



Johnson County Public Works Department

David Disheroon / Director of Public Works

2 North Mill Street, Suite 305

Cleburne, Texas 76033

817-556-6380

VARIANCE REQUEST

Johnson County Subdivision Rules and Regulations outline what is acceptable under the adopted guidelines. To request a variance for a deviation or exception to that for a lot or tract (exc road frontage, etc.) please provide the following information. Variance fee is \$100 per request. This request will be presented to the Commissioner's Court for their decision.

Owner Jonathan & Monica Castillo Date 12/1/2021

Phone # 817-528-4302

Email Address 5roc5000catt.net

Property Information for Variance Request:

Property 911 address 9585 County Road 1117, Cleburne, TX 76033

Subdivision name N/A Block N/A Lot N/A

Survey Bradford Jenkins Abstract 1074 Acreage 11.049

Reason for request Build a driveway from CR1117 onto the above mentioned address. This is raw land and would like to build on the property.

We currently have 112.71' for road frontage. There is already an entrance on property.

Provide the following with this request:

- Copy of your plat if property has been platted
- Copy of property deed
- Survey or drawing showing existing structures



1.0617 ACRES
DISTRIBUTION NO. 801-80
O.P.B.C.T.

J. LEE SURVEY
ABSTRACT NO. 818

1.0617 ACRES
DISTRIBUTION NO. 801-80
O.P.B.C.T.

COUNTY ROAD 1117

BRADFORD JENKINS SURVEY
ABSTRACT NO. 1074

CAIDRON & BYRNE DEVELOPMENTS, LLC
REMAINDER OF
CALLED 178.54 ACRES
DISTRIBUTION NO. 801-1804
O.P.B.C.T.

11.049 ACRES

MORGAN ACRES, LLC
CALLED 46.88 ACRES
DISTRIBUTION NO. 801-3843
O.P.B.C.T.

CALLED 188.40 ACRES
DISTRIBUTION NO. 801-888
O.P.B.C.T.

HAD HAS SET WITH MARKER STAKED "TOPOGRAPHIC"

HAD SET A DISTANCE OF
84.88 FEET A 1/4" IRON
"TOPOGRAPHIC"

DAVID F. BLANTON
AND SUELYN B. BLANTON
CALLED 83.47 ACRES
TRACT 8
VOLUME 438, PAGE 681,
D.B.C.T.

NOTES & NOTES:

THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF THE COMMITMENT FOR TITLE INSURANCE T-1, ISSUED BY FIDELITY TITLE GUARANTY COMPANY, COMMITMENT NO. 119607, DATED OCTOBER 4, 2021. SCHEDULE 3 EXCEPTIONS ARE AS NOTED AND/OR NOTED BELOW.

- 10.01 EGO RECORDS, INC. PLOTTER EASEMENT AS RECORDED IN VOLUME 386, PAGE 613, O.P.B.C.T. IS LOCATED NORTHEAST OF SUBJECTS TRACT.
- 10.02 EGO RECORDS, INC. METER SITE AND ACCESS EASEMENT AS RECORDED IN VOLUME 386, PAGE 614, THE LOCATION OF THE METER SITE EASEMENT IS LOCATED NORTHEAST OF SUBJECT TRACT. THE LOCATION OF THE 30' ACCESS EASEMENT REFERRED TO IN SAID DOCUMENTS WAS NOT DELETED, AND THEREFORE THIS SURVEY IS UNABLE TO ACCURATELY LOCATE IT.
- 10.03 EGO RECORDS, INC. METER SITE AND ACCESS EASEMENT AS RECORDED IN VOLUME 386, PAGE 614, THE LOCATION OF THE METER SITE EASEMENT IS LOCATED NORTHEAST OF SUBJECT TRACT. THE LOCATION OF THE 30' ACCESS EASEMENT REFERRED TO IN SAID DOCUMENTS WAS NOT DELETED, AND THEREFORE THIS SURVEY IS UNABLE TO ACCURATELY LOCATE IT.
- 10.04 COURTESY FIDELITY PARTNERS, L.P. PLOTTER EASEMENT AS RECORDED IN VOLUME 3974, PAGE 714, O.P.B.C.T. IS LOCATED AS SHOWN HEREON. THE LOCATION OF THE EASEMENT IS LOCATED NORTHEAST OF SUBJECT TRACT.

DAVID F. BLANTON AND
SUELYN B. BLANTON
CALLED 83.47 ACRES
TRACT 8
VOLUME 438, PAGE 681,
D.B.C.T.

LEGEND	
	SUBJECT PROPERTY LINE
	ADJACENT LINE
	OVERLAP EASEMENT
	APPROXIMATE FENCE
	MARKED TREE FENCE
	MONUMENT FOUND (SEE NOTES)
	MONUMENT NOT AS SHOWN
	CALCULATED CORNER
	UTILITY POLE
	GPS WEA

ABBREVIATIONS	
O.P.B.C.T.	= OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS
D.B.C.T.	= DEED RECORDS, JOHNSON COUNTY, TEXAS
P.B.C.T.	= PLAT RECORDS, JOHNSON COUNTY, TEXAS
(CDD)	= DEED CALL
P.O.B.	= PLACE OF RECORDING



REMARKS:
THAT I, FORREST C. HANCE, REGISTERED PROFESSIONAL LAND SURVEYOR, TEXAS REGISTRATION NUMBER 8609, HEREBY CERTIFY THAT THIS DOCUMENT REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION ON OCTOBER 4, 2021.

FORREST C. HANCE, S.P.L.S. NO. 8609

CENTRAL NOTES:

1. ORIGINAL DOCUMENT SIZE: 24" X 36"
2. ALL BEARING SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, U.S. SURVEY FEET, NORTH AMERICAN DATUM 1983. ALL DISTANCES HAVE BEEN CALLED FROM GRID DISTANCE TO SURFACE DISTANCE BY APPLYING A CORRECTED SCALE FACTOR OF 1.00018.
3. UNDERGROUND UTILITIES SHOWN ARE BASED ON VISUAL EVIDENCE OBSERVED DURING THE COURSE OF A FIELD SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPLETE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HEREON ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
4. ADJACENT INFORMATION SHOWN FOR INFORMATIONAL PURPOSES ONLY AND OBTAINED FROM THE JOHNSON COUNTY CENTRAL APPRAISAL DISTRICT. ONLINE INFORMATION.
5. ACCORDING TO THE FEMA FIRM MAP NUMBER 45110C0401, REVISED DECEMBER 4, 2018, THE SUBJECT PROPERTY APPEARS TO BE IN ZONE "X".

PROPERTY DESCRIPTION:

BEING A TRACT OF LAND IN THE BRADFORD JENKINS SURVEY, ABSTRACT NO. 1074, JOHNSON COUNTY, TEXAS, AND BEING A PART OF CAIDRON & BYRNE DEVELOPMENTS, LLC, RECORDED IN INSTRUMENT NO. 801-1804 OF THE OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS (O.P.B.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AND AT A 1/4" IRON ROD POCKET FOR THE SOUTHWEST CORNER OF SAID 178.54 ACRES TRACT AND ON THE NORTH LINE OF A CALLED 188.40 ACRES TRACT OF LAND DESCRIBED IN A DEED TO SUELYN B. BLANTON (TRACT 8) AS RECORDED IN VOLUME 438, PAGE 681 OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS (D.B.C.T.) AND BEING THE NORTHEAST CORNER OF A CALLED 188.40 ACRES TRACT OF LAND DESCRIBED IN A DEED RECORDED IN INSTRUMENT NUMBER 801-888, O.P.B.C.T.

THENCE N 81°08'15" W, WITH THE WEST LINE OF SAID 178.54 ACRES TRACT AND THE EAST LINE OF SAID 188.40 ACRES TRACT CONTINUING BY TO AND GENERALLY ALONG COUNTY ROAD 1117, A DISTANCE OF 117.04 FEET TO A MARK SET WITH MARKER STAKED "TOPOGRAPHIC" SET;

THENCE N 69°27'00" E, PASSING AT A DISTANCE OF 84.88 FEET A 1/4" IRON ROD WITH A CAP STAKED "TOPOGRAPHIC" SET FOR EVIDENCE AND CONTINUING A TOTAL DISTANCE OF 171.51 FEET TO A 1/4" IRON ROD WITH A CAP STAKED "TOPOGRAPHIC" SET ON THE WEST LINE OF A CALLED 84.88 ACRES TRACT DESCRIBED IN A DEED TO MORGAN ACRES, LLC, AS RECORDED IN INSTRUMENT NO. 801-3843, O.P.B.C.T.;

THENCE S 87°28'45" E, WITH SAID WEST LINE OF 46.88 ACRES TRACT, A DISTANCE OF 27.29 FEET TO A 1/4" IRON ROD WITH A CAP STAKED "TOPOGRAPHIC" POCKET FOR THE SOUTHWEST CORNER OF SAID 84.88 ACRES TRACT ON THE NORTH LINE OF A CALLED 83.47 ACRES TRACT OF LAND DESCRIBED AS TRACT 8 IN SAID DEED RECORDED IN VOLUME 438, PAGE 681, D.B.C.T.;

THENCE S 69°11'15" W, WITH THE NORTH LINE OF SAID TRACT 8, TO AND WITH THE NORTH LINE OF SAID TRACT 1, A DISTANCE OF 140.89 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.049 ACRES OF LAND.

BOUNDARY SURVEY		
11.049 ACRES		
BRADFORD S. JENKINS SURVEY, ABSTRACT NO. 1074 JOHNSON COUNTY, TEXAS		
FILE: 80_CB_GOATNECK_SOUTH_TRA_2021002	REVISION	
DRAFT: BT	CHECK: FCN	0
SHEET: 1 OF 1	DATE: 10/4/2021	

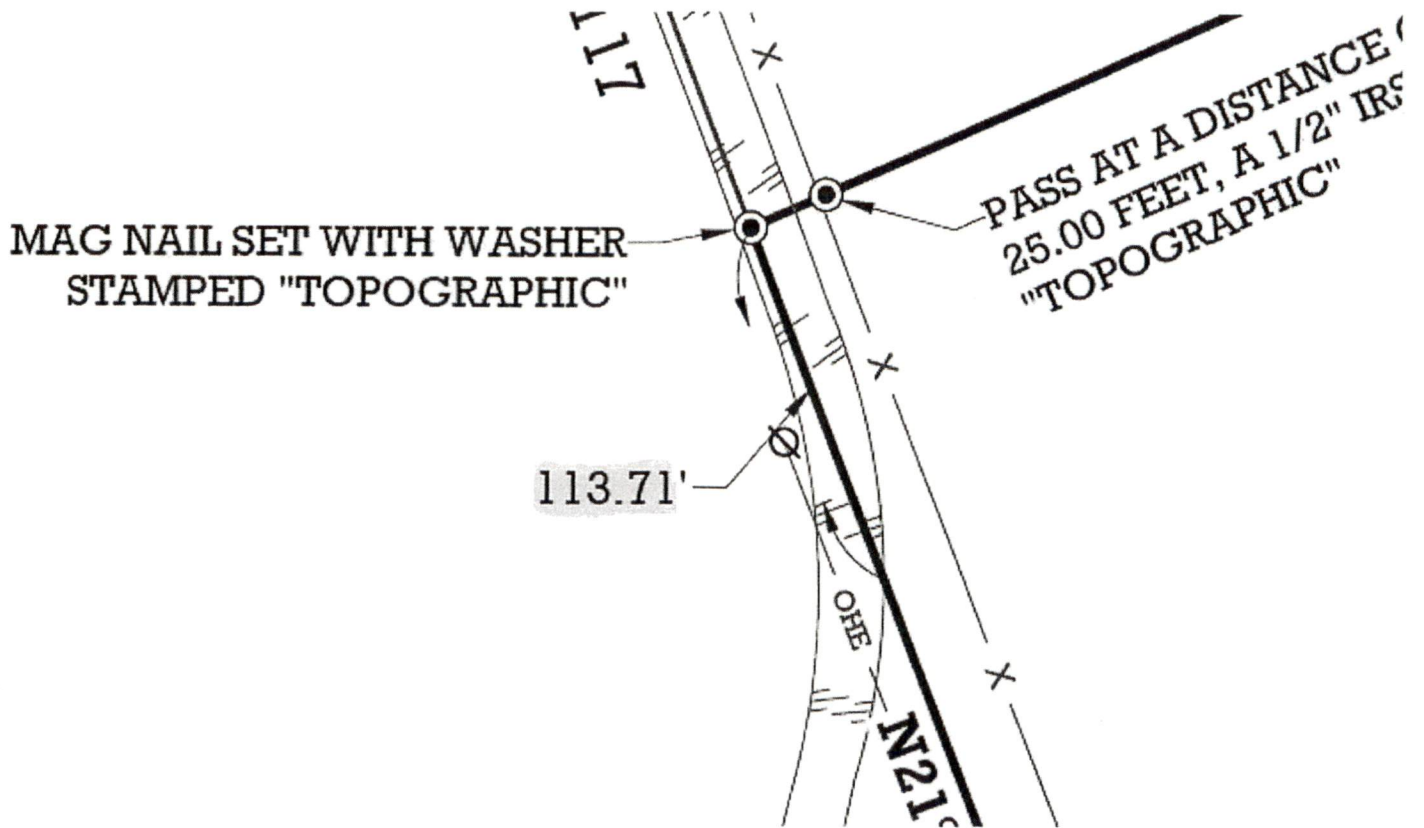
Jennifer Vanderlaan

From: Forrest Nance <Forrest.Nance@topographic.com>
Sent: Tuesday, November 30, 2021 7:38 AM
To: Catherine Wiggins
Subject: RE: Question regarding survey

You don't often get email from forrest.nance@topographic.com. [Learn why this is important](#)

* External sender - use caution with links or attachments *

Sure, please see the screenshot below.



Forrest Nance | RPLS
Topographic Land Surveyors
1400 Everman Parkway, Ste. 146
Fort Worth, TX 76140
o: 817.744.7512 | c: 817.395.9356 | f: 817.744.7554
[Firm Registration and Disclaimer](#)



From: Catherine Wiggins <cwiggins@johnsoncountytexas.org>
Sent: Monday, November 29, 2021 4:25 PM
To: Forrest Nance <Forrest.Nance@topographic.com>
Subject: Question regarding survey

Hi Mr. Nance,

This email is in regards to the survey attached. My director is wanting to know if you could verify, how much of the frontage touches the County Road? Thank you for your time.

Thank you,

Catherine Wiggins (Cat)
Johnson County Public works
2 N mill St, suite 305
Cleburne, TX 76033
817-556-6380

Stewart/1429607/504/LL

WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: October 26, 2021

Grantor: Cashlon & Byrne Investments, LLC

Grantor's Mailing Address: 406 Valley View Court, Rio Vista, TX 76093

Grantee: Jonathan Castillo and Monica Castillo, husband and wife

Grantee's Mailing Address: 4745 Wild Stallion Benbrook TX 76012

Consideration:

Consideration: TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the further consideration of the execution and delivery by Grantee of that one certain promissory note of even date herewith in the principal sum of One Hundred Forty-Nine Thousand Six Hundred and No/100th Dollars (\$149,600.00), executed by Grantee, payable to the order of The American National Bank of Texas (Lender), as therein specified, providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to Paul R. Penny, III, Trustee.

Lender, at the instance and request of the Grantee, having advanced and paid in cash to the Grantor hereinafter that portion of the purchase price of the herein described property as is evidenced by the hereinabove described Note, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said Lender and the same are hereby transferred and assigned to said Lender, its successors and assigns, without recourse against Grantor.

Property (including any improvements):

BEING A TRACT OF LAND IN THE BRADFORD JENKINS SURVEY, ABSTRACT NO. 1074, JOHNSON COUNTY, TEXAS, AND BEING A PART OF A CALLED 178.524 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO CASHION & BYRNE INVESTMENTS, LLC, RECORDED IN INSTRUMENT NO. 2021-13604 OF THE OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS (O.P.R.J.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 178.524 ACRE TRACT AND ON THE NORTH LINE OF A CALLED 20.00 ACRE TRACT OF LAND DESCRIBED IN A DEED TO SHERRY R. BLANTON (TRACT I) AS RECORDED IN VOLUME 4326, PAGE 653 OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS (D.R.J.C.T.) AND BEING THE SOUTHEAST CORNER OF A CALLED 189.440 ACRE TRACT OF LAND DESCRIBED IN A DEED RECORDED IN INSTRUMENT NUMBER 2021-5669, O.P.R.J.C.T.; THENCE N 21°08'52" W, WITH THE WEST LINE OF SAID 178.524 ACRE TRACT AND THE EAST LINE OF SAID 189.440 ACRE TRACT ENTERING INTO AND GENERALLY ALONG COUNTY ROAD 1117, A DISTANCE OF 417.86 FEET TO A MAG NAIL WITH WASHER STAMPED "TOPOGRAPHIC" SET; THENCE N 65°57'09" E, PASSING AT A DISTANCE OF 25.00 FEET A 1/2" IRON ROD WITH A CAP STAMPED "TOPOGRAPHIC" SET FOR REFERENCE AND CONTINUING A TOTAL DISTANCE OF 1374.77 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "TOPOGRAPHIC" SET ON THE WEST LINE OF A CALLED 68.365 ACRE TRACT DESCRIBED IN A DEED TO MORGAN ACRES, LLC, AS RECORDED IN INSTRUMENT NO. 2021-32622, O.P.R.J.C.T.; THENCE S 24°36'49" E, WITH SAID WEST LINE OF 68.365 ACRE TRACT, A DISTANCE OF 277.79 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "TOPOGRAPHIC" FOUND FOR THE SOUTHWEST CORNER OF SAID 68.365 ACRE TRACT ON THE NORTH LINE OF A CALLED 239.477

ACRE TRACT OF LAND DESCRIBED AS TRACT II IN SAID DEED RECORDED IN VOLUME 4326, PAGE 653, D.R.J.C.T.; THENCE S 60°15'18" W, WITH THE NORTH LINE OF SAID TRACT II, TO AND WITH THE NORTH LINE OF SAID TRACT I, A DISTANCE OF 1405.60 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.049 ACRES OF LAND.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is given and accepted subject to any and all restrictions, mineral reservations, covenants, conditions, rights-of-way, easements of record in said County, and municipal and other governmental zoning laws, regulations and ordinances, if any, affecting the herein described property.

There is hereby reserved unto Grantor, their heirs and assigns all of Grantor's interest in the oil, gas and other minerals in and under and that may be produced from the Property, by whatever method produced or extracted, however, Grantor on behalf of Grantor, Grantor's heirs, successors and assigns, waives the right of ingress and egress to and from, and the use of the surface of the Property for the purpose of mining, drilling, exploring, operating and developing said lands for oil, gas and other minerals and removing the same therefrom.

In addition, the Property is conveyed subject to the following restrictive covenants, which shall be covenants running with the Property, and which shall be binding upon, and shall be for the benefit of, Grantor, Grantee and their respective successors and assigns:

1. No subdividing the Property;
2. Site Built Homes only. No Mobile or Manufactured Homes.
3. Primary Home must be a minimum of 1,200 square feet;
4. Second Home must be smaller than the primary home.
5. Barndominiums or Metal Homes must have a minimum of 20% masonry on the front;
6. No Junkyards, wrecking yards or storage area for non-running vehicles or equipment;
7. Maximum of 4 horse or 4 cows. Total of no more than 4 combined.
8. Maximum of 4 hogs, 12 chickens, 10 sheep or goat, 5 outside dogs. No hog farms or kennels.

Grantor, Grantee and their respective successors and assigns shall have the right to enforce, by any proceeding at law or in equity, all restrictions now or hereafter. Failure to enforce any restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. The substantially prevailing party in a suit to interpret or enforce these deed restrictions shall be entitled to recover their reasonable and necessary attorney's fees.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee, Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The Vendor's Lien against and Superior Title to the Property are retained until the above-described Note and all interest thereon are fully paid according to its terms, at which time this deed shall become absolute.

Taxes for the current year have been prorated and their payment is assumed by Grantee.

When the context requires, singular nouns and pronouns include the plural.

Cashion & Byrne Investments, LLC

By: 
Tony Cashion, Managing Member

STATE OF TEXAS §
 §
COUNTY OF Johnson §

This instrument was acknowledged before me on the 26 day of October, 2021, by Tony Cashion, Managing Member of Cashion & Byrne Investments, LLC, on its behalf.



Lorri Landeros
Notary Public, State of Texas

After Recording, Return to:
Jonathan Castillo and Monica Castillo

Johnson County
Becky Ivey
Johnson County
Clerk

Instrument Number: 40603

eRecording - Real Property
Warranty Deed

Recorded On: October 27, 2021 08:09 AM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$34.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 40603
Receipt Number: 20211027000004
Recorded Date/Time: October 27, 2021 08:09 AM
User: Linda B
Station: ccl30

Record and Return To:

Corporation Service Company



STATE OF TEXAS
COUNTY OF JOHNSON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Johnson County, Texas.

Becky Ivey
Johnson County Clerk
Johnson County, TX

Becky Ivey

