

MAY 09 2022

Approved

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: Jennifer VanderLaan

TODAY'S DATE: 05/02/2022

DEPARTMENT:

Public Works

SIGNATURE OF DEPARTMENT HEAD:

REQUESTED AGENDA DATE:

05/09/2022

SPECIFIC AGENDA WORDING: Consideration of Variance to allow permitting of a single family structure and septic system on proposed revised lot 47R-2, Xcell Ranch Estates less than one acre in the Extra Territorial Jurisdiction of the City Of Burleson , in Precinct #2- Public Works Department

PERSON(S) TO PRESENT ITEM: Jennifer VanderLaan

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 10 minutes

ACTION ITEM: X

WORKSHOP

(Anticipated number of minutes needed to discuss item)

CONSENT: _____

EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY: X _____

IT DEPARTMENT: _____

AUDITOR: _____

PURCHASING DEPARTMENT: _____

PERSONNEL: _____

PUBLIC WORKS: X _____

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 Public Works Department

Jennifer VanderLaan / 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 (ex: road frontage, etc.) please provide the following information. Variance fee is \$120 per request. This request will be presented to the Commissioner's Court for their decision.

Owner Agustin Ponce Date April 26, 2022

Phone #214-554-7447

Email Address Lponcebilling@gmail.com

Property Information for Variance Request:

Property 911 address 3213 Falcon Dr Joshua Tx 76058

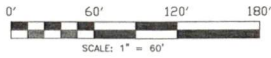
Subdivision name Excell Ranch Estates Block N/A Lot 47 R -2

Survey A.C. Johnson Abstract 452 Acreage 0.94

Reason for request To divide Lot #47 into two equal lots to build two new homes.

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



NOTE:
All bearings and coordinates are correlated to the Texas State Plane Coordinate System, North Central Texas Zone (4202), NAD83 (NA2011) datum, determined by using the Global Positioning System, using City of Burleson Control Monument No. 6046; Northing 6849787.225, Easting 2340457.937, Elevation 852.16'.

Johnson County Note:
The right-of-way dedication is granted in fee simple to Johnson County for use as storm water, public utility, pedestrian, or other public purposes.

Duties of Developer/Property Owner
The approval and filing of this plot 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 plot by Johnson County does not relieve the developer of the property or owner of the property of any duty to any adjacent or downstream property owner or impose, impute 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 or actually existing on the property portrayed by this plot 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 upon which Johnson County can make determinations regarding the approval or disapproval of this plot.

Indemnity
The property developer submitting this plot to Johnson County for approval and the owner of the property subject of this plot do hereby agree to jointly and severally 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 plot or construction documents associated therewith.

APPROVED BY THE DEVELOPMENT ASSISTANCE COMMITTEE, BURLESON, TEXAS
This the _____ day of _____, 20____.
By: _____
DAC CHAIR
By: _____
CITY SECRETARY

This Plot filed in
Volume _____ Page _____, Slide _____
Date: _____
By: _____
County Clerk
Deputy _____

Electricity - United Cooperative Services
Phone: 817-556-4000
Water Supply - Monarch Utilities I, LP
Phone: 866-654-7992
Sewer - Private Individual Septic Systems

Designation of the proposed usage is
Single Family Residential

City of Burleson Note:
The requirement of public infrastructure was based on the Utility Exhibit submitted with this plot for review on February 25, 2015 to the City of Burleson. Any additional structures proposed on this property may require the existing water lines to be improved and a fire hydrant(s) installed for fire protection. Please contact the City of Burleson' Development Services department prior to any development permit issued.

SURVEYOR'S CERTIFICATION

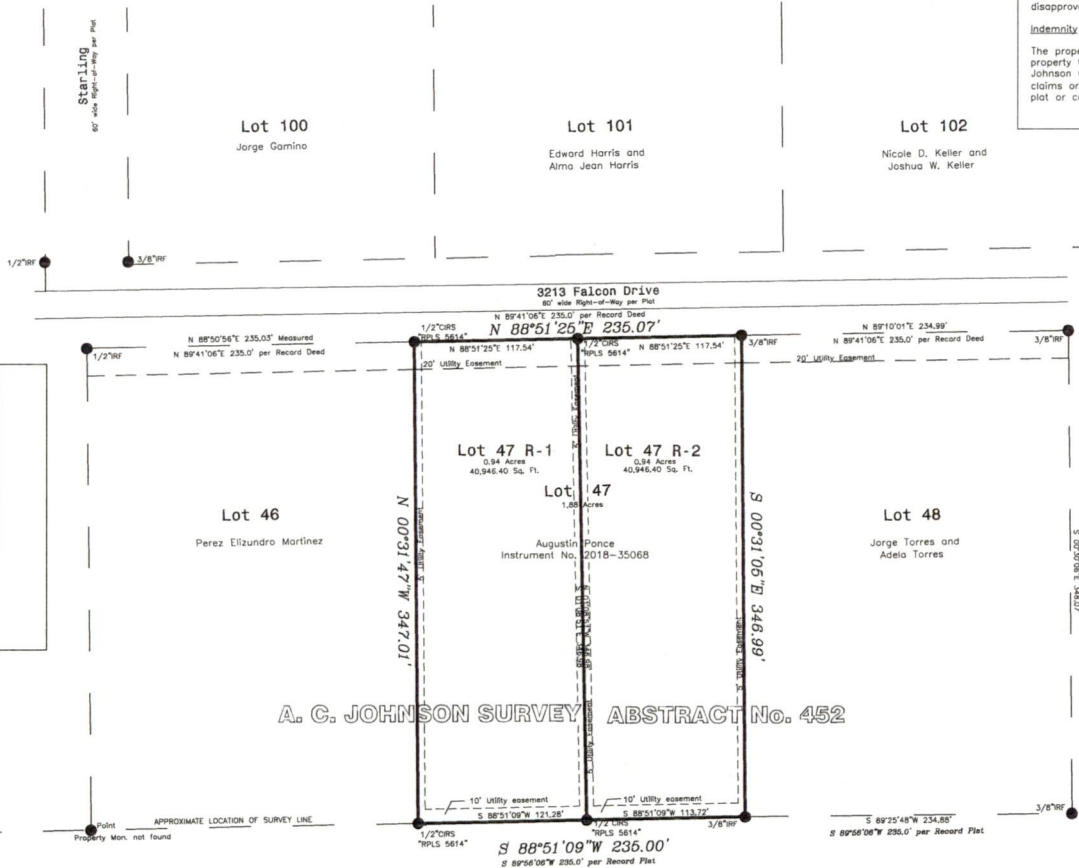
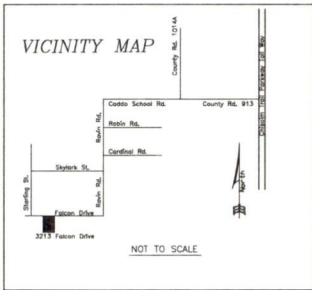
I, Joe Davis Ballard, RPLS No. 5614, do hereby certify that I prepared this plot from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my supervision.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Surveyor's Seal

REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5614

LEGEND
CIRP = CAPPED IRON ROD FOUND
CIRS = CAPPED IRON ROD SET
IRP = IRON ROD FOUND
P.O.B. = POINT OF BEGINNING
O.P.M.C.T. = OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS
RPLS = REGISTERED PROFESSIONAL LAND SURVEYOR
--- SHOWS LINE HAS BEEN SHORTENED FOR SKETCH PURPOSES
--- DENOTES SUBJECT BOUNDARY
--- DENOTES INTERIOR BOUNDARY
--- DENOTES ADJOINING BOUNDARY



A. G. JOHNSON SURVEY ABSTRACT No. 452

AMOS HODGES SURVEY ABSTRACT No. 342

PRELIMINARY REPLAT SHOWING
LOTS 47R-1 AND 47R-2
EXCELL RANCH ESTATES
An Addition to the E.T.J. of Burleson, Texas,
BEING A REVISION OF Lot 47
AN ADDITION OUT OF THE
ABSTRACT No. 452
Johnson County, Texas.

Owners:
Augustin Ponce
5916 Hicory Court
Joshua Texas
214-554-7447

Case XX-XXXX

Sheet 1 of 2

DATE _____

THE PURPOSE OF THIS DOCUMENT IS FOR REVIEW BY THE CITY OF BURLESON PLANNING AND ZONING FOR PLATTING APPROVAL. UPON APPROVAL SIGNED & SEALED COPIES WILL BE PROVIDED. 4.20.22

BUFFALO CREEK SURVEYOR

P.O. Box 626
Rio Vista, TX 76093
Phone 817-373-3338
Website: buffalo creeksurveyor.com
Emails: info@buffalocreeksurveyor.com
Firm License Number 10116000
SURVEYING THE AREA SINCE 2002

CLARENCE EDWARD BROWN AND
WIFE, ELIZABETH BROWN
VOLUME 533, PAGE 918,
D.R.G.C.T.

WARRANTY DEED

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: December 27, 2018

Grantor:

JUAN MORALES

Grantee:

AGUSTIN PONCE

Grantee's Mailing Address:

5916 HICKORY CT
JOSHUA TEXAS 76058
JOHNSON COUNTY, TEXAS

Consideration:

CASH AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED

Property (including any improvements):

BEING TRACT 47 OF XCELL RANCH ESTATES, AN ADDITION TO JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 4, PAGE 96, PLAT RECORDS, JOHNSON COUNTY, TEXAS

Aka ~~3212 FALCON DRIVE, JOSHUA, TEXAS 76058~~ 3213 Falcon Drive, Joshua TX 76058

Reservations from Conveyance: None

Exceptions to Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and taxes for 2018, the payment of which Grantee assumes and agrees to pay.

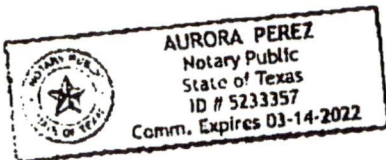
Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

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

JUAN MORALES
JUAN MORALES

STATE OF TEXAS }
 }
COUNTY OF DALLAS }

This instrument was acknowledged before me on the 27th day of December 2018 by JUAN MORALES



Aurora Perez
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Agustin Donce
5916 HICKORY CT
JOSHUS, TEXAS 76058
JOHNSON COUNTY, TEXAS

Johnson County
Becky Ivey
County Clerk
Cleburne 76033



Instrument Number: 2018-35068

AS

Recorded On: December 27, 2018

Warranty Deed

Parties:

To

Billable Pages: 2

Number of Pages: 3

Comment:

(Parties listed above are for Clerks reference only)

** Examined and Charged as Follows: **

Warranty Deed	30.00
Total Recording:	30.00

***** DO NOT REMOVE. 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: 2018-35068
Receipt Number: 149937
Recorded Date/Time: December 27, 2018 03:25:15P

Record and Return To:

AGUSTIN PONCE
5916 HICKORY COURT
JOSHUA TX 76058

User / Station: L Bailey - CCL30



I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Volume and Page of the names appears in Johnson County, Texas

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color race is invalid and unenforceable under Federal law

BECKY IVEY, COUNTY CLERK
JOHNSON COUNTY, TEXAS