Approved
Commissioners Court

JUL 10 2017

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: David Disheroon **TODAY'S DATE:** 06/27/2017

DEPARTMENT: Public Works

SIGNATURE OF DEPARTMENT HEAD: _____

REQUESTED AGENDA DATE: 07/10/2017

SPECIFIC AGENDA WORDING: Consideration to approve the final plat of Morgan Acres, Lot 1, Block 1. Located in Precinct 1.

PERSON(S) TO PRESENT ITEM: David Disheroon

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 15 minutes

(Anticipated number of minutes needed to discuss item)

ACTION ITEM: X
WORKSHOP _____
CONSENT: _____
EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY:
AUDITOR: _____
PERSONNEL: _____
BUDGET COORDINATOR:
IT DEPARTMENT:
PURCHASING DEPARTMENT: _____
PUBLIC WORKS: _____
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 _____

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Approved

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PROPERTY DESCRIPTION:

Field notes for the survey of all that certain lot, tract, or parcel of land lying and situated in the Isaac Batterson Survey A-21 in Johnson County, Texas and being a part of that certain 52.684 acre tract described in a deed from Marie E. McPherson, as Independent Executrix of the Estate of James R. McPherson, deceased to Marie E. McPherson, as trustee of the James R. McPherson Family Bypass Trust recorded as instrument # 2016000000336 of the Official Public Records of Johnson County. Said land is all that certain tract described in a deed from Marie E. McPherson to Texas Reverse Exchange Holding Company, L.L.C. as accomodation Titleholder for Morgan Acres LLC recorded as Instrument #2017-10716 of the Official Public Records of Johnson County, more particularly described as follows:

BEGINNING at a railroad spike found at the intersection of the center of JCR #1205 with the south line of F.M. Highway 916 in the east line of the George Gentry Survey A-314 and in the west line of said Batterson Survey for the northeast corner of that certain 10.71 acre tract described in a deed to Danny Price recorded as Instrument #2012000005822 of the Official Public Records of Johnson County, for the northwest corner of said 52.684 acre tract, and for the northwest corner of this:

THENCE along a cutback in the south line of F.M. Highway 916, N57°04'45"E 24.25 feet to a ⅜" iron rod with cap stamped "INCE RPLS #5175" found, N13°55'48"E 59.95 feet to a ⅜" iron rod with cap stamped "INCE RPLS #5175" found for the end of said cutback:

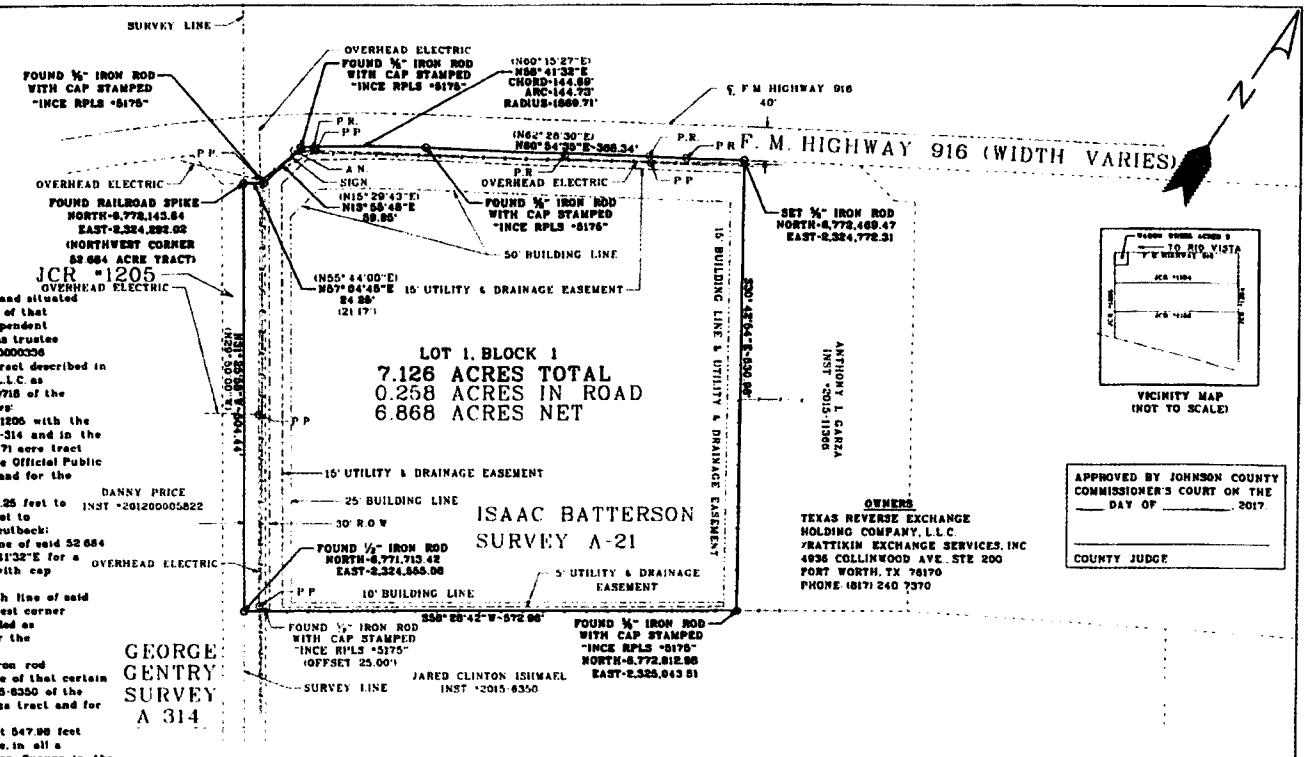
THENCE continuing with the south line of F.M. Highway 916, with the north line of said 52.684 acre tract, and along a curve to the right having a radius of 1869.71 feet, N58°41'32"E for a chord distance of 144.69 feet, an arc distance of 144.73 feet, to a ⅜" iron rod with cap stamped "INCE RPLS#5175" found for the end of said curve:

THENCE continuing with the south line of F.M. Highway 916 and with the north line of said 52.684 acre tract, N60°54'55"E 366.34 feet to a ⅜" iron rod set for the northwest corner of that certain 2.350 acre tract described in a deed to Anthony L. Garza recorded as Instrument #2015-11366 of the Official Public Records of Johnson County and for the northeast corner of this:

THENCE generally along a fence as extended, S30°42'54"E 530.98 feet to a ⅜" iron rod with cap stamped "INCE RPLS #5175" found at a fence corner in the north line of that certain tract described in a deed to Jared Clinton Ishmael recorded as Instrument #2015-6350 of the Official Public Records of Johnson County for the southwest corner of said Garza tract and for the southeast corner of this:

THENCE generally along a fence and with the extension thereof, S58°28'42"W, at 547.98 feet passing a ⅜" iron rod with cap stamped "INCE RPLS #5175" found for reference, in all a distance of 572.98 feet to a ½" iron rod found in the west line of said Batterson Survey, in the west line of said 52.684 acre tract, in the east line of said Gentry Survey, in the east line of said Price tract, and in the center of JCR #1205 for the northwest corner of said Ishmael tract and for the southwest corner of this:

THENCE generally along the center of JCR #1205 N31°25'58"W 504.44 feet to the place of beginning, containing 7.126 acres of land, of which approximately 0.258 acres lies in a public road



VICINITY MAP
(NOT TO SCALE)

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE ____ DAY OF _____, 2017.

_____
COUNTY JUDGE

OWNERS
TEXAS REVERSE EXCHANGE HOLDING COMPANY, L.L.C.
/RATTIKIN EXCHANGE SERVICES, INC
4936 COLLINWOOD AVE., STE 200
FORT WORTH, TX 76170
PHONE (817) 240 7370

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS,

THAT TEXAS REVERSE EXCHANGE HOLDINGS, LLC AS EAT FOR MORGAN ACRES, LLC, OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 1, BLOCK 1, MORGAN ACRES, A SUBDIVISION AN ADDITION IN JOHNSON COUNTY, TEXAS AND HEREBY DEDICATE TO THE PUBLIC USE, WITHOUT RESERVATION, THE STREETS, EASEMENTS, RIGHT-OF-WAYS AND ANY OTHER PUBLIC AREA SHOWN HEREON.

Jeffrey A. Rattikin, Pres 6/26/17
JEFFREY A. RATTIKIN, PRESIDENT DATE

REVIEWED AND ACCEPTED BY MORGAN ACRES, LLC.

JACKIE WAYNE MORGAN
MANAGING MEMBER

KATHERINE SIMMERMAN MORGAN
MANAGING MEMBER

SURVEYOR'S NOTES

1. ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, AS ESTABLISHED USING TRIMBLE V.R.S NETWORK.
2. THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS FINAL PLAT AND PROPERTY DESCRIPTION WERE PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAY BE EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN

SURVEYOR'S CERTIFICATION

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED BY AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND

STATE OF TEXAS REGISTERED JESSE JOSEPH INCE 5175 PROFESSIONAL LAND SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5175

GRAPHIC SCALE 0' 100'

PLAT RECORDED IN
VOLUME _____, PAGE _____, SLIDE _____

DATE

COUNTY CLERK, JOHNSON COUNTY, TEXAS

DEPUTY

SWORN AND SUBSCRIBED BEFORE ME BY Jeffrey A. Rattikin
THIS THE 26th DAY OF June, 2017

Wendi Eddleman NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES 5-24-2019

WENDI EDDLEMAN
Notary Public
STATE OF TEXAS
My Comm. Exp. May 24, 2019

FINAL PLAT SHOWING MORGAN ACRES

LOT 1, BLOCK 1
SUBDIVISION IN JOHNSON COUNTY, TEXAS

BEING 7.126 ACRES LAND LYING AND SITUATED IN THE ISAAC BATTERSON SURVEY A-21 JOHNSON COUNTY, TEXAS.

SHEET 1 OF 2

INCE SURVEYING & ENGINEERING		
184 THOUSAND OAKS DRIVE WHITNEY, TEXAS 76692		
PHONE 254-694-7708 FAX 254-694-7230		FIRM #10066000
SCALE 1"=100'	MAY 04, 2017	SURVEY NO SN170504.1

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JOHNSON COUNTY, TEXAS NOTES

1. THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN THE ETJ OF ANY CITY OR TOWN

2. THE PROPOSED USAGE FOR THIS PLAT IS SINGLE FAMILY RESIDENTIAL

3. UTILITY PROVIDERS:

WATER SERVICE PROVIDED BY PARKER WATER COMPANY PHONE #(817)-272-8666.

ELECTRIC SERVICE IS TO BE PROVIDED BY HILCO ELECTRIC COMPANY PHONE #(800)-336-6436

PRIVATE INDIVIDUAL SEPTIC SYSTEMS

4. FLOOD STATEMENT

ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS COMMUNITY PANEL NO. 48251C0450J, EFFECTIVE DATE DECEMBER 04, 2012 THIS PROPERTY IS LOCATED IN ZONE "X", (AREAS DETERMINED TO BE OUTSIDE FLOOD PLAIN)

THE ABOVE REFERENCED FEMA FLOOD INSURANCE RATE MAP IS FOR USE 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 SEVERE, CONCENTRATED RAINFALL COUPLED WITH INADEQUATE LOCAL DRAINAGE SYSTEMS. THERE MAY BE OTHER STREAMS, CREEKS, 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".

5. FLOOD NOTES

BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.

THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THIS ADDITION WILL REMAIN AN 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 OPERATIONS 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

6. UTILITY EASEMENT:
ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED 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 EFFICACY 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 OF INGRESS AND EGRESS TO AND FROM SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING THE PERMISSION OF ANYONE

7. UTILITY EASEMENTS SHALL BE
10' FROM LOT LINE IN FRONT AND BACK
6' FROM LOT LINE ON THE SIDES

8. RIGHT-OF-WAY DEDICATION
40' ROW FROM CENTER OF ROAD ON F.M OR STATE
30' ROW FROM CENTER OF ROAD ON A COUNTY ROAD OF SUBDIVISION.

9. BUILDING LINES
50' FROM LOT LINE (STATE HIGHWAY AND F.M.)
30' FROM LOT LINE (COUNTY ROAD OR SUB-DIVISION ROADS)
15 FROM LOT LINE ON REAR
10' FROM LOT LINES ON SIDES

10. 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 EXECUTORY CONTRACT TO CONVEY THAT IS DELIVERED TO A PURCHASER UNLESS THE PLAT OR REPLAT 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 CONTINGENT ON APPROVAL & RECORDING OF THE FINAL PLAT AND THE PURCHASER IS NOT GIVEN USE OR OCCUPANCY OF THE REAL PROPERTY CONVEYED BEFORE THE RECORDING OF THE PLAT.

11. A PURCHASER MAY NOT USE OR OCCUPY PROPERTY DESCRIBED IN A PLAT OR REPLAT OF A SUBDIVISION UNTIL SUCH TIME AS THE PLAT IS FILED FOR RECORD WITH THE COUNTY CLERK'S OFFICE OF THE JOHNSON COUNTY CLERK

12. PRIVATE SEWAGE FACILITY
ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH

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 RELIEVE THE OWNER 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, OF UNSANITARY CONDITIONS ARE CREATED, OR IF THE FACILITY WHEN USED DOES NOT COMPLY WITH GOVERNMENT REGULATIONS

A PROPERLY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, INSTALLED IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF WATER THAT IS REQUIRED TO DISPOSE OF IT IS NOT CONTROLLED. IT WILL BE THE RESPONSIBILITY OF THE LOT OWNER TO MAINTAIN AND OPERATE THE PRIVATE SEWAGE FACILITY IN A SATISFACTORY MANNER.

13. DUTIES OF DEVELOPER/PROPERTY OWNER

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 JURISDICTIONS 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, IMPUTE 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 PORTRAYED HEREON OR ACTUALLY EXISTING ON THE PROPERTY PORTRAYED BY THIS PLAT DO NOT VIOLATE THE STATUTES OR COMMON LAW OF AN INCORPORATED CITY, JOHNSON COUNTY, THE STATE OF TEXAS, OR THE UNITED STATES.

JOHNSON COUNTY IS RELYING UPON THE SURVEYOR WHOSE NAME IS AFFIXED HEREON TO MAKE ACCURATE AND TRUTHFUL REPRESENTATIONS UPON WHICH JOHNSON COUNTY CAN MAKE DETERMINATIONS REGARDING THE APPROVAL OR DISAPPROVAL OF THIS PLAT.

14. 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

SURVEYOR'S CERTIFICATION

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REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5175

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VOLUME _____, PAGE _____, SLIDE _____

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COUNTY CLERK, JOHNSON COUNTY, TEXAS

DEPUTY

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JEFFREY A. RATTILLAN, PRESIDENT — DATE 6/26/17

REVIEWED AND ACCEPTED BY MORGAN ACRES, LLC.

JACKIE WAYNE MORGAN
MANAGING MEMBER

KATHERINE SIMMERMAN MORGAN
MANAGING MEMBER

SWORN AND SUBSCRIBED BEFORE ME BY Jeffrey A. Rattillan
THIS THE 26th DAY OF June, 20 17

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES 5.24.2019

WENDI COLEMAN
NOTARY PUBLIC
STATE OF TEXAS
My Commission Exp. May 24, 2019

Wendi Coleman

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INCE SURVEYING & ENGINEERING		
164 THOUSAND OAKS DRIVE WHITNEY, TEXAS 76692		
PHONE 254-694-7708 FAX: 254-694-7230		FIRM #10088000
SCALE 1"=100'	MAY 04, 2017	SURVEY NO. SN170504.1

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