

Filed For Record 2:56 pm

JOHNSON COUNTY COMMISSIONERS COURT



JUN 14 2022

Becky Ivey, County Clerk
Johnson County Texas
By Ma 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

§
§
§

ORDER #2022-31

COUNTY OF JOHNSON

ORDER APPROVING PLAT

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 an 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

WHEREAS, the application for the plat of the subdivision meets the requirements of Chapter 232 of the Texas Local Government Code and the requirements of the Subdivision Rules and Regulations of Johnson County, Texas as currently amended; 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 for filing purposes only, a Plat of **Garcia Estates**, Lot 1-5, Block 1, in Precinct #4 and clarify that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance."

Said motion was approved by a vote of the Commissioners Court on the 13th day of June 2022.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

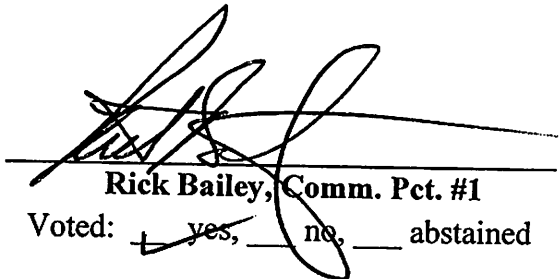
The Commissioners Court of Johnson County, Texas does hereby enter this order approving the Plat of **Garcia Estates**, Lot 1-5, Block 1, in Precinct #4 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

WITNESS OUR HAND THIS, THE 13TH DAY OF JUNE 2022.



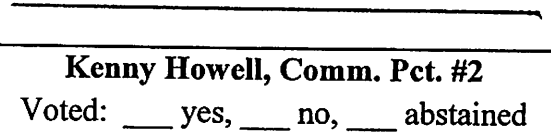
Roger Harmon, Johnson County Judge

Voted: yes, no, abstained



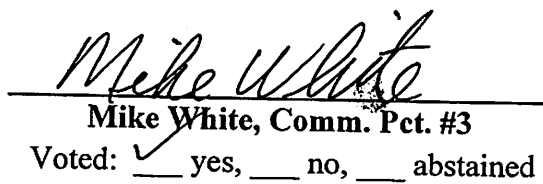
Rick Bailey, Comm. Pct. #1

Voted: yes, no, abstained



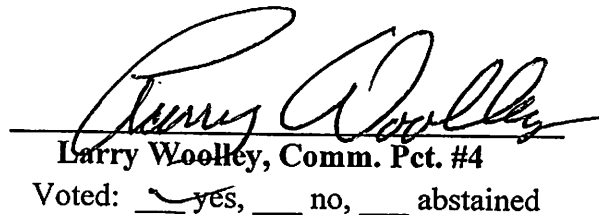
Kenny Howell, Comm. Pct. #2

Voted: yes, no, abstained



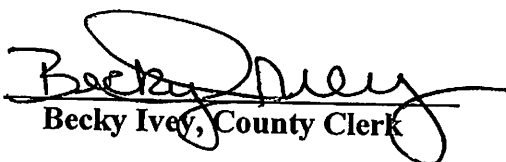
Mike White, Comm. Pct. #3

Voted: yes, no, abstained



Larry Woolley, Comm. Pct. #4

Voted: yes, no, abstained

ATTEST: 
Becky Ivey, County Clerk



JUN 13 2022

Approved

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: Jennifer VanderLaan		TODAY'S DATE: 05/25/2022	
<u>DEPARTMENT:</u>		<u>Public Works</u>	
<u>SIGNATURE OF DEPARTMENT HEAD:</u>		_____	
<u>REQUESTED AGENDA DATE:</u>		<u>06/13/2022</u>	
<u>SPECIFIC AGENDA WORDING:</u> Consideration of Order No. 2022-31 , Order approving Final Plat of Garcia Estates, Lots 1-5, Block 1, in Precinct #4- Public Works Department			
<u>PERSON(S) TO PRESENT ITEM:</u> Jennifer VanderLaan			
<u>SUPPORT MATERIAL:</u> (Must enclose supporting documentation)			
TIME: 10 minutes		ACTION ITEM:	<u>X</u>
		WORKSHOP	_____
(Anticipated number of minutes needed to discuss item)		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 _____	

ALICIA LUTHY
INST NO 2010-12242
D.R.J.C.T.

VETERAN LAND BOARD
VOL 2230, PG 678
D.R.J.C.T.

JOSE CARLOS GARCIA & MARGARITA GARCIA
VOL 1945, PG 289
D.R.J.C.T.

ADOLFO CASTILLO & IRMA CASTILLO
INST NO 2013-00286
D.R.J.C.T.

LOT 3, BLOCK 1
735,111 SQ. FT. OR
16.876 ACRES

CARLOS GARCIA
INST NO 2019-23454
D.R.J.C.T.

LOT 1, BLOCK 1
56,208 SQ. FT. OR
1.290 ACRES

LOT 2, BLOCK 1
63,928 SQ. FT. OR
1.468 ACRES

LOT 4, BLOCK 1
63,299 SQ. FT. OR
1.453 ACRES

LOT 5, BLOCK 1
58,234 SQ. FT. OR
1.337 ACRES

BRAULIO GARCIA & JACQUELINE GARCIA, ETUX
INST NO 2018-10764
D.R.J.C.T.

MARSHALL K. TOMLINSON SR, ETUX
VOL 2894, PG 71
D.R.J.C.T.

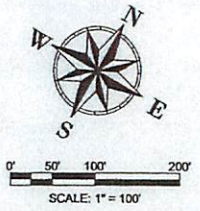
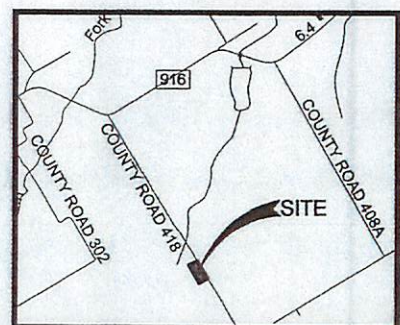
NAZARETH WHITE SURVEY
ABSTRACT NO. 911

COUNTY ROAD 418

Plat Recorded in _____
Instrument # _____
Slide, _____
Date _____
County Clerk, Johnson County, Texas
"Deputy Clerk" _____

P.O.B.

VICINITY MAP
NTS



MARJORIE P. MILLER, ETVIR
INST NO 2018-23762
D.R.J.C.T.

FINAL PLAT
GARCIA ESTATES
LOT 1-5, BLOCK 1
BEING A
22.972 ACRES
SITUATED IN
NAZARETH WHITE SURVEY, ABSTRACT NO. 911
JOHNSON COUNTY, TEXAS
MARCH 03, 2022

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NO PART OF THIS DRAWING MAY BE REPRODUCED BY
PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED,
PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER
SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE
SURVEYOR. COPIES OF THIS SURVEY WITHOUT THE ORIGINAL
SIGNATURE ARE NOT VALID.

(1) NOTES: The base of bearings for this survey is the Texas State Plane
Coordinate System (NAD 83, North Central Zone (NAD83), North American Datum
1983) (NAD83).
(2) C.M.T. - Controlling measurement.
(3) Unless otherwise noted, subject property is affected by any and all notes,
details, measurements and other matters that are shown on or as part of the
recorded plat and/or as part of the file conventional procedure.

BLUESTAR SURVEYING
FIRM NUMBER 10147300
1014 20200 2020 20
817-688-8206
BLUESTAR SURVEYING, LLC
WWW.BLUESTARSURVEYING.COM

JN 20-192-P2 SHEET 1 OF 2 DATE: 3/3/22

OWNER:
CARLOS GARCIA & MARGARITA GARCIA
11246 COUNTY ROAD 418
GRANDVIEW, TEXAS 78050
PHONE NUMBER: 817-927-2079
EMAIL: office@dpproofing.net

OWNER'S CERTIFICATE

STATE OF TEXAS }
COUNTY OF JOHNSON }

WHEREAS CARLOS GARCIA & MARGARITA GARCIA, is the sole owners of a 22.972 acre tract of land situated in the NAZARETH WHITE SURVEY, ABSTRACT NO. 911, in the, Johnson County, Texas, being that certain tract of land described in a deed to Carlos Garcia, recorded in Instrument Number 2019-23494, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the common corner of said Garcia tract, recorded in Instrument Number 2019-23494, a tract of land described in a deed to Marjorie P. Miller, et vir, recorded in Instrument Number 2019-23762, Deed Records, Johnson County, Texas, said point being in the east line of a tract of land described in a deed to the Jose Carlos Garcia and Margarita Garcia, recorded in Volume 1945, Page 289, Deed records, Johnson County, Texas;

THENCE N 30°19'28" W, along the common line of said Garcia tract, recorded in Instrument Number 2019-23494, and said Garcia tract, recorded in Volume 1945, Page 289, a distance of 796.84 feet to a 1/2 inch iron rod found for the common corner of said Garcia tract, recorded in Instrument Number 2019-23494, and a tract of land described in a deed to Alicia Luthy, recorded in Instrument Number 2010-12242, Deed Records, Johnson County, Texas;

THENCE N 59°43'03" E, along the common line of said Garcia tract, recorded in Instrument Number 2019-23494, and said Luthy tract, a distance of 1253.40 feet to a mag nail with washer stamped "BLUESTAR SURVEYING" set for the common corner of said Garcia tract, recorded in Instrument Number 2019-23494, and said Luthy tract, said point being in the centerline of County Road 418, more or less;

THENCE S 30°50'36" E, along the east line of said Garcia tract, recorded in Instrument Number 2019-23494, and along the centerline of said County Road 418, more or less, a distance of 795.30 feet to a mag nail with washer stamped "BLUESTAR SURVEYING" set for the common corner of said Garcia tract, recorded in Instrument Number 2019-23494, and said Miller tract;

THENCE S 59°38'45" W, along the common line of said Garcia tract, recorded in Instrument Number 2019-23494, and said Miller tract, a distance of 1260.50 feet to the POINT OF BEGINNING, and containing 1,000,639 square feet or 22.972 acres of land more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS That Carlos Garcia & Margarita Garcia, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as GARCIA ESTATES, LOT 1 - LOT 5, BLOCK 1, 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 OUR HAND, this the 19th day of May, 2022. By: Carlos Garcia

STATE OF TEXAS
COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Carlos Garcia, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the 19th day of May, 2022.

Notary Public in and for the State of Texas. ADLEY LEWIS, Notary Public, State of Texas, My Comm. Exp. 06/19/2025, Notary ID: 12451510-5

STATE OF TEXAS
COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Margarita Garcia, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the 19th day of May, 2022.

Notary Public in and for the State of Texas. ADLEY LEWIS, Notary Public, State of Texas, My Comm. Exp. 06/19/2025, Notary ID: 12451510-5

GENERAL NOTES:

This subdivision or any part thereof is not located within the ETJ of any city or town. The proposed usage of the area shown on plat is for single family residential use. The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.

Water: Johnson County SUD 817-760-5200
Electricity: United Co-Op 817-656-4000
Septic: Private Individual Septic Systems.

Private Sewage Facility

On-site sewage facility performance cannot be guaranteed even though all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.

Inspections and/or acceptance of a private sewage facility by the Public Works Department shall indicate only that the facility meets minimum requirements and does not relieve the owner of the property from complying with County, State and Federal regulations. Private Sewage Facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created or if the facility when used does not comply with governmental regulations.

A properly designed and constructed private sewage facility system, installed in suitable soil, can malfunction if the amount of water that is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.

Flood Statement:

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C0475J, effective date December 04, 2012, this property is located in zone "X" (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 areas, 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".

Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the roadway is prohibited.

The existing creeks or drainage channels traversing along or across this addition will remain as 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 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 occasioned 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.

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 any adjacent or downstream property owner or impose, impede 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 upon which Johnson County can make determinations regarding the approval or disapproval of this plat.

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 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 plat or construction documents associated therewith.

Utility Easement:

Any public utility, including Johnson County, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance or efficacy 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 ingress and egress 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 of procuring the permission of anyone.

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 subdivides real property to use the subdivision's description in a deed of conveyance, a contract for a deed, or a contract of sale or other executor contract to convey that is delivered to a purchaser unless the plat or replat of the subdivision is approved and is filed for records 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.

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.

Filing a Plat is Not Acceptance of Roads for County Maintenance

The approval and filing of a Plat which dedicates roads and streets does not make the roads and streets county roads subject to county maintenance. No road, street or passageway 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 passageway and specifically accepting such road, street or passageway for county maintenance.

OWNER: CARLOS GARCIA & MARGARITA GARCIA
11246 COUNTY ROAD 418
GRANDVIEW, TEXAS 76650
PHONE NUMBER: 817-927-2079
EMAIL: office@dpproofing.net

SURVEYOR'S NOTES:

- 1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (CORSS96).
2. THE FLOOD WAY DEPICTED HEREON WAS LOCATED BY SCALING METHODS UTILIZING A COPY OF FEMA FIRM PANEL, MAP NUMBER 48251C0475J, REVISED DATE OF DECEMBER 04, 2012. THE 100 YEAR FLOOD PLAIN LINE DEPICTED HEREON IS BASED ON MEASUREMENTS TAKEN ON THE GROUND IN CONJUNCTION WITH THE BASE FLOOD ELEVATIONS AS SHOWN ON THE ABOVE REFERENCED FEMA FLOOD PLAIN MAP. THIS SURVEYOR DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF SAID FEMA MAP OR FOR THE BASE FLOOD ELEVATION CALCULATED FROM SAME. SHADED AREA SHOWN HEREON INDICATES APPROXIMATE LOCATION OF 100 YEAR FLOOD PLAIN BASED ON INFORMATION STATED ABOVE.
3. ALL 1/2" IRON RODS SET WITH A CAP STAMPED "BLUESTAR SURVEYING".
4. THIS PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENT VOLUME 564, PAGE 182, AND INSTRUMENT NUMBER 2020-0665, DEED RECORDS, JOHNSON COUNTY, TEXAS, ARE 20' IN WIDTH AS PIPELINE INSTALLED.

NOTES:

Right-Of-Way Dedication: 40' ROW from center of road on F.M. or State 30' ROW from center of County Roads or roads in a Subdivision.
Utility Easement: 15' from lot line in front and back 5' from lot line on the sides
Building Lines: 50' from lot line (State Highway & F.M.) 25' from lot line (County Road or Subdivision Roads) 10' from lot line on sides 15' from lot line on rear
Plat Recorded in:
Instrument #:
Slide:
Date:
APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE DAY OF 2022
County Clerk, Johnson County, Texas
County JUDGE
'Deputy Clerk'

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: That I, Roy Rodriguez, Registered Professional Land Surveyor, Texas Registration No. 5596 hereby state that this correctly represents a survey made under my supervision on, March 3, 2022. The subdivision boundary corners are marked with iron pins as noted.

Signature: Roy Rodriguez
Date: 05/19/2022



FINAL PLAT
GARCIA ESTATES
LOT 1-5, BLOCK 1
BEING A
22.972 ACRES
SITUATED IN

NAZARETH WHITE SURVEY, ABSTRACT NO. 911
JOHNSON COUNTY, TEXAS
MARCH 03, 2022

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(1) NOTES: The basis of bearings for this survey is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983(03).
(2) I am a Certified Professional Surveyor.
(3) Unless otherwise noted, subject property is affected by any and all debts, debts, encumbrances and other matters that are shown on or a part of the recorded plat and/or as part of the file recordation procedure.

BLUESTAR SURVEYING logo and contact information: FIRM NUMBER 10147300, 817-927-2079, www.bluestarsurveying.com, JUN 20-192-P2 SHEET 2 OF 2 DATE: 3/3/22