

JAN 27 2020

REQUEST FOR AGENDA PLACEMENT FORM

Approved

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

SUBMITTED BY: David Disheroon **TODAY'S DATE:** 01/17/2019

DEPARTMENT: **Public Works**

SIGNATURE OF DEPARTMENT HEAD: _____

REQUESTED AGENDA DATE: **01/27/2020**

SPECIFIC AGENDA WORDING: Consideration of Order 2020-06, Order approving Final Plat of Franklin Addition, Lot 1, Block 1 in Precinct #4- Public Works Department

PERSON(S) TO PRESENT ITEM: David Disheroon

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 10 minutes **ACTION ITEM:** X
WORKSHOP _____
(Anticipated number of minutes needed to discuss item) **CONSENT:** _____
EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY: _____ **IT DEPARTMENT:** _____
AUDITOR: _____ **PURCHASING DEPARTMENT:** _____
PERSONNEL: _____ **PUBLIC WORKS:** X _____
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 _____

ETJ Districts:

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

Proposed Use: Single Family Residential

Utility Providers:

Water: Johnson County Special Utility District 817-769-6200
Sewerage: United Cooperative Services 817-769-0318
Private Individual water system

Private Sewerage Facility:

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

Inspections under acceptance of a private sewage facility by the Public Works Department shall indicate only that the facility meets minimum requirements and does not release the owner of the property from complying with County, State and Federal regulations. Private Sewerage 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 sanitary conditions are created, or if the facility when used does not comply with governmental 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 is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.

Special Assessments:

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 402B (02/20/04), the effective date of which is December 4, 2012, the property is located in Zone X.

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 events, concentrated rainfall coupled with hydrologic 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".

Stocking the flow of water or obstructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.
The existing creeks or drainage channels traversing along or across the 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 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 the 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, etc. or buildings, which obstruct the flow of water through drainage easements.

Duties of Developer/Transfer 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 riparian, littoral or transferee any duty or liability to Johnson County, the Commissioners, officials or employees of Johnson County.

Johnson County makes no representation that the signs, stream, river, drainage channels or other drainage structures, devices, or features portrayed herein are actually existing on the property portrayed by the 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 herein to make accurate and lawful representations upon which Johnson County can make determinations regarding the approval or disapproval of the plat.

Indemnities:

The property developer submitting this plat to Johnson County for approval and the owner of the property the subject of the 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 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 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 safety 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 day and night to enter and from said easements for the purpose of construction, reconstruction, inspection, gathering, maintaining and adding to or removing all or part of its respective systems without the necessity of any form of procuring the permission of anyone.

Utility Easements:

16' from lot line to front & back
or from lot line on the sides

Right of Water Dedication:

40' ROW from center of road on F.M. or State Highway
30' ROW from center of County Roads or roads in a subdivision.

Buildings Lines:

60' from lot line (front & back)
20' from lot line (side)
10' from lot line on rear
10' from lot line on sides

Other Easements:

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 consider 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 copyright compliant on approval and 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.

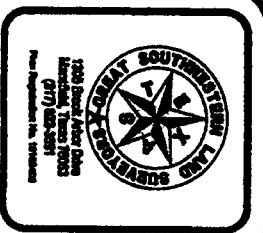
A purchaser, user and use or occupancy property described in a plat or report of a subdivision until such time as the plat is filed and recorded with the county clerk's office of the Johnson County Clerk.

Other Easements or Rights for County Maintenance:

The approval and filing of a plat which dedicates roads and streets does not make the roads, and streets county roads subject to county maintenance. No road, street or passageway set aside in this plat shall be maintained by Johnson County, Texas in the absence of an express Order of the Commissioners Court entered of record in the minutes of the Commissioners Court of Johnson County, Texas specifically identifying any such road, street or passageway and specifically assigning such road, street or passageway for county maintenance.

PROJECT NO. 0817

Plat Recorded in Volume _____ Page _____
City Date _____
County Clerk, Johnson County, Texas
County Clerk _____



FRANKLIN ADDITION
LOT 1
In the
T. H. Forrester Survey
Abstract No. 270
JOHNSON COUNTY
TEXAS
1.44 ACRES
SHEET 2 OF 2

JOHNSON COUNTY COMMISSIONERS COURT



JAN 27 2020

Becky Ivey
County Clerk, Johnson County Texas
BY MA DEPUTY

RICK BAILEY
Commissioner Pct. #1

ROGER HARMON
County Judge

JERRY D. STRINGER
Commissioner Pct. #3

KENNY HOWELL
Commissioner Pct. #2

Carla Hester
Assistant to Commissioner's Court

LARRY WOOLLEY
Commissioner Pct. #4

STATE OF TEXAS

§
§
§

ORDER #2020-06

COUNTY OF JOHNSON

ORDER APPROVING PLAT

WHEREAS, Chapter 232 of the Texas Local Government Code requires the owner of a tract of land located outside the limits of a municipality to have a plat of the subdivision prepared if the owner divides the tract of land into two or more parts to lay out: (1) a subdivision of the tract, including an addition; (2) lots; or (3) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts; and

WHEREAS, an application for a plat of a subdivision has been presented to the Public Works Department of Johnson County; and

WHEREAS, the application for the plat of the subdivision meets the requirements of Chapter 232 of the Texas Local Government Code and the requirements of the Subdivision Rules and Regulations of Johnson County, Texas as currently amended; and

WHEREAS, a motion was made by Commissioner Woolley, Pct. #4 and seconded by Commissioner Bailey, Pct. #1 that stated: "I make the motion to approve for filing purposes only, a Plat of **Franklin Addition**, Lot 1, Block 1, in Johnson County, Texas, Precinct #4 and clarify that the filing of the plat which dedicates roads and streets to the public does not make those roads and streets county roads subject to county maintenance."

Said motion was approved by a vote of the Commissioners Court on the 27th day of January, 2020.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

The Commissioners Court of Johnson County, Texas does hereby enter this order approving the Plat **Franklin Addition**, Lot 1, Block 1, in Johnson County, Texas, Precinct #4, for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

WITNESS OUR HAND THIS, THE 27th DAY OF JANUARY, 2020.



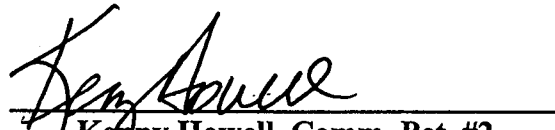
Roger Harmon, Johnson County Judge

Voted: yes, ___ no, ___ abstained



Rick Bailey, Comm. Pct. #1

Voted: yes, ___ no, ___ abstained



Kenny Howell, Comm. Pct. #2

Voted: yes, ___ no, ___ abstained



Jerry D. Stringer, Comm. Pct. #3

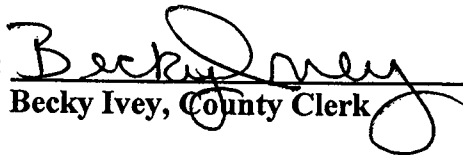
Voted: ___ yes, ___ no, ___ abstained



Larry Woolley, Comm. Pct. #4

Voted: yes, ___ no, ___ abstained

ATTEST:



Becky Ivey, County Clerk

