

JOHNSON COUNTY COMMISSIONERS COURT

JUN 14 2021



Becky Ivey, County Clerk
Johnson County, Texas
By MM Deputy

RICK BAILEY
Commissioner Pct. #1

ROGER HARMON
County Judge

MIKE WHITE
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 #2021-37

**ORDER APPROVING REVISION OF PLAT
PURSUANT TO SECTION 232.009 (c-1) OF THE
TEXAS LOCAL GOVERNMENT CODE**

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 as 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 approved by the Commissioners Court of Johnson County and filed for record; and

WHEREAS, pursuant to Section 232.009 of the Texas Local Government Code an application for a revision of the subdivision plat has been presented to the Public Works Department of Johnson County; and

WHEREAS, the revision of the subdivision plat does not affect a public interest or public property of any type, including, but not limited to, a park, school, or road; and

WHEREAS, written notice of the application to revise the subdivision plat has been provided to the owners of the lots that are within 200 feet of the subdivision plat to be revised, as indicated in the most recent records of the central appraisal district of the Johnson County; and

WHEREAS, notice has been posted on Johnson County's Internet website for at least 30 days preceding the date of the meeting to consider the application until the day after the meeting; and

WHEREAS, the revision of the subdivision plat will not interfere with the established rights of any owner of a part of the subdivided land; and

WHEREAS, a motion was made by Commissioner Bailey, Pct #1 and seconded by Commissioner Woolley, Pct. #4 that stated: "I make the motion to approve the revision of the plat of **The Retreat**, Phase 3, Block 31, by combining Lots 3 and 4 to form Lot 3-R, in Johnson County, Texas, Precinct #1."

Said motion was approved by a vote of the Commissioners Court on the 14th day of June 2021.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

The Commissioners Court of Johnson County, Texas does hereby enter this order approving the revision of the plat of "**The Retreat**, Phase 3, Block 31, by combining Lots 3 and 4 to form Lot 3-R, in Johnson County, Texas, Precinct #1."

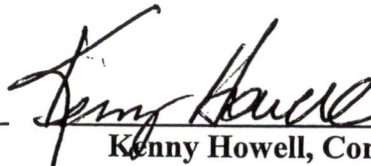
WITNESS OUR HAND THIS, THE 14TH DAY OF JUNE 2021.


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


Mike White, Comm. Pct. #3

Voted: yes, ___ no, ___ abstained


Larry Woolley, Comm. Pct. #4

Voted: yes, ___ no, ___ abstained

ATTEST: 
Becky Ivey, County Clerk



JUN 14 2021

Approved

<u>REQUEST FOR AGENDA PLACEMENT FORM</u>	
Submission Deadline - Tuesday, 12:00 PM before Court Dates	
SUBMITTED BY: <u>David Disheroon</u> TODAY'S DATE: <u>06/03/2021</u>	
<u>DEPARTMENT:</u>	<u>Public Works</u>
<u>SIGNATURE OF DEPARTMENT HEAD:</u> _____	
<u>REQUESTED AGENDA DATE:</u>	<u>06/14/2021</u>

SPECIFIC AGENDA WORDING: Public Hearing to Revise the Plat of The Retreat, Phase 3, Block 31, by combining Lots 3 and 4 to form Lot 3-R, in Precinct #1

Consideration of Order No. 2021-37, Order approving Revised Plat of The Retreat, Phase 3, Block 31, by combining Lots 3 and 4 to form Lot 3-R, in Precinct #1- Public Works Department

<u>PERSON(S) TO PRESENT ITEM:</u> <u>David Disheroon</u>	
<u>SUPPORT MATERIAL:</u> (Must enclose supporting documentation)	
TIME: <u>10 minutes</u> (Anticipated number of minutes needed to discuss item)	ACTION ITEM: <u> X </u> WORKSHOP _____ CONSENT: _____ EXECUTIVE: _____
<u>STAFF NOTICE:</u>	
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 _____

JOHNSON COUNTY DEED NOTES
 1 THIS SUBDIVISION AS PART THEREOF IS NOT LOCATED WITHIN THE CITY OF ANY CITY OR TOWN
 2 THE PROPOSED ZONING FOR THIS PLAT IS SINGLE FAMILY RESIDENTIAL

3 UTILITY PROVIDED
 WATER SERVICE PROVIDED BY METRAV WATER UTILITIES INC. FROM 800-604-7000
 SEWER SERVICE IS TO BE PROVIDED BY UNITED COOPERATIVE SEWERAGE FROM 800-288-4000
 CENTRAL FLOOD COLLECTION AND TREATMENT IS PROVIDED BY METRAV WATER UTILITIES INC. FROM 800-604-7000

4 FLOOD STATEMENT
 ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY TEXAS AND
 FLOODPLAINING AGENCIES, THERE IS NO FLOODING OF THIS DATE. THE DATE OF THIS
 PROPERTY IS IN 1986. A FLOOD DETERMINED TO BE OUT OF THE FLOOD PLAIN.

THE ABOVE REFERENCED FLOOD INSURANCE RATE MAP IS FOR USE IN ADMINISTERING THE "STOP"
 OF THIS MAP UNLESS IT SHOWS ALL AREAS SUBJECT TO FLOODING PARTICULARLY FROM LOCAL
 SOURCES OF SURFACE WATER WHICH COULD BE FLOODED BY SEVERE CONCENTRATED RAINFALL COUPLED
 WITH UNUSUAL LOCAL DRAINAGE SYSTEMS. THERE MAY BE OTHER STREAMS, CREEKS,
 LAGOON DRAINAGE SYSTEMS OR OTHER SURFACES OR SURFACE CONDITIONS EXISTING
 IN OR NEAR THE SUBJECT PROPERTY WHICH ARE NOT SHOWN OR INDICATED AS PART OF
 THIS "STOP".

5 FLOOD NOTES
 REGARDING THE PLAN OF WATER OR CONSTRUCTIVE IMPROVEMENTS IN THE DRAINAGE
 BASIN AND FLOODING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.

THIS STOPPING ORDER ON DRAINAGE CHANNELS TRAVELING ALONG OR ACROSS THIS DIVISION WILL
 REMAIN IN FULL FORCE AND EFFECT UNTIL THE APPROVED PLAN OF THE LOT OR LOTS
 HEREON IS APPROVED BY AN AGENCIES TO DRAINAGE CHANNELS ALONG OR ACROSS SAID LOTS.

JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID
 DRAINAGE PATHS OR FOR THE CONTROL OF EXCESSION.

JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE PERSONAL INJURY OR LOSS OF LIFE
 OR PROPERTY RESULTING FROM FLOODING OR FLOOD CONDITIONS.

JOHNSON COUNTY HAS THE RIGHT BUT NOT A DUTY TO CUT OFF FLOODWAYS AND CLEAR ANY
 OBSTRUCTION INCLUDING BUT NOT LIMITED TO TREES PLANTS, ETC. OR BUILDINGS WHICH OBSTRUCT
 THE FLOW OF WATER THROUGH DRAINAGE CHANNELS.

6 UTILITY EASEMENT
 ANY PUBLIC UTILITY INCLUDING JOHNSON COUNTY SHALL HAVE THE RIGHT TO MOVE AND REAP
 ALL OR PART OF ANY BUILDING, FENCES, TREES, BUSHES, OTHER STRUCTURES OR IMPROVEMENTS WHICH
 IN ANY WAY OBSTRUCT OR INTERFERE WITH THE CONSTRUCTION OR MAINTENANCE OR OPERATION OF ITS
 RESPECTIVE SYSTEMS IN ANY OF THE DESCRIBED AREAS OR THE RIGHT TO MOVE AND REAP
 ANY SUCH UTILITY STRUCTURES OR IMPROVEMENTS WHICH IN ANY WAY OBSTRUCT OR INTERFERE WITH
 THE CONSTRUCTION OR MAINTENANCE OR OPERATION OF ANY SUCH UTILITY SYSTEMS.
 JOHNSON COUNTY SHALL HAVE THE RIGHT AT ALL TIMES TO CUT OFF AND REMOVE TO AND
 FROM THIS EASEMENT THE PURPOSES OF CONSTRUCTION, RECONSTRUCTION, REPAIR,
 MAINTENANCE, OPERATION AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS
 WITHOUT THE NECESSITY OF ANY TIME OF PROVIDING THE PERMISSION OF ANYONE.

7 UTILITY EASEMENTS
 IF UTILITY AND DRAINAGE EASEMENTS SHALL BE OBTAINED ALONG THE FRONT AND REAR OF
 ALL LOTS IN UTILITY AND DRAINAGE EASEMENT SHALL BE OBTAINED ALONG THE SIDES OF
 ALL LOTS WATER COLLECTION AND SEWER MAINS WILL BE LOCATED WITHIN STREET
 RIGHT OF WAY THE EXISTING UTILITY AND DRAINAGE EASEMENTS BETWEEN LOTS
 3 AND 4 SHALL REMAIN WITH THE PLAT OF THIS PLAT.

8 RIGHT OF WAY DEDICATION
 ALL STREETS TO BE PRIVATELY OWNED AND MAINTAINED.

9 BUILDING LINES
 ON FRONT AND REAR OF LOTS.

10 FILING A PLAT
 IF IT IS A CRIMINAL OFFENSE PUNISHABLE BY A FINE OF UP TO \$500.00 CONFINEMENT IN THE COUNTY
 JAIL FOR UP TO 90 DAYS OR BOTH FINE AND CONFINEMENT FOR A PERSON WHO PROVIDES REAL PROPERTY
 TO THE SUBDIVISION RECORDS IN A RECORD OF CONVEYANCE A CONTRACT FOR A DEED OR A CONTRACT
 OF SALE OR OTHER INSTRUMENT CONTRACT TO CONVEY THAT IS BELONGED TO A PURCHASER UNLESS THE
 CLEAR INSTRUMENT CONTRACT IS FILED FOR RECORD WITH THE JOHNSON COUNTY
 APPROVAL AND RECORDING OF THE FINAL PLAT AND THE PURCHASER IS NOT GIVEN USE OR OCCUPANCY OF
 THE REAL PROPERTY COVERED BY THE INSTRUMENT OF THE PLAT.

11 A PURCHASER MAY NOT USE OR OCCUPY PROPERTY DESCRIBED IN A PLAT OR REPLY 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 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 OBTAIN ALL NECESSARY PERMITS FROM ALL
 AGENCIES OR AGENCIES OF THE STATE OF TEXAS OR THE UNITED STATES.

JOHNSON COUNTY HAS NO REPRESENTATION THAT THE CREEK STREAM RIVER DRAINAGE CHANNEL
 OR OTHER DRAINAGE CHANNELS DEPICTED ON THESE PLATS ARE ACTUALLY EXISTING OR
 THE PROPERTY COVERED BY THIS PLAT DO NOT VIOLATE THE STATUTE OR COMMON LAW OF AN
 INCORPORATED CITY, JOHNSON COUNTY THE STATE OF TEXAS OR THE UNITED STATES.

JOHNSON COUNTY IS BELIEVING FROM THE SURVEYOR ENGINE HAVE IN AFFECTED DEGREE TO MAKE ACCURATE
 AND TRUTHFUL REPRESENTATIONS FROM WHICH JOHNSON COUNTY CAN MAKE DETERMINATIONS REGARDING
 THE APPROVAL OR DISAPPROVAL OF THIS PLAT.

13 RESERVATION
 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 ACCEPT AND HEREBY ACCEPT
 THE 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 OF FILING OF THIS PLAT OR CONSTRUCTION DOCUMENTS ASSOCIATED THEREWITH.

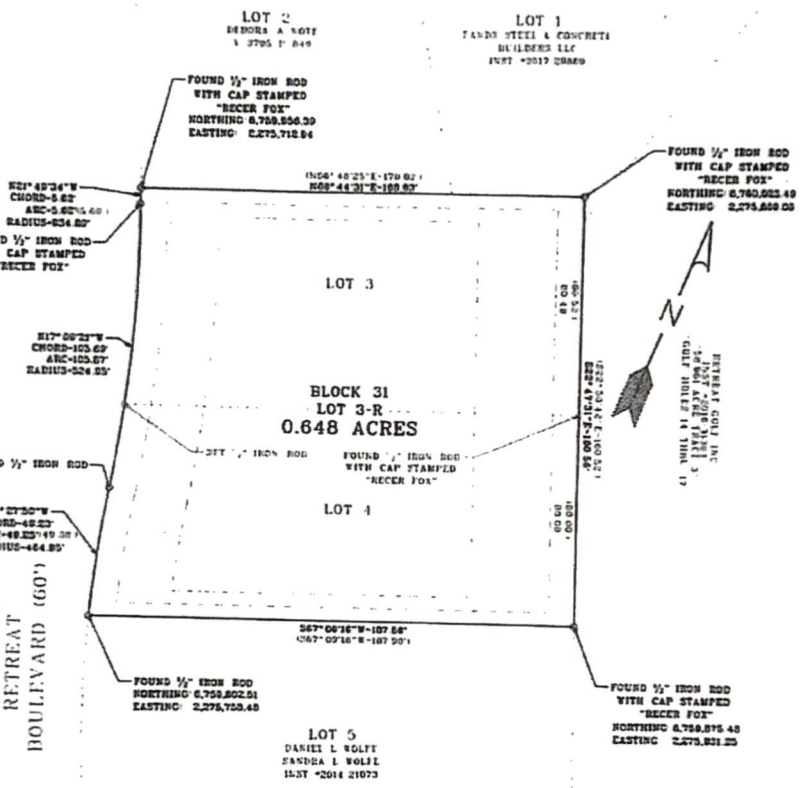
14 FILING A PLAT IS NOT ACCEPTANCE OF RECORD FOR COUNTY MAINTENANCE
 THE APPROVAL AND FILING OF A PLAT WHICH DESIGNATES ROADS AND STREETS DOES NOT MAKE THE ROADS
 AND STREETS COUNTY ROADS SUBJECT TO COUNTY MAINTENANCE OR PARALLEL SET AS
 THIS PLAT SHALL BE MAINTAINED BY JOHNSON COUNTY, TEXAS IN THE ABSENCE OF AN EXPRESS ORDER
 OF THE COMMISSIONERS OFFICIALS OF THE JOHNSON COUNTY OF TEXAS SPECIFICALLY IDENTIFYING ANY SUCH ROAD STREET OR PARALLEL SET AND SPECIFICALLY
 ACCEPTING SUCH ROAD STREET OR PARALLEL SET FOR COUNTY MAINTENANCE.

APPROVED BY JOHNSON COUNTY
 COMMISSIONER'S COURT ON THE
 DAY OF 2021

COUNTY JUDGE

GRAPHIC SCALE

VICINITY MAP
 (NOT TO SCALE)



EASEMENTS & SETBACKS	
FRONT	10' UTILITY & DRAINAGE EASEMENT
REAR	10' SETBACK
SIDES	5' UTILITY & DRAINAGE EASEMENT
BACK	10' SETBACK
BACK	10' UTILITY & DRAINAGE EASEMENT
BACK	10' SETBACK

OWNERS
 JAMES & KATHA POPP
 7500 RETREAT BOULEVARD
 CLEBURNE, TEXAS 76033
 PHONE (261) 630-3082

PLAY RECORDED IN
 INSTRUMENT # _____ SLIDE _____
 DATE _____
 COURT CLERK, JOHNSON COUNTY, TEXAS
 DEPUTY _____

REVISED PLAT SHOWING
 LOT 3-R, BLOCK 31
 THE RETREAT, PHASE 3,
 SUBDIVISION IN
 JOHNSON COUNTY, TEXAS
 BEING A REVISION OF LOTS 3 AND 4, BLOCK
 31, THE RETREAT, PHASE 3, ACCORDING TO THE
 PLAT RECORDED IN V. 9, P. 147, ET SEQ. AND
 IN SLIDES B-738 AND B-739 OF THE OFFICIAL
 PLAT RECORDS OF JOHNSON COUNTY, TEXAS.

NOT RECORDED UNDER TO ALL BEING BY THESE PROCEEDINGS
 THAT JAMES POPP AND KATHA POPP ADVISED OF THE ABOVE DESCRIBED PLAT
 OF LAND TO BE RECORDED UNDER THIS PLAT INDICATING THE ABOVE DESCRIBED PROPERTY AS
 LOT 3-R IN BLOCK 31 OF THE RETREAT PHASE 3 AS AN ADDITION TO JOHNSON COUNTY TEXAS AND
 HEREBY REPRESENTED TO THE PUBLIC USE THROUGH THE INSTRUMENTS AND ACKNOWLEDGMENTS
 COURT OF SAID AND ANY OTHER PUBLIC AREA SHOWS RECORD

DATE FORWARDED
 KATHA POPP
 DATE 5-17-21

STATE OF TEXAS
 COUNTY OF JOHNSON

SUPPOSE HE UNDERSTOOD A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE
 OF TEXAS PERSONALLY APPEARED KATHA POPP 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 CONSIDERATION THEREIN EXPRESSED AND IS
 OF THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 17 DAY OF May 2021

Notary Public
 Catherine Elaine Wiggin
 Notary Public, State of Texas
 My Commission Expires 11-30-2024

STATE OF TEXAS
 COUNTY OF JOHNSON

SUPPOSE HE UNDERSTOOD A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE
 OF TEXAS PERSONALLY APPEARED KATHA POPP 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 CONSIDERATION THEREIN EXPRESSED AND IS
 OF THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 17 DAY OF May 2021

Notary Public
 Catherine Elaine Wiggin
 Notary Public, State of Texas
 My Commission Expires 11-30-2024

STATE OF TEXAS
 COUNTY OF JOHNSON

PROPERTY DESCRIPTION
 Part of the survey of all that certain 161.17 acre parcel of land being all of lots 1
 and 4, Block 31, Phase 3 of the Retreat Subdivision in Johnson County Texas according to
 the plat recorded in Volume 9, Page 147, et seq. and in Slides B-738 and B-739 of the Official
 Plat Records of Johnson County, Texas in all three volumes therein described to, said
 from: Catha Poppe, Inc. to James Poppe and Katha Poppe recorded as Instrument
 2020-0208 and from: Tracy W. Amason and Loretta C. Amason to James Poppe and
 Katha Poppe recorded as Instrument 2020-04205 of the Official Public Records of
 Johnson County, Texas particularly described as follows:

BEING THE 1/2" x 1/2" area and bounded on the east line of Retreat Boulevard for the
 southeast corner of said lot 3 and for the southeast corner of the

TRUNCED with the east line of Retreat Boulevard and being a curve to the right having
 a radius of 68.85 feet, 104°07'27" for a chord distance of 48.23 feet, an arc distance of
 18.26 feet, to a 1/2" area and with an adjacent "RECEIVED" found for the end of
 another curve to the left.

TRUNCED with the east line of Retreat Boulevard and being a curve having a radius of
 68.85 feet, 104°07'27" for a chord distance of 48.23 feet, an arc distance of 18.26 feet,
 to a 1/2" area and with an adjacent "RECEIVED" found for the southeast corner of
 said lot 3 and for the southeast corner of the

TRUNCED 104°22'17" 107.88 feet to a 1/2" area and with an adjacent "RECEIVED" found
 for the southeast corner of said lot 3 and for the southeast corner of the

TRUNCED 104°22'17" 107.88 feet to a 1/2" area and with an adjacent "RECEIVED" found
 for the southeast corner of said lot 3 and for the southeast corner of the

TRUNCED 104°22'17" 107.88 feet to the place of beginning, containing 0.648 acres of land

DEVELOPER'S NOTES
 1. ALL EASEMENTS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM,
 NORTH CENTRAL ZONE, NAD 83, ESTABLISHED USING TRIMBLE 4.8 SURVEY.

2. THE SURVEY RECORDED IN THE RECORDS OF THE JOHNSON COUNTY AND THE PREPARATION
 OF A COPY OF THE SURVEY THEREON ON THIS FINAL PLAT AND PROPERTY DESCRIPTION
 WERE PREPARED WITHOUT THE ASSISTANCE OF AN ASSISTANT OF TITLE THEREON WHOSE NAME IS
 EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.

DEVELOPER'S CERTIFICATION
 I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND
 SURVEYOR IN THE STATE OF TEXAS, JOHNSON COUNTY, TEXAS
 THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED BY
 AN ACTUAL SURVEY OF THE PROPERTY HERE UNDER BY
 SUPERVISION OF THE SURVEYOR.

STATE OF TEXAS
 JOHNSON COUNTY
 5175
 SURVEYOR
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5175

INCE SURVEYING & ENGINEERING
 104 THOUSAND OAKS DRIVE WHITNEY, TEXAS 76092
 PHONE 254-694-7708 FIRM #10088000
 FAX 254-694-7230
 SCALE 1"=30' MAY 17, 2021 SURVEY NO. SN201014.2