

JOHNSON COUNTY COMMISSIONERS COURT



DEC 14 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

PAULA REID
Assistant to Commissioner's Court

LARRY WOOLLEY
Commissioner Pct. #4

STATE OF TEXAS

COUNTY OF JOHNSON

§
§
§

ORDER #2020-84

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 Howell, Pct. #2 and seconded by Commissioner Stringer, Pct. #3 that stated: "I make the motion to approve for filing purposes only, a Plat of Benjamin Franklin Aviation Estates, Lots 1-8 in Johnson County, Texas, Precinct #2 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 14th day of December, 2020.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

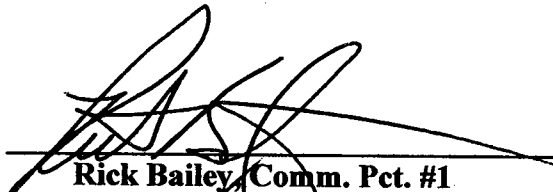
The Commissioners Court of Johnson County, Texas does hereby enter this order approving the Plat **Benjamin Franklin Aviation Estates**, Lots 1-8 in Johnson County, Texas, Precinct #2 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

WITNESS OUR HAND THIS, THE 14TH DAY OF DECEMBER, 2020.



Roger Harmon, Johnson County Judge

Voted: yes, no, abstained



Rick Bailey, Comm. Pct. #1

Voted: yes, no, abstained



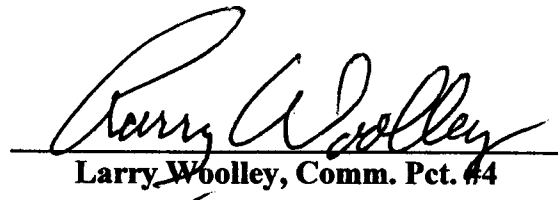
Kenny Howell, Comm. Pct. #2

Voted: yes, no, abstained



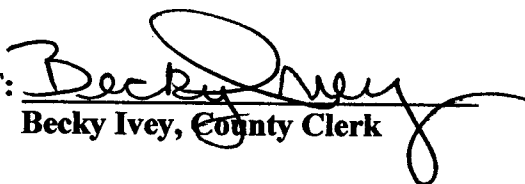
Jerry D. Stringer, Comm. Pct. #3

Voted: yes, no, abstained



Larry Woolley, Comm. Pct. #4

Voted: yes, no, abstained

ATTEST: 
Becky Ivey, County Clerk



DEC 14 2020

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: David Disheroon **TODAY'S DATE:** 12/08/2020

DEPARTMENT: Public Works

SIGNATURE OF DEPARTMENT HEAD: _____

REQUESTED AGENDA DATE: 12/14/2020

SPECIFIC AGENDA WORDING: Consideration of Order No. 2020-84, Order approving Final Plat of Benjamin Franklin Aviation Estates, Lots 1-8, in Precinct #2- Public Works Department

PERSON(S) TO PRESENT ITEM: David Disheroon

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 10 minutes	ACTION ITEM: <u> X </u>
	WORKSHOP _____
(Anticipated number of minutes needed to discuss item)	CONSENT: _____
	EXECUTIVE: <u> -- </u>

STAFF NOTICE:

COUNTY ATTORNEY: _____	IT DEPARTMENT: _____
AUDITOR: _____	PURCHASING DEPARTMENT: _____
PERSONNEL: _____	PUBLIC WORKS: <u> X </u>
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 _____

OWNER'S CERTIFICATION

STATE OF TEXAS
 COUNTY OF DENISON
 WHEREAS, BLUESTEM ACQUISITIONS, L.L.C. AND BENJAMIN FRANKLIN AVIATION, INC. are the owners of tract certain land of land lying and being situated in Johnson County, Texas and being a part of the John H. Cooper Survey, Abstract number 144 and being a part of a certain 63.147 acre tract of land described as to be Benjamin Franklin Aviation, II, recorded in Volume 1874, Page 478, Official Public Records, Johnson County, Texas, and being a part of a tract of land described as to be BLUESTEM ACQUISITIONS, L.L.C. recorded in Document Number 2019-24-048, Official Public Records, Johnson County, Texas and being more fully described by means and contents as hereinafter appears;

beginning at a 68 inch iron nail found for the Northwest corner of said Section 46, 147 acres tract, same being in the South right-of-way line of County Road 913A; THENCE South 00 degrees 02 minutes 28 seconds East, distance of 5,917.79 feet to a capped 1/2 inch iron nail set and a capped 1/2 inch iron nail set and a capped 1/2 inch iron nail set and a capped 1/2 inch iron nail set, same being the Northwest corner of a tract of land described as to be in Clayton Mills and Company plat, recorded in Instrument Number 2019-24-048, Official Public Records, Johnson County, Texas;

THENCE North 85 degrees 52 minutes 46 seconds West, a distance of 494.72 feet to a capped 1/2 inch iron nail set and a capped 1/2 inch iron nail set, same being the beginning of a curve in the right;

THENCE along said curve in the 76% whose chord bears North 40 degrees 51 minutes 05 seconds West, 23.47 feet, having a radius of 66.00 feet, and an arc length of 69.82 feet to a capped 1/2 inch iron nail set and a capped 1/2 inch iron nail set, same being the Northwest corner of said Section 46, 147 acres tract;

THENCE North 08 degrees 08 minutes 08 seconds West, along the eastern line of said Section 46, 147 acres tract and a tract of land described as to be in Bill E. Hansen and Darlene V. Hansen, recorded in Volume 3548, Page 821, Official Public Records, Johnson County, Texas, a distance of 1,282.37 feet to a found corner three feet for the Southwest corner of Lot 14, Block 3, Stone Valley Park, recorded in Volume 163, Page 662, Official Public Records, Johnson County, Texas;

THENCE North 08 degrees 18 minutes 37 seconds West, along the common line of said Section 46, 147 acres tract and said Block 3 of Stone Valley Park, a distance of 827.70 feet to a capped 1/2 inch iron nail set and a capped 1/2 inch iron nail set, same being the Northwest corner of said Section 46, 147 acres tract;

THENCE North 89 degrees 02 minutes 24 seconds East, along said South right-of-way line, a distance of 448.00 feet to the POINT OF BEGINNING and containing 26.49 acres of land, more or less.

OWNER'S DECLARATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT, BLUESTEM ACQUISITIONS, L.L.C. AND BENJAMIN FRANKLIN AVIATION, INC. OWNERS, DO HEREBY ADOPT THIS FINAL PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS BENJAMIN FRANKLIN AVIATION ESTATES. IN ADDITION TO JOHNSON COUNTY, TEXAS, AND DOGS HEREBY CONVEY TO THE CITY OF DENISON, TEXAS, ALL STREETS, RIGHTS-OF-WAY, ALLEYS AND EASEMENTS SHOWN THEREON. THE CITY OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND REPAIR ANY SUCH STREETS, ALLEYS OR EASEMENTS, FENCES, TREES, BOLLERS OR OTHER APPROPRIATE FIXTURES IN WHICH ANY MAY ENHANCE OR INTERFERE WITH THE OPERATION AND MAINTENANCE OF SUCH PUBLIC UTILITY OR ANY OF THESE EASEMENTS, AND THE CITY OR ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT TO CROSS AND CROSS TO AND FROM AND UPON THE SAME FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, MAINTENANCE AND REPAIRS, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF JOHNSON COUNTY, TEXAS.

OWNER: BLUESTEM ACQUISITIONS, L.L.C.

BY: *[Signature]*
 CLAYTON MESS,
 TITLE: PRESIDENT
 DATE: 12-2-20

OWNER: BENJAMIN FRANKLIN AVIATION, INC.
 BY: *[Signature]*
 BENJAMIN FRANKLIN AVIATION, INC.
 DATE: 12-27-20

STATE OF TEXAS
 COUNTY OF DENISON
 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED CLAYTON MESS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 1 DAY OF DECEMBER, 2020.



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
 DENISON COUNTY
 MY COMMISSION EXPIRES ON 12/31/24

STATE OF TEXAS
 COUNTY OF DENISON
 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED BENJAMIN FRANKLIN AVIATION, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 1 DAY OF DECEMBER, 2020.



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
 DENISON COUNTY
 MY COMMISSION EXPIRES ON 09-23-2023

BLUESTEM ACQUISITIONS, L.L.C.
 1729 WESTINGHOUSE
 DENISON, TX 75020
 PHONE: (817) 458-1188
 CONTRACT: CLAYTON MESS

BENJAMIN FRANKLIN AVIATION, INC.
 P.O. BOX 671
 1200 WEST MAIN STREET
 DENISON, TEXAS 75020
 PHONE: (817) 458-1188
 CONTRACT: NERESSE GRAVELLY

CERTIFICATE OF SURVEYOR

I, KENNETH A. ZOLLINGER, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND AND THAT THE MONUMENTS SHOWN THEREON WERE FOUND OR PLACED OR PLACED WITH CAPPED 1/2" IRON RODS STAMPED "KAZ" UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE ORDINANCES OF JOHNSON COUNTY, TEXAS.



Kenneth A. Zollinger, R.L.S., R.S.T.
 12-2-20
 GAV

STATE OF TEXAS
 COUNTY OF DENISON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENNETH A. ZOLLINGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPTION THEREIN STATED.

OWNER UNDER MY HAND AND SEAL OF THE OFFICE THIS 1 DAY OF DECEMBER, 2020.

[Signature]
 KENNETH A. ZOLLINGER
 NOTARY PUBLIC DENISON COUNTY, TEXAS
 MY COMMISSION EXPIRES 12/31/24



FINAL PLAT
BENJAMIN FRANKLIN AVIATION
ESTATES
 LOTS 1-9, BLOCK A
 BEING IN THE JOHN H. COOPER SURVEY,
 ABSTRACT NUMBER 144, IN JOHNSON COUNTY, TEXAS

KAZ
 1729 WESTINGHOUSE
 DENISON, TX 75020
 (817) 458-1188
 KENNETH A. ZOLLINGER