:50



Date Requested: 8-21-06
Date Granted : _____

Mayor and Board of Alderman;
City of New Berlin
~~Rt. 6, Box 600~~ 275 FM 2538
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 15 acres in that certain tract of land out of the JUAN JOSE GUEPPELA Survey, conveyed by Warranty Deed recorded in Volume 531 page 85, Guadalupe County Deed of Records. This being acreage which was not annexed by incorporation on May 27, 1975.

Signed:
Nelson Delacruz
Gregory Schmitt

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COMPARED

**WARRANTY DEED
WITH VENDOR'S LIEN**

958

ELRENE P. SCHULTZE ET UX

TO

NELSON SCHULTZE ET UX

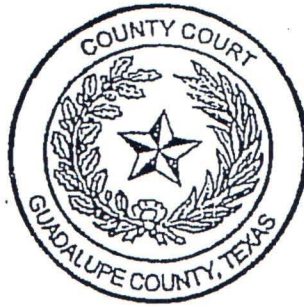
<p>FILED FOR RECORD</p> <p>AT <u>8:40</u> O'CLOCK <u>A.</u> M</p> <p>FEB 15 1977</p> <p>FRANK SCHMIDT</p> <p>COUNTY CLERK, SHERIFFS COUNTY, TEXAS</p> <p>By <u>Arthur D. Schaefer</u></p> <p>DEPUTY</p>

Vol 531 pgs 85-7

PREPARED IN THE LAW OFFICE OF:

PLEASE RETURN TO:

Nelson Schultze
Rt. 4 Box 167 A
Dequia TX 78155



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 11-18099 affixed on the first page of this document.

FILED FOR RECORD

11 OCT 13 PM 2:43

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

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

15.00 acres of land situated in a tract called 96.05 acres in a conveyance to James Sterling Cage et ux from Myron M. Green et ux, Vol. 269, page 63 (hereinafter called the parent tract), Juan Jose Guerrera Survey No. 232, A-140, Guadalupe County, Texas, and described by metes and bounds as follows:

BEGINNING at an iron pin set at the present South corner of the parent tract and being situated at the point of intersection of the Northwest and Northeast R.O.W.'s of two County Roads;

THENCE with the Northeast R.O.W. of a County Road N. 30° 44' W. 731.9' to an iron pin set for the West corner of this 15.00 acre tract;

THENCE into the parent tract N 60° 00' E. 892.7' to an iron pin set for the North corner of this 15.00 acre tract;

THENCE S. 30° 44' E. 731.9' to an iron pin set for the East corner of this 15.00 acre tract and situated in the Northwest R.O.W. of a County Road;

THENCE with the Northwest R.O.W. S. 60° 00' W. 892.7' to the PLACE OF BEGINNING, and containing 15.00 acres of land.

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 grantees, their heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.