

OCT 26 2015

**REQUEST FOR AGENDA PLACEMENT FORM**

**Submission Deadline - Tuesday, 12:00 PM before Court Dates**

**SUBMITTED BY: David Disheroon**

**TODAY'S DATE: 10/19/15**

**DEPARTMENT:**

**X Public Works**

**SIGNATURE OF DEPARTMENT HEAD:**

**X**

**REQUESTED AGENDA DATE:**

**X October 26, 2015**

**SPECIFIC AGENDA WORDING: Consideration to grant a variance to issue Development & Septic permits before a City of Burleson plat has been approved and filed for record at 6256 CR 809, Cleburne, located in Burleson's ETJ in Precinct 3.**

**PERSON(S) TO PRESENT ITEM: David Disheroon**

**SUPPORT MATERIAL: (Must enclose supporting documentation)**

**TIME: Ten Minutes**

**ACTION ITEM: X**

**WORKSHOP: \_\_\_\_\_**

**(Anticipated number of minutes needed to discuss item) CONSENT: \_\_\_\_\_**

**EXECUTIVE: \_\_\_\_\_**

**STAFF NOTICE:**

**COUNTY ATTORNEY: \_\_\_\_\_**

**ISS DEPARTMENT: \_\_\_\_\_**

**AUDITOR: \_\_\_\_\_**

**PURCHASING DEPARTMENT: \_\_\_\_\_**

**PERSONNEL: \_\_\_\_\_**

**PUBLIC WORKS: \_\_\_\_\_**

**BUDGET COORDINATOR: \_\_\_\_\_**

**OTHER: \_\_\_\_\_**

**\*\*\*\*\*This Section to be Completed by County Judge's Office\*\*\*\*\***

**ASSIGNED AGENDA DATE: \_\_\_\_\_**

**REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE \_\_\_\_\_**

**COURT MEMBER APPROVAL \_\_\_\_\_ Date \_\_\_\_\_**

## Variance Request

If you wish to request a variance from Johnson County Commissioner's Court for your property please include the following information.

Owner Nicky Smades Date 10-16-15

### Contact Information:

Phone no. 817-988-4876 cell no. \_\_\_\_\_

Email address nsmades@yahoo.com

### Property Information for Variance Request:

Property 911 address 6256 CR 809 Cleburne

Subdivision name Nicky Leigh Smades Add Block 1 Lot 2

Survey — Abstract — Acreage —

Reason for request to issue a development permit & septic permit  
before plat has been filed with County Clerk  
platting with Burleson

You will need a survey showing the reason for the request (such as a building over the building lot line).

This request will be presented in Commissioner's Court for their decision.



141 West Renfro  
Burleson, Texas 76028-4261  
817-426-9600  
Fax 817-426-0971  
[www.burlesontx.com](http://www.burlesontx.com)

October 16, 2015

Johnson County Public Works Dept.  
1 North Main Street, Suite 305  
Cleburne, TX 76033

RE: 6300 County Road 809 Cleburne, TX 76031,

It is our understanding that the owner of the above referenced property is in need of a development permit to place an additional residential structure on his property and will be placed on the October 26<sup>th</sup> Commissioners Court agenda seeking permission to obtain permitting prior to a plat of the property being recorded.

This letter is to verify that a plat application has formally been submitted to the City of Burleson and is under review. The City has preliminarily reviewed the property and the property owner's request, and does not foresee any major issues and/or complications concerning the proposed additional home.

The property owner has been notified that the application and fee for the October 26<sup>th</sup> court docket should be submitted to your offices no later than Monday, October 19<sup>th</sup>. **Additionally, the property owner has been advised that the outcome of this meeting does not release the requirement of platting in any manner.**

Sincerely,

A handwritten signature in black ink that reads "Joni Van Noy". The signature is written in a cursive, flowing style.

Joni Van Noy  
City of Burleson

CC: Nick Smades, Property Owner

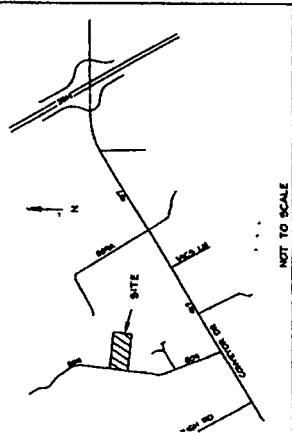
**NOTES:**

1. This Lot is shown as being located in Zone "X" by Flood Insurance Rate Map No. 48501C0200 J, dated December 4, 2012. It is not shown as being located in a Special Flood Hazard Area inundated by 100-Year Flood.
2. All Bearings and coordinates shown are referenced to the Texas State Plane Coordinate System, North Central Zone, NAD 83.

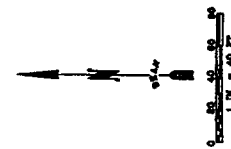
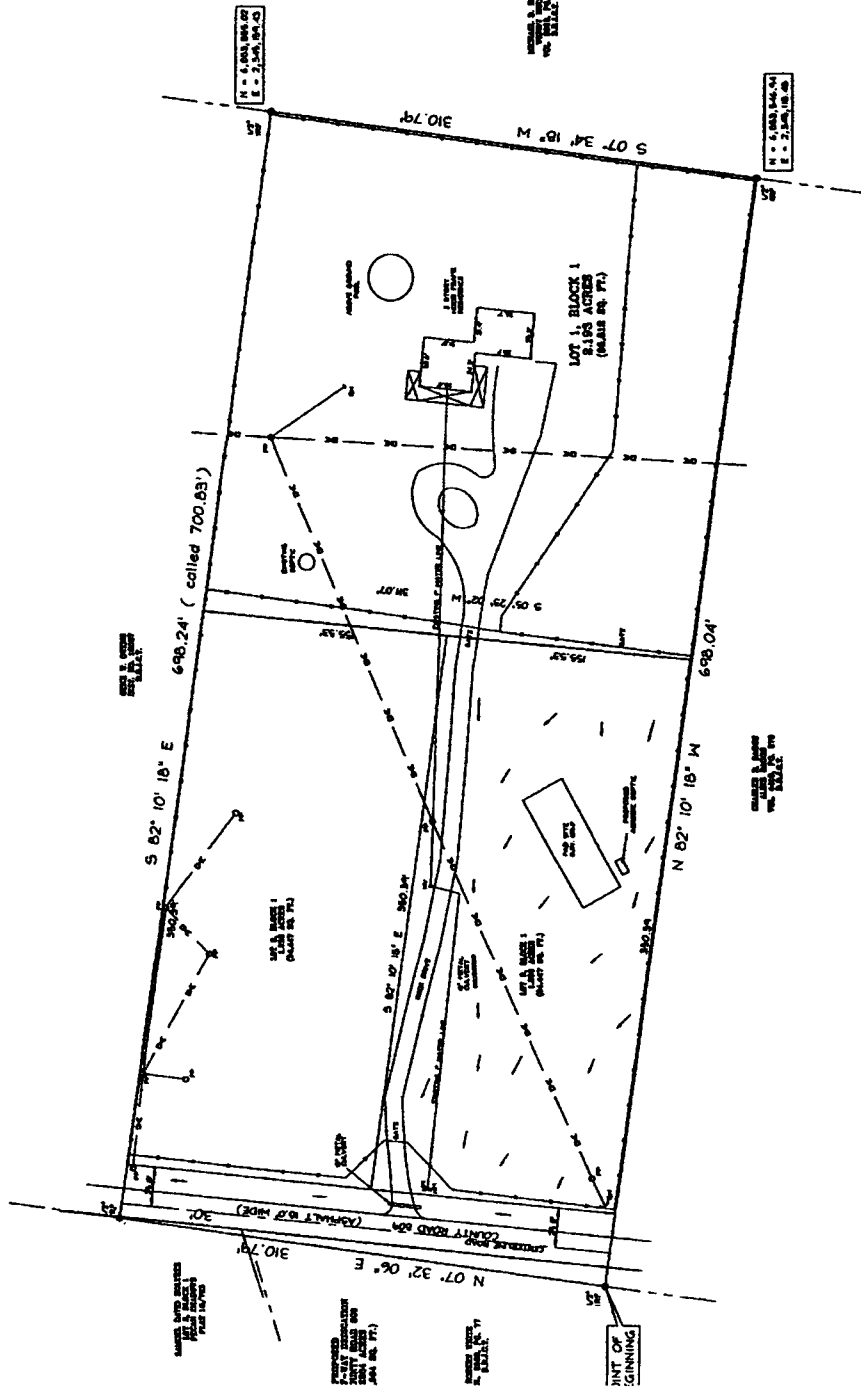
- IRP - Iron Rod Found  
 RW - Right of Way  
 WY - Water Valve  
 OHE - Overhead Electric

**LEGEND**

- IRS - Iron Rod Set  
 URS - Utility Encasement  
 PS - Power Pole  
 WM - Water Meter  
 X - BarbWire Fence



NOT TO SCALE



**OWNERS DEDICATION:**  
 STATE OF TEXAS  
 COUNTY OF TARRANT

WHEREAS, NICKY RAY SMADES and wife, CONNIE RUTH SMADES are the sole owners of 4.881 acres of land located in the A. Kimbell Survey, Abstract No. 474 and the Stephen Kinsey Survey, Abstract No. 475, being situated in Tarrant County, Texas, recorded in Public Record Book 6824, Page 108, and Public Record Book 6824, Page 109, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/8" iron rod found at the northwest corner of a tract called 4.844 acre tract, described in conveyance to Charles R. Dugge and Alene Dugge, recorded in Book 410, Page 370, D.R.J.C.T., in the northeast corner of a tract called 4.879 acre tract, described in the deed to Julia White, a called 4.879 acre tract, recorded in Public Record Book 6824, Page 77, D.R.J.C.T., in county road 809 and being at the southwest corner and Point Of Beginning of the herein described tract of land;

**THENCE**, N 07° 34' 18" E, along and with the east line of said, White 4.879 acre tract and County Road 809, 310.79 feet to a 1/8" iron rod found in the east line of a tract and described as Lot 2, Block 1, in the southeast corner of a tract, called 10.84 acre tract, recorded by instrument No. 10087, D.R.J.C.T.;

**THENCE**, S 82° 10' 18" E, along and with the south line of said, Dugge tract, at 12.5 feet past the existing center line of County Road 809, an 18 foot wide asphalt road, and continuing a total distance of 682.50 feet (called 700.83 feet), to the northeast corner of a tract called 10.84 acre tract of land conveyed to Michael D. Houz and wife Wendy Houz, recorded in Volume 8080, Page 501, D.R.J.C.T.;

**THENCE**, S 07° 34' 18" W, along and with the west line of said, Hour tract, 310.79 feet to a 5/8" iron rod found at the northeast corner of said, Charles and Alene Dugge tract;

**THENCE**, N 82° 10' 18" W, along and with the north line of said, Dugge tract, at 682.50 feet past the centerline of said, County Road 809 and continuing a total distance of 698.04 feet, (called 700.83 feet), to the POINT OF BEGINNING, containing 216,970 square feet or 4.881 acres of land.

**NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That, NICKY RAY SMADES AND CONNIE RUTH SMADES, the undersigned, does hereby adopt this plat designating the above described property to be known as Lots 1, 2, & 3, Block 1, Sydney Leigh Smades Addition, and does hereby dedicate to the public's use the right-of-way and easements shown hereon.

\_\_\_\_\_  
 Nicky Ray Smades

\_\_\_\_\_  
 Connie Ruth Smades

BEFORE ME, the undersigned authority, on this day personally appeared NICKY RAY SMADES AND CONNIE RUTH SMADES, known to me to be the people whose names is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE  
 on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

NOTARY PUBLIC in and for the STATE OF TEXAS:

**UTILITY AND SITE PLAN  
 FOR MINOR PLAT**

**LOTS 1, 2, & 3, BLOCK 1**

**SYDNEY LEIGH SMADES ADDITION**

AN ADDITION WITHIN THE ETJ OF THE CITY OF BURLESON,  
 BEING IN THE A. KIMBELL SURVEY, ABSTRACT NO. 474 AND  
 THE STEPHEN KINSEY SURVEY, ABSTRACT NO. 475,  
 JOHNSON COUNTY, TEXAS

R:  
 Meyers  
 1609 Main Drive  
 Dallas, Texas, 76017  
 8468

Deen - R.P.L.S. No. 8314

I, Ronnie E. Deen, a Registered Professional Surveyor for the State of Texas, have prepared this Plat, as shown from an actual survey on the ground and that this plat represents that survey made by me or under my supervision.

EXHIBIT "A"

BOOK 1667 PAGE 466

All that certain lot, tract or parcel of land out of the A. Kimbell Survey, Abstract 474, and the Stephen Kinsey Survey, Abstract 475, Johnson County, Texas, being a portion of that certain 57.829 acre tract as described in a Warranty Deed filed of record in Volume 599, Page 594, and a portion of that certain 57.426 acre tract as described in a Warranty Deed filed of record in Volume 599, Page 499, Deed Records of Johnson County, Texas, being more particularly described by metes and bounds as follows:

TRACT I

BEGINNING at an iron rod lying in the County Road 886, <sup>309 D/K</sup> said iron rod bears North 30 degrees 00 minutes West 36.6 feet, North 58 degrees 06 minutes East 1698.4 feet, North 22 degrees 09 minutes West 984.8 feet, and North 6 degrees 05 minutes 25 seconds East 560.94 feet from the Southwest corner of said A. Kimbell Survey;

THENCE North 6 degrees 05 minutes 25 seconds East, a distance of 310.82 feet along said County Road 809 to an iron rod for a corner;

THENCE South 83 degrees 52 minutes 22 seconds East, a distance of 700.83 feet to an iron rod for a corner lying on the westerly line of a 10.69 acre tract;

THENCE South 6 degrees 07 minutes 38 seconds West, a distance of 310.82 feet along said Westerly line to an iron rod for a corner;

THENCE North 83 degrees 52 minutes 22 seconds West, a distance of 700.63 feet to the Point of Beginning.

STATE OF TEXAS  
COUNTY OF JOHNSON

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 JOHNSON COUNTY, TEXAS, in the Volume and Page as shown hereon.



*Robby G. Goodnight*  
ROBBY G. GOODNIGHT, County Clerk  
Johnson County, Texas

FILED FOR RECORD *J. P. M.*

JAN 6 1993

COUNTY CLERK JOHNSON COUNTY,  
TX. *M.C.* DEPUTY

ANY PROVISION HEREIN WHICH RESTRICTS  
THE SALE, RENTAL, OR USE OF THE DE-  
SCRIBED REAL PROPERTY BECAUSE OF  
COLOR OR RACE IS INVALID AND UNEN-  
FORCEABLE UNDER FEDERAL LAW.

000212

Prepared by the State Bar of Texas for use by lawyers only.  
Revised 10-85.  
© 1985 by the State Bar of Texas.

### WARRANTY DEED WITH VENDOR'S LIEN

Date: December 30, 1992

Grantor: LELON DARWIN TIDWELL, a single man

Grantor's Mailing Address (including county):

Grantee: NICKY RAY SMADES AND WIFE, CONNIE RUTH SMADES

Grantee's Mailing Address (including county): Rt. 4, Box 726 S  
Cleburne, Johnson County, Texas 76031

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration and a Note of even date that is in the principal amount of FIFTY EIGHT THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$58,400.00) and is executed by Grantees, payable to the order of Grantor. It is secured by a vendor's lien retained in this deed and by a deed of trust of even date from Grantees to RICHARD L. MILLER, Trustee.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

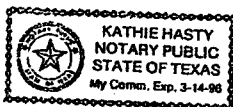
The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.  
When the context requires, singular nouns and pronouns include the plural.

*Lelon Darwin Tidwell*  
LELON DARWIN TIDWELL

(Acknowledgment)

STATE OF TEXAS  
COUNTY OF JOHNSON

This instrument was acknowledged before me on the 30th day of December, 19 92  
by LELON DARWIN TIDWELL.



*Kathie Hasty*  
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:  
M/M NICKY RAY SHADES  
Rt. 4 Box 7265  
Cleburne, Tx. 76031

PREPARED IN THE LAW OFFICE OF:

BOOK 1667 PAGE 464

Property (including any improvements):

All that certain lot, tract or parcel of land out of the A. KIMBELL SURVEY, Abstract 474, and the STEPHEN KINSEY SURVEY, Abstract 475, Johnson County, Texas, being a portion of that certain 57.829 acre tract as described in a Warranty Deed filed of record in Volume 599, Page 504, and a portion of that certain 57.426 acre tract as described in a Warranty Deed filed of record in Volume 599, Page 499, Deed Records of Johnson County, Texas, being more particularly described by notes and bounds in EXHIBIT "A", attached hereto and incorporated herein.

Reservations from and Exceptions to Conveyance and Warranty:

Taxes for the year 1993, the payment of which Grantee assumes; any and all restrictions, covenants, conditions and easements, if any, relating to the property conveyed, but only to the extent that they are still in effect and shown of record, and to all zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, but only to the extent that they are still in effect relating to the herein described property.

Interest in the Mineral Estate owned by third parties, as indicated in a deed recorded in Volume 765, Page 788, Deed Records, Johnson County, Texas and as indicated in a deed recorded in Volume 760, Page 657, Deed Records, Johnson County, Texas.

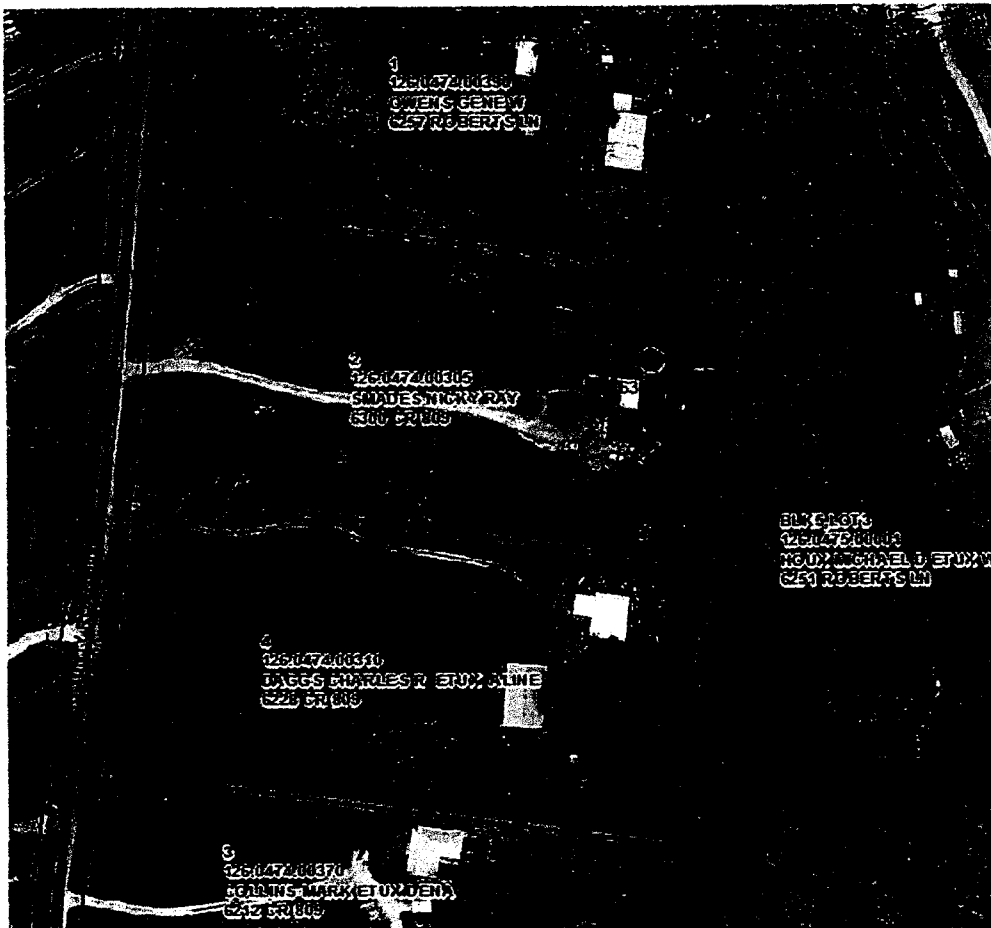


# Drenda Roller

**From:** Lisa Richards <lrichards@johnsoncad.net>  
**Sent:** Friday, October 16, 2015 2:24 PM  
**To:** Drenda Roller  
**Subject:** 6256 CR 809  
**Attachments:** address voucher.pdf

## Street Lookup Form

TELEPHONE	NAME	911 NO	911 DIR	911 STREET	BILL ADD 1	BILL ADD 2	MAP NO	COMMENTS	DATE	NEW ADDRESS	PHONE CO	Text40	Text43
	SMADES,NICKY	6256		CR 809		CLEBURNE TX 76031	2066-288	MH	151016	6256 CR 809	SWB	126.0474.00305	BURLESON



Thank you,

*Lisa Richards*

Johnson County 9-1-1 Addressing  
Central Appraisal District of Johnson County  
109 N Main St  
Cleburne Tx 76033  
817-648-3068