

JUL 26 2021

Approved

<b>REQUEST FOR AGENDA PLACEMENT FORM</b>	
Submission Deadline - Tuesday, 12:00 PM before Court Dates	
_____	
<b>SUBMITTED BY:</b> David Disheroon	<b>TODAY'S DATE:</b> 07/12/2020
<b>DEPARTMENT:</b>	<u>Public Works</u>
<b>SIGNATURE OF DEPARTMENT HEAD:</b>	_____
<b>REQUESTED AGENDA DATE:</b>	<u>07/26/2020</u>

**SPECIFIC AGENDA WORDING:** Public Hearing to Revise the Plat of Brumbalow Fields, Lot 1 into Lots 1R-1 and 1R-2, in Precinct #4

Consideration of Order 2021-51 , Approving the Revised Plat of Brumbalow Fields, Lot 1 into Lots 1R-1 and 1R-2, in Precinct #4- Public Works Department

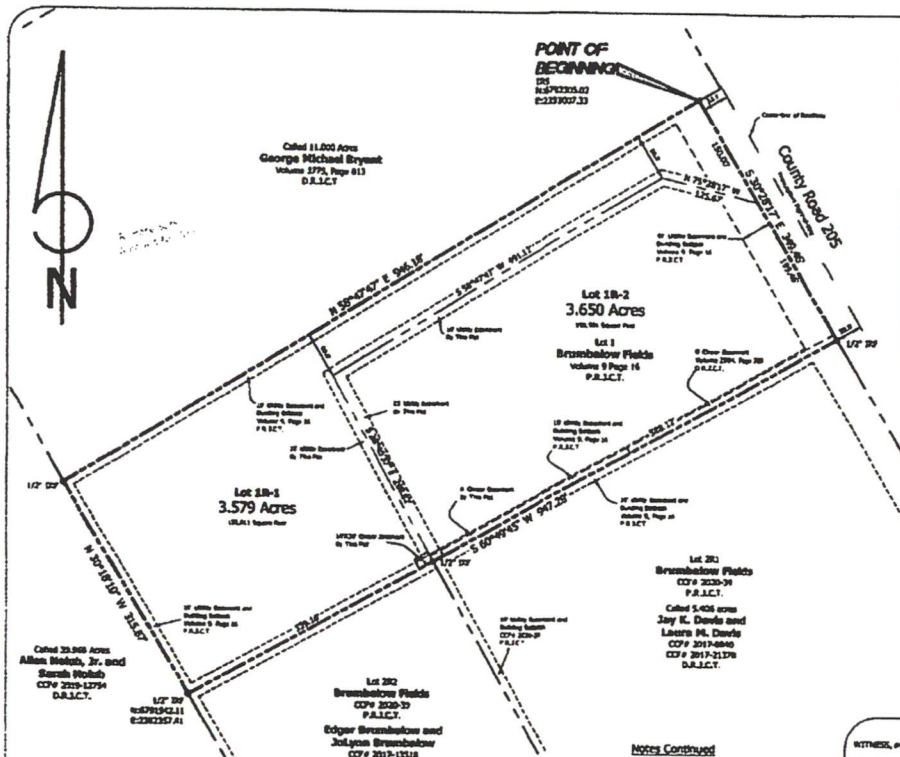
<b>PERSON(S) TO PRESENT ITEM:</b> David Disheroon	
<b>SUPPORT MATERIAL:</b> (Must enclose supporting documentation)	
<b>TIME:</b> 10 minutes	<b>ACTION ITEM:</b> <u> X </u>
	<b>WORKSHOP:</b> _____
(Anticipated number of minutes needed to discuss item)	<b>CONSENT:</b> _____
	<b>EXECUTIVE:</b> _____
<b>STAFF NOTICE:</b>	
<b>COUNTY ATTORNEY:</b> _____	<b>IT DEPARTMENT:</b> _____
<b>AUDITOR:</b> _____	<b>PURCHASING DEPARTMENT:</b> _____
<b>PERSONNEL:</b> _____	<b>PUBLIC WORKS:</b> <u> X </u>
<b>BUDGET COORDINATOR:</b> _____	<b>OTHER:</b> _____

\*\*\*\*\*This Section to be Completed by County Judge's Office\*\*\*\*\*

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE \_\_\_\_\_

COURT MEMBER APPROVAL \_\_\_\_\_ Date \_\_\_\_\_



### Flood Statement

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 452320-003, effective date December 4, 2013, the property is located in Zone "X", (Areas determined to be outside of the 500-year flood plain).

The above referenced Flood Insurance rate map is in administering the "WFIP". It does not necessarily show areas subject to flooding, particularly from local sources of small size, which could be located by rivers, 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 marked or addressed as part of the "WFIP".

Flooding the floor of water or conducting improvements to the drainage systems, and filling or obstruction of the roadway is prohibited.

The existing erosion or drainage channels traversing along or across this addition will remain in 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 operation of said drainage ways or for the control of access.

Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or floodwaters.

Johnson County has the right but not a duty to enter onto property and close any easements including but not limited to, power, lines, gas, or buildings, which obstruct the flow of water through drainage easements.

### LEGAL DESCRIPTION

BEING a 7.229 acre tract of land situated in the R. Hare Survey, Abstract Number 338, Johnson County, Texas, and being all of Lot 1, Brumbalow Fields, an addition to Johnson County, Texas, according to the plat recorded in Volume 8, Page 16, Plat Records, Johnson County, Texas, and being more particularly described by mass and bounds as follows:

BEGINNING as a 1/2" CAPRED IRON ROD SET STAMPED "REALSEAR" at the southeast corner of said Lot 1, being on the southeast line of a called 11,600 acre tract of land described by deed to George Fitchard Bryant, recorded in Volume 3776, Page 813, Deed Records, Johnson County, Texas, and being on the southeast right-of-way line of County Road 205, a prescriptive right-of-way;

THENCE South 20 Degrees 28 Minutes 17 Seconds East, along the northeast line of said Lot 1, a distance of 398.66 feet, to a 1/2" IRON ROD FOUND at the southeast corner of said Lot 1, same being the southeast corner of Lot 2R1, Brumbalow Fields, an addition to Johnson County, Texas, according to County Clerk's File Number 3035-79, Plat Records, Johnson County, Texas;

THENCE South 60 Degrees 49 Minutes 45 Seconds West, departing said southeast line and along the southeast line of said Lot 1, being common with the northwest line of said Lot 2R1, and the northeast line of Lot 2R2, and Brumbalow Fields (2030-79), a distance of 536.12 feet, passing a 1/2" IRON ROD FOUND at the west-southwest corner of Lot 2R1, and continuing on to 947.29 feet, to a 1/2" IRON ROD FOUND at the southwest corner of said Lot 1, same being the southwest corner of said Lot 2R2 and being on the northeast line of a called 39,868 acre tract of land described by deed to Allen HALL, Jr., and Sarah HALL, recorded in County Clerk's File Number 2319-12754, Deed Records, Johnson County, Texas;

THENCE North 30 Degrees 18 Minutes 10 Seconds West, departing said corner line and along the southeast line of said Lot 1, being common with the northwest line of said Lot 2R1, and the northeast line of Lot 2R2, and Brumbalow Fields (2030-79), a distance of 536.12 feet, passing a 1/2" IRON ROD FOUND at the southwest corner of Lot 2R1, and continuing on to 947.29 feet, to a 1/2" IRON ROD FOUND at the southwest corner of said Lot 1, same being the southwest corner of said Lot 2R2 and being on the northeast line of a called 39,868 acre tract of land described by deed to Allen HALL, Jr., and Sarah HALL, recorded in County Clerk's File Number 2319-12754, Deed Records, Johnson County, Texas;

THENCE North 58 Degrees 47 Minutes 47 Seconds East, departing said common line and along the northeast line of said Lot 1, being common with the southeast line of a called 11,600 acre tract, a distance of 948.18 feet, to the POINT OF BEGINNING, and containing 7,229 acres or 11,602 square feet of land, more or less.



NOW THEREFORE KNOW YE ALL MEN BY THESE PRESENTS:

The David Browning and Holly Browning, owners of the above described tract of land, do hereby adopt this plat designating the herein described property as LOTS 1R-1 AND 1R-2, BRUMBALOW FIELDS, an addition to 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.

WITNESS my hand, this 11<sup>th</sup> day of June, 2021.

David Browning  
 Holly Browning

STATE OF TEXAS  
 COUNTY OF Johnson

BEFORE ME, the undersigned a Notary Public in and for the State of Texas, on this day personally appeared David Browning and Holly Browning, known to me to be the person and whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11<sup>th</sup> day of June, 2021.

Constance K. Yarb  
 Notary Public

### Notes Continued

**Notes:**

- The State of Georgia is the Texas-Georgia border, North American Datum of 1983, South Central Zone, CGS2.
- Survey and Utility Status:**
  - 1/2" Iron Rod in East and West
  - 1/2" Iron Rod in North
- Boundary:**
  - 1/2" Iron Rod in East
  - 1/2" Iron Rod in West
  - 1/2" Iron Rod in North
  - 1/2" Iron Rod in South
- Other Notes:**
  - 1/2" Iron Rod in East
  - 1/2" Iron Rod in West
  - 1/2" Iron Rod in North
  - 1/2" Iron Rod in South

WITNESS my hand, this 11<sup>th</sup> day of June, 2021.

David Browning  
 Holly Browning

STATE OF TEXAS  
 COUNTY OF Johnson

BEFORE ME, the undersigned a Notary Public in and for the State of Texas, on this day personally appeared David Browning and Holly Browning, known to me to be the person and whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11<sup>th</sup> day of June, 2021.

Constance K. Yarb  
 Notary Public

Owner:  
 David and Holly Browning  
 8016 County Road 205  
 Grandview, TX 76050  
 817-915-3934

APPROVED:  
 Johnson County Commissioners Court

Date: \_\_\_\_\_

County Judge \_\_\_\_\_

**NOTES:**

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  - 1/2" Iron Rod in South

### Filing Block

Plat recorded in Instrument # \_\_\_\_\_ Year \_\_\_\_\_

Slide \_\_\_\_\_

Date \_\_\_\_\_

County Clerk, Johnson County, Texas

Deputy \_\_\_\_\_

### Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, Jeremy Luke Deal, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of Johnson County, Texas.

Executed this the 08th day of June, in the year of our Lord 2021.

Jeremy Luke Deal  
 Registered Professional Land Surveyor  
 Texas Registration No. 5695

**REALSEARCH OF TEXAS, LLC**  
 P.O. Box 1006, Goddard, Texas 76044  
 Ph: 817-927-3555, john@realsearch.com, www.realsearch.org  
 This shall not remove my employer's liability. Dual 1914  
 2021 Real Search of Texas, LLC

REPLAT  
 LOTS 1R-1 AND 1R-2  
**BRUMBALOW FIELDS**  
 BEING 7.229 Acres of land situated in the R. Hare Survey, Abstract Number 338, Johnson County, Texas.

Project Number: 210141 Date: May 3, 2021  
 Revised Date:  
 Revision Notes:  
 Sheet 1 of 1

# **NOTICE OF PUBLIC HEARING**

Pursuant to Section 232.009 of the Texas Local Government Code, the Johnson County Commissioners Court will consider an application and hear protests to revise the recorded subdivision plat of Brumbalow Fields, recorded in Volume 9, Page 16, Plat Records of Johnson County, Texas:

**Lot 1 in Brumbalow Fields  
to be revised  
to Form Lots 1R-1 and 1R-2**

At: **9:00 o'clock a.m.** on: July 26, 2021 in the  
Commissioners' Courtroom on the second floor  
Of the Johnson County Courthouse  
2 North Main Street, Cleburne, Texas

Published in '*Times Review*' classified section under 'LEGAL NOTICE' on these dates:

July 1/3/6, 2021

Published on Johnson County webpage Commissioners Court section under 'NOTICES':

June 22, 2021 to present

JOHNSON COUNTY COMMISSIONERS COURT

JUL 26 2021



Becky Ivey, County Clerk  
Johnson County Texas  
By lw 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 #2021-51

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

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**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 Woolley, Pct. #4 and seconded by Commissioner Bailey, Pct. #1 that stated: "I make the motion to approve the revision of the plat of **Brumbalow Fields**, Lot 1 into Lots 1R-1 and 1R-2 in Johnson County, Texas, Precinct #4."

Said motion was approved by a vote of the Commissioners Court on the 26<sup>th</sup> day of July 2021.

**NOW THEREFORE BE IT RESOLVED AND ORDERED:**

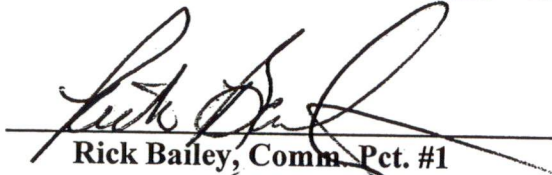
The Commissioners Court of Johnson County, Texas does hereby enter this order approving the revision of the plat of "**Brumbalow Fields**, Lot 1 into Lots 1R-1 and 1R-2 in Johnson County, Texas, Precinct #4."

WITNESS OUR HAND THIS, THE 26<sup>TH</sup> DAY OF JULY 2021.



Roger Harmon, Johnson County Judge

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



Rick Bailey, Comm. Pct. #1

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



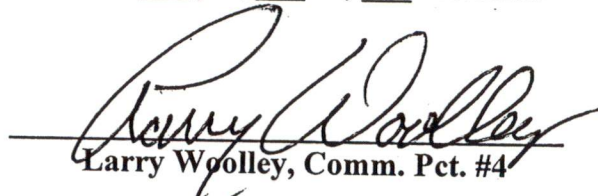
Kenny Howell, Comm. Pct. #2

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



Mike White, Comm. Pct. #3

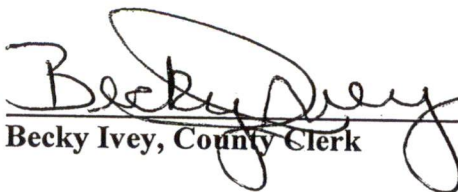
Voted:  yes, \_\_\_ no, \_\_\_ abstained



Larry Woolley, Comm. Pct. #4

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

ATTEST:



Becky Ivey, County Clerk

