

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 #2021-38

**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 Howell, Pct. #2 that stated: "I make the motion to approve the revision of the plat of **The Retreat**, Phase 19, Block 88, by combining Lots 9 and 10 to form Lot 9-R, in Johnson County, Texas, Precinct #1."

Said motion was approved by a vote of the Commissioners Court on the 14<sup>th</sup> 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 19, Block 88, by combining Lots 9 and 10 to form Lot 9-R, in Johnson County, Texas, Precinct #1."

WITNESS OUR HAND THIS, THE 14<sup>TH</sup> DAY OF JUNE 2021.

  
Roger Harmon, Johnson County Judge

Voted:  yes, \_\_\_ no, \_\_\_ abstained

  
Rick Bailey, Comm. Pct. #1

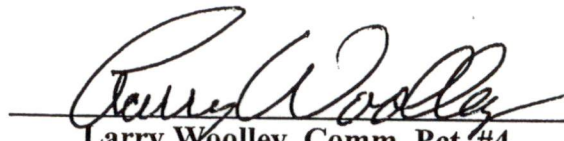
Voted:  yes, \_\_\_ no, \_\_\_ abstained

  
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

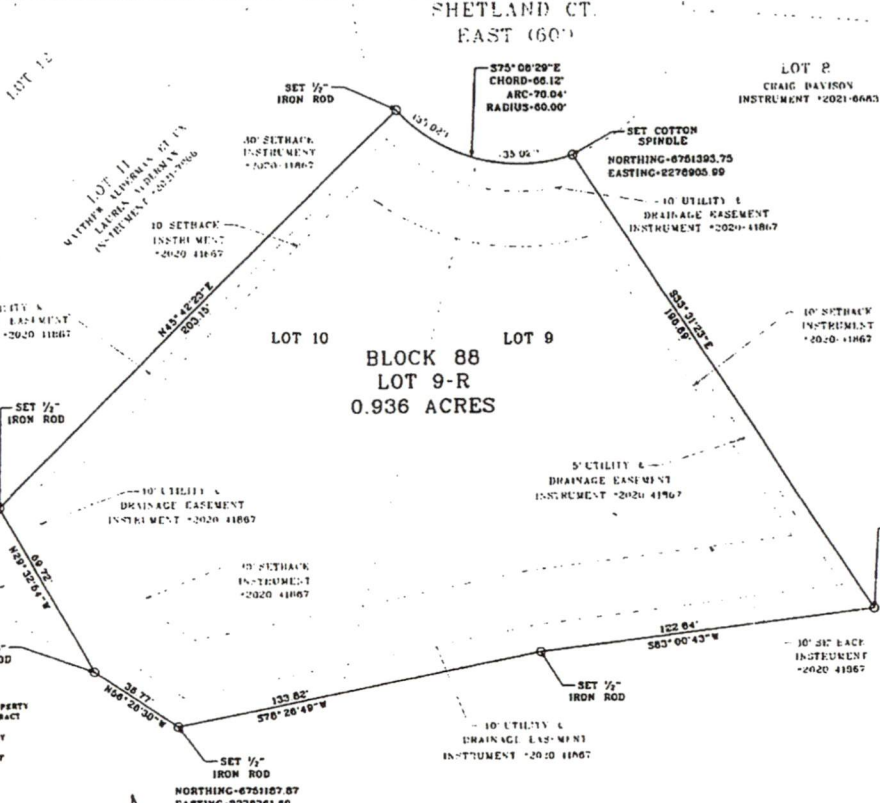
ATTEST:   
Becky Ivey, County Clerk





JOHNSON COUNTY, TEXAS NOTES

1. THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN THE CITY OF ANY CITY OR TOWN.
2. THE PROPOSED USAGE FOR THIS PLAT IS SINGLE FAMILY RESIDENTIAL.
3. UTILITY PROVIDERS  
WATER SERVICE PROVIDED BY MIDWAY WATER UTILITIES, INC. PHONE 888-454-7992  
ELECTRIC SERVICE IS TO BE PROVIDED BY UNITED COOPERATIVE SERVICES PHONE 887-356-1000  
CENTRAL SEWER COLLECTION AND TREATMENT IS PROVIDED BY MIDWAY WATER UTILITIES, INC.  
PHONE 888-454-7992
4. FLOOD STATEMENT  
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY TEXAS AND INCORPORATED AREAS COMMUNITY PANEL NO. 48330425J, EFFECTIVE DATE DECEMBER 04, 2019 THIS PROPERTY IS IN ZONE S (AREAS DETERMINED TO BE OUT OF THE 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 AREA DRAINAGE SYSTEMS OR OTHER SURFACES 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 SYSTEMS AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.  
THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVELING ALONG OR ACROSS THIS ADDITION SHALL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVELLED 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 OCCURRED 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, TREES, SHRUBS, OTHER GROUNDS 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 OF PROGRESS AND REGRESS 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  
10' UTILITY AND DRAINAGE EASEMENT SHALL BE RETAINED ALONG THE FRONT AND REAR OF ALL LOTS.  
5' UTILITY AND DRAINAGE EASEMENT SHALL BE RETAINED ALONG THE SIDES OF ALL LOTS.  
WATER DISTRIBUTION AND SEWER MAINS SHALL BE LOCATED WITHIN STREET RIGHT-OF-WAY.  
THE EXISTING 10' UTILITY AND DRAINAGE EASEMENTS BETWEEN LOTS 9 AND 10 SHALL BE RETAINED WITH THE FILING OF THIS PLAT.
8. RIGHT-OF-WAY DEDICATION  
ALL STREETS TO BE PRIVATELY OWNED AND MAINTAINED. LOT 10 TO BE MAINTAINED BY THE DEVELOPER.
9. BUILDING LINES  
30' FRONT AND 30' REAR OF LOTS.
10. 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 HINDERS REAL PROPERTY TO USE THE SUBJECT DESCRIPTION IN A DEED OF CONVEYANCE, A CONTRACT FOR A DEED OR A CONTRACT OF SALE OR OTHER EXECUTION 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 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.
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. 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 AN ADJACENT OR DOWNSTREAM PROPERTY OWNER OR HINDER, INFRINGE 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 ARE 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 TO WHICH JOHNSON COUNTY CAN MAKE DETERMINATIONS REGARDING THE APPROVAL OR DISAPPROVAL OF THIS PLAT.
13. 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 INDEMNIFY AND REWARDLY 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.
14. FILING A PLAT IS NOT ACCEPTANCE OF ROAD FOR COUNTY MAINTENANCE  
THE APPROVAL AND FILING OF A PLAT WHICH DEDICATES ROADS AND STREETS DOES NOT MAKE THE ROAD AND STREETS COUNTY ROADS SUBJECT TO COUNTY MAINTENANCE. NO ROAD, STREET OR PAVEDWAY 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 PAVEDWAY AND SPECIFICALLY ACCEPTING SUCH ROAD, STREET OR PAVEDWAY FOR COUNTY MAINTENANCE.



GREEN BELT TRACT 9  
THE RETREAT, PHASE 19  
V.L.P. 519 SLIDE: D 720

PLAT RECORDED IN  
INSTRUMENT \_\_\_\_\_ SLIDE \_\_\_\_\_  
DATE \_\_\_\_\_  
COUNTY CLERK, JOHNSON COUNTY, TEXAS  
DEPUTY \_\_\_\_\_

REVISED PLAT SHOWING  
LOT 9-R, BLOCK 88  
THE RETREAT, PHASE 19,  
SUBDIVISION IN  
JOHNSON COUNTY, TEXAS  
BEING A REVISION OF LOTS 9 AND 10, BLOCK  
88, THE RETREAT, PHASE 19, ACCORDING TO THE  
PLAT RECORDED IN SLIDE E-317,  
INSTRUMENT \*2020-217  
OFFICIAL PLAT RECORDS OF JOHNSON  
COUNTY, TEXAS.

DO NOT THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS  
THAT MATTHEW ALDERMAN AND LAUREN ALDERMAN, OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 9-R, BLOCK 88, THE RETREAT, PHASE 19, IN ADDITION TO JOHNSON COUNTY, TEXAS AND HEREBY DEDICATE TO THE PUBLIC USE WITHOUT RESERVATION, THE STREETS, EASEMENTS, RIGHT-OF-WAY AND ALL OTHER PUBLIC AREA SHOWN HEREON.  
Matthew Alderman  
Lauren Alderman  
5/12/21  
5/2/21  
DATE  
DATE

STATE OF TEXAS  
COUNTY OF JOHNSON  
BEFORE ME, UNDESIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED MATTHEW ALDERMAN, 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 IN THE CAPACITY THEREIN STATED.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 12 DAY OF May, 2021.  
M. Wood  
NOTARY PUBLIC

MARGARET ANN WOODS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY NO. 2018402703  
MY COMMISSION EXPIRES 12/31/2022

STATE OF TEXAS  
COUNTY OF JOHNSON  
BEFORE ME, UNDESIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED LAUREN ALDERMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 12 DAY OF May, 2021.  
M. Wood  
NOTARY PUBLIC

MARGARET ANN WOODS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY NO. 2018402703  
MY COMMISSION EXPIRES 12/31/2022

PROPERTY DESCRIPTION  
Field notes for the survey of all that certain lot, tract or parcel of land being all of Lots 9 and 10, Block 88, Phase 19 of The Retreat Subdivision in Johnson County, Texas, according to plat recorded as Instrument \*2020-217 and in Slide E-317 of the Official Plat Records of Johnson County. Said land is all that certain tract described in a deed from Double Diamond, Inc. to Matthew Alderman et al. Lauren Alderman recorded as Instrument \*2021-278 of the Official Public Records of Johnson County, more particularly described as follows:

BEGINNING at a 1/2" iron rod set in the south line of a well-known at the end of Sutherland Court East for the northwest corner of said Lot 10 and for the northwest corner of this TRACT with the south line of said well-known and along a curve to the left having a radius of 40.00 feet, 375°06'22"E for a chord distance of 86.18 feet, to a rotten spindle set for the northeast corner of said Lot 9 and for the southeast corner of this TRACT 333°31'33"E 196.88 feet to a 1/2" iron rod set for the southeast corner of said Lot 9 and for the southeast corner of this TRACT  
THENCE 333°00'43"W 122.64 feet to a 1/2" iron rod set, 370°28'49"W 123.82 feet to 1/2" iron rod set, and 336°22'30"W 30.77 feet to a 1/2" iron rod set for the southeast corner of Lot 10, Block 88.  
THENCE with the east line of said Lot 10, 88°22'34"W 82.72 feet to a 1/2" iron rod set for the southwest corner of said Lot 10 and for the southwest corner of this TRACT  
THENCE 46°42'22"E 203.15 feet to the place of beginning, containing 0.936 acres of land

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.S. NETWORK.  
2. THE SURVEY PERFORMED ON THE GROUNDS 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.



Jesse Joseph Pace  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 5175

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.  
COUNTY JUDGE \_\_\_\_\_  
RETREAT BOULEVARD  
PROJECT SITE  
VICINITY MAP (NOT TO SCALE)