

Approved

Commissioners Court

DEC 27 2016

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: David Disheroon **TODAY'S DATE: 12/14/16**

DEPARTMENT: **X Public Works**

SIGNATURE OF DEPARTMENT HEAD: **X _____**

REQUESTED AGENDA DATE: **X December 27, 2016**

**SPECIFIC AGENDA WORDING: Public Hearing and Action Item.
Consideration to approve the Final Plat Showing 10R1, Block 1, Kelly Jean's
Addition being a Re-Plat of 8R and Lot 10R located in Precinct 4.**

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 _____

The subdivision or any part thereof is not located within the ETJ of any city or town.

Proposed land use is Multi-Family Residential.

The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.

UTILITY PROVIDERS

Water Supply - Johnson County Special Utility District 817-766-5200
Electric Service - Lubbock Cooperative Services 817-656-4000
Phone Service - AT&T, Inc. 817-675-3636
Sewer - Private Individual Septic Systems

PRIVATE SEWAGE FACILITY:

1. On-site sewage facility performance cannot be guaranteed even through all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.

2. Inspections and/or acceptance of a private sewage facility by the Public Works Department shall indicate only that the facility meets minimum requirements and does not reflect the extent of the property from complying with County, State and Federal regulations, Private Sewage Facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created, or if the facility when used does not comply with governmental regulations.

3. A property developed and constructed private sewage facility system, installed in suitable soil, can malfunction if the amount of water that is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in satisfactory manner.

FLOOD STATEMENT:

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Flood No. 42533C0104, effective date December 4, 2013, this property is located in zone "X". (Areas determined to be suitable 300-year flood plain).

The above referenced FEMA flood insurance rate map is to be used in administering the "NFIP". It does not necessarily show all areas subject to flooding, particularly from local sources of small size, which could be flooded by rivers, concentrated rainfall coupled with inadequate local drainage systems, Three (3) ft. or more storm, creek, low areas, drainage systems or other surface or subsurface conditions existing on or near the subject property which are not studied or addressed as part of the "NFIP".

Blocking the flow of water or constructing improvements in the drainage easement and filling or obstruction of the floodway is prohibited.

The existing creeks or drainage channels traversing along or across this addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to drainage courses along or across said lots).

Johnson County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.

Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.

Johnson County has the right but not a duty to enter onto property and clear any obstruction including but not limited to trees, plants, dirt, or buildings, which obstruct the flow of water through drainage easements.

Duty of Developers/Platting Officer

The approval and filing of this plat by Johnson County does not relieve the developer of the property or owner of the property of any duty to comply with all local, state or federal law of the jurisdiction in which the property is located.

The approval and filing of this plat by Johnson County does not relieve the developer of the property or owner of the property of any duty to any adjacent or downstream property owner or impose, impact or transfer any duty or liability to Johnson County, the Commissioners, officials or employees of Johnson County.

Johnson County makes no representation that the creeks, streams, rivers, drainage channels or other drainage structures, devices, or features (portals of levees) are actually existing on the property portrayed by this plat but only that the names or common law of an incorporated city, Johnson County, the State of Texas, or the United States.

Johnson County is filing upon the survey or whose name is affixed hereto to make accurate and truthful representations upon which Johnson County can make determinations regarding the approval or disapproval of this plat.

Indemnity

The property developer submitting this plat to Johnson County for approval and the owner of the property the subject of this plat do hereby agree to jointly and severally indemnify and hold harmless Johnson County and the Commissioners, officials, and employees of Johnson County from any and all claims or damages resulting from or allegedly arising from Johnson County's approval or filing of this plat or construction documents associated therewith.

UTILITY EASEMENTS:

Any public utility, including Johnson County, shall have the right to move and keep over all or part of any buildings, fences, trees, shrubs, other growths, or improvements which in any way endanger or interfere with the construction or maintenance, or efficiency of its respective systems in any of the easements shown on the plat, and any public utility including Johnson County, shall have the right at all times to lay out and erect to and from said easements for the purpose of construction, reconstruction, inspection, purviewing, maintaining and adding to or removing all or part in respect to systems without the necessity of any stay of preventing the performance of any work.

Utility Easements:

1/2" from Farm to Market No. 2415 on the front and County Road No. 313 A on the back.

F' from side lot line

Right of way Dedication

30' ROW from center of road on F.M. and State
30' ROW from center of road on County Road or to a subdivision

Building Lines:

50' from lot line on State Hwy & F.M.
40' from lot line on County Road or Sub-division Road
15' from lot line on rear
15' from lot line on sides

Filing a plat

It is a Criminal Offense punishable by a fine of up to \$1000.00, confinement in the county jail for up to 90 days or by both fine and confinement for a person who subdivides real property to use the subdivision's description in a deed of conveyance, a contract for a deed, or a contract of sale or other executor contract to convey that is delivered to a purchaser unless the plat or report of the subdivision is approved and is filed for record with the Johnson County Clerk. However, said description may be used if the conveyance is expressly conditioned on approval and recording of a final plat and the purchaser is not given notice or occupancy of the real property conveyed before the recording of the plat.

A purchaser may not use or occupy property described in a plat or report of a subdivision until such time as the plat is filed for record with the county clerk's office of the Johnson County Clerk.

Plat Recorded in Volume _____, Page _____, Slide _____
Date: _____
County Clerk, Johnson County, Texas
Deputy: _____
By: Johnson County Commissioners Court
County Judge: _____
Dated: _____

STATE OF TEXAS

COUNTY OF JOHNSON

NOW THEREFORE KNOWN TO ALL MEN TO THESE PRESENTS THAT WE, Andrew C. Bennett and spouse, Carole L. Bennett, are the owners of the following described property to wit:

BEING 3.851 acre tract of land in the J.B. Dupuy Survey, Abstract Number 282, situated in Johnson County, Texas, and being all of Lots 88 and 100 of the Final Plat of Kelly Jean's Addition, recorded in Volume 9, Page 809, Plat Records, Johnson County, Texas. The bearings for this survey are based on the bearings as they appear in Volume 9, Page 809, Deed Records, Johnson County, Texas. Said 3.851 acre tract of land being described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "5614" found at the southeast corner of said Lot 100 in the southeasterly right of way line of Farm to Market Highway No. 2415, a 100' wide public right of way and the westerly right of way line of County Road No. 313A, a variable width public right of way;

THENCE South 17°14'30" East, along the northeasterly line of Lot 100 and said southeasterly right of way line, a distance of 177.36 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set for the point of curvature of a non-circular curve, concave to the west, having a radius of 90.00 Feet a central angle of 89°12'30", and a chord of 125.44 Feet bearing South 21°41'13" West, from which a 1/2" iron rod with plastic cap stamped "5614" found between North 82°29'35" West, a distance of 1.25 Feet;

THENCE continuing along said southeasterly line and said southeasterly right of way line and southeasterly along said curve, a distance of 138.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

THENCE South 64°23'57" West, along the westerly line of said Lot 100 and the northeasterly right of way line of said County Road No. 313A, a distance of 96.92 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

THENCE South 64°23'57" West, continuing along said southeasterly line of Lot 100 and the northeasterly right of way line of said County Road No. 313A, passing a 1/2" iron rod with plastic cap stamped "5614" found at a distance of 77.00 Feet and passing the south corner of said Lot 100 and the east corner of said Lot 88, continuing along the southeasterly line of said Lot 88 and said southeasterly right of way line, for a total distance of 154.70 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

THENCE South 81°41'44" West, continuing along the southeasterly line of said Lot 88 and said southeasterly right of way line, a distance of 159.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set at the south corner of said Lot 88;

THENCE North 21°23'29" West, along the southerly line of said Lot 88, a distance of 288.21 Feet to a 1/2" iron rod with plastic cap stamped "5614" found at the west corner of said Lot 88 in said southeasterly right of way line of said Farm to Market Highway No. 2415 for the point of curvature of a non-circular curve, concave to the north, having a radius of 288.20 Feet a central angle of 99°44'54", and a chord of 482.29 Feet bearing North 49°58'11" East;

THENCE along the northeasterly line of said Lot 88 and said southeasterly right of way line and easterly along said curve, a distance of 486.79 Feet to the POINT OF BEGINNING and containing a computed area of 3.851 Acres, more or less.

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS

THAT, ANDREW C. BENNETT, owner of the above described tract of land, does hereby adopt this plat designating the hereto described real property as Lot 100, Block 1, Kelly Jean's Addition, an addition to Johnson County, Texas, and does hereby dedicate to the public use without reservation, the streets, easements, right-of-ways and any other public uses shown hereon.

Andrew C. Bennett Date: _____, 2016

SWORN AND SUBSCRIBED BEFORE ME BY THIS THE _____ DAY OF _____, 2016

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: _____
CHRISTINA BUSH
Notary Public
State of Texas
My Comm. Expires 09-09-2017

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS

THAT, CAROLE L. BENNETT, owner of the above described tract of land, does hereby adopt this plat designating the hereto described real property as Lot 100, Block 1, Kelly Jean's Addition, an addition to Johnson County, Texas, and does hereby dedicate to the public use without reservation, the streets, easements, right-of-ways and any other public uses shown hereon.

Carole L. Bennett Date: _____, 2016

SWORN AND SUBSCRIBED BEFORE ME BY THIS THE _____ DAY OF _____, 2016

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: _____
CHRISTINA BUSH
Notary Public
State of Texas
My Comm. Expires 09-09-2017

FINAL PLAT SHOWING
10R1, BLOCK 1
KELLY JEAN'S ADDITION
BEING A RE-PLAT OF LOT 88 AND LOT 100
KELLY JEAN'S ADDITION
JOHNSON COUNTY, TEXAS
ACCORDING TO THE PLAT RECORDED IN
VOLUME 9, PAGE 809 SLIDE C45
PLAT RECORDS, JOHNSON COUNTY, TEXAS

THIS IS TO CERTIFY THAT JOHNNY D.L. WILLIAMS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAS PLATTED THE ABOVE SHOWN TRACT FROM AN ACTUAL SURVEY ON THE GROUND, AND THAT ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE HAVE BEEN PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME.
JOHNNY D.L. WILLIAMS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4818
TRKLA FROM REC. NO. 3043000
DATE: DECEMBER 2, 2016



OWNERS
ANDREW C. & CAROLE L. BENNETT
P.O. BOX 1425
BERKELEY, TEXAS 76807
(817) 566-2016

SURVEYOR:
WHITFIELD-HALL SURVEYORS
REGISTERED PROFESSIONAL LAND SURVEYORS
200 WALLACE ROAD, SUITE 407
FORT WORTH, TEXAS 76116
(817) 366-7961
CONTACT: JOHNNY WILLIAMS

LEGAL NOTICE

Pursuant to Section 232.009 of the Texas Local Government Code, the Johnson County Commissioners Court will consider an application and hear protests to revise:

Lots 8R and 10R, Block 1 in Kelly Jean's Addition

A recorded subdivision in Slide C435 and V. 9. P. 839

Into Lot 10R1, Block 1 in Kelly Jean's Addition

At: **9:00 o'clock a.m.** on: December 27, 2016 in the
Commissioners' Courtroom on the second floor
Of the Johnson County Courthouse
2 North Main Street, Cleburne, Texas