

JOHNSON COUNTY COMMISSIONERS COURT

JUL 08 2022



Becky Ivey, County Clerk
Johnson County Texas
By _____ 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 #2022-46

COUNTY OF JOHNSON

**ORDER APPROVING REVISION OF PLAT
PURSUANT TO SECTION 232.009 (c) 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 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 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, written notice of the application to revise the subdivision plat has been published in a newspaper of general circulation in Johnson County at least three (3) times during the period that begins on the 30th day and ends on the seventh day before the date of the Commissioners Court meeting; and

WHEREAS, written notice of the application to revise the subdivision plat has been provided to each of the non-developer owners of the lots of the subdivision; 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 Wild Oaks, Block 1, Lots 1 and 2, to create Lots 1R and 2R, in Precinct #4."

Said motion was approved by a vote of the Commissioners Court on the 8th day of July, 2022.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

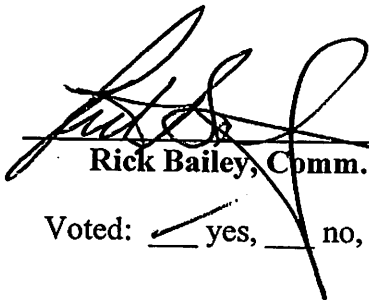
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the revision of the plat of Wild Oaks, Block 1, Lots 1 and 2, to create Lots 1R and 2R, in Precinct #4.

WITNESS OUR HAND THIS, THE 8TH DAY OF JULY 2022.




Roger Harmon, Johnson County Judge

Voted: yes, ___ no, ___ abstained



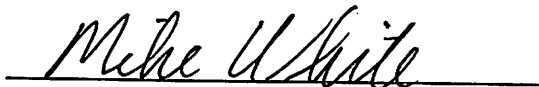
Rick Bailey, Comm. Pct. #1

Voted: ___ yes, ___ no, ___ abstained



Kenny Howell, Comm. Pct. #2

Voted: yes, ___ no, ___ abstained



Mike White, Comm. Pct. #3

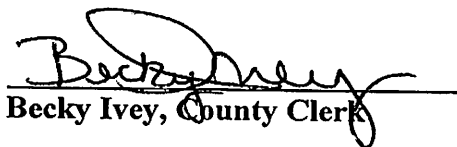
Voted: yes, ___ no, ___ abstained



Larry Woolley, Comm. Pct. #4

Voted: yes, ___ no, ___ abstained

ATTEST:


Becky Ivey, County Clerk



JUL 08 2022

Approved

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: Jennifer VanderLaan **TODAY'S DATE:** June 28, 2022

DEPARTMENT: Public Works

SIGNATURE OF DEPARTMENT HEAD: 

REQUESTED AGENDA DATE: July 8, 2022

SPECIFIC AGENDA WORDING:

Public Hearing to Revise the Plat of Wild Oaks Subdivision, Block 1, by revising Lots 1 and 2 to create Lots 1R and 2R, in Precinct #4

Consideration of Order 2022-46 , to Approve the Plat Revision of Wild Oaks, Block 1, Lots 1 and 2 to create Lots 1R and 2R, in Precinct #4 - Public Works Department

PERSON(S) TO PRESENT ITEM: Jennifer VanderLaan

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 10 minutes	ACTION ITEM: <u>X</u>
(Anticipated number of minutes needed to discuss item)	WORKSHOP: _____
	CONSENT: _____
	EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY: <u>X</u>	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 _____

LEGAL DESCRIPTION

BLIND a tract of one situated in the Dodem Milligan Survey, Abstract Number 540, Johnson County, Texas, and being all of that certain colored 8.218 acre tract of land described in the General Warranty Deed to Jaye Marshall and Aaron Marshall, recorded in Instrument No. 2021-43425, Official Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the North corner of the tract being described herein as a 1/2-inch iron rod found (controlling monument) in the Southwesterly right-of-way line of East Farm 4 (F.M. 4) (100-foot wide public right-of-way), as described by right-of-way release to the State of Texas, recorded in Volume 202, Page 440, Official Records, Johnson County, Texas for the North corner of said 8.218 acre tract of land and the East corner of that certain colored 3.131 acre tract of land described in the deed to Robert, Guadalupe Guzman, Jr., and Joanna Raque Guzman, recorded in Instrument No. 2021-43082, Official Records, Johnson County, Texas;

THENCE S50°46'15"E, with the Southwesterly right-of-way line of said East F.M. 4 and the Northwesterly line of said 8.219 acre tract of land, a distance of 528.0 feet to a 4-inch metal fence corner post found for the North corner of that certain colored 9.0 acre tract of land described in the deed to Jack W. Freeman and Chelse M. Freeman, recorded in Instrument No. 202137915, Official Records, Johnson County, Texas, the East corner of said 8.219 acre tract of land and the East corner of said tract herein described, from which a 1/2-inch iron rod found for reference bears N95°50'25"E, a distance of 0.49 feet;

THENCE S31°17'00"W, with the Northwesterly line of said 9.0 acre tract of land and the Southerly line of said 8.219 acre tract of land, a distance of 646.51 feet to a 1/2-inch iron rod found in the Northwesterly line of County Road 312, for the West corner of said 9.0 acre tract of land, the South corner of said 8.219 acre tract of land and the South corner of said tract herein described;

THENCE N49°55'21"W, with the Northwesterly line of said County Road 312 and the Southwesterly line of said 8.219 acre tract of land, a distance of 413.21 feet to a 1/2-inch iron rod found for an angle point in the Southwesterly line thereof;

THENCE N29°40'33"W, continuing with the Southwesterly line of said 8.219 acre tract of land, passing at a distance of 54.04 feet to a 1/2-inch iron pipe found for the East corner of that certain colored 3.067 acre tract of land described in the deed to Bruce E. Holquist and Cindy L. Holquist, recorded in Volume 1577, Page 149, Official Records, Johnson County, Texas, continuing on said course and with the Northwesterly line of said 37.067 acre tract of land for a total distance of 302.08 feet to a 1/2-inch iron rod (controlling monument) found for the South corner of said 3.131 acre tract of land, the West corner of said 8.219 acre tract of land and the West corner of said tract herein described;

THENCE N45°10'45"E, with the Southerly line of said 3.131 acre tract of land and the Northwesterly line of said 8.219 acre tract of land, a distance of 440.88 feet to the POINT OF BEGINNING and containing 8.214 acres of land.

STATE OF TEXAS
COUNTY OF JOHNSON

KNOW ALL MEN BY THESE PRESENTS: THAT JAYE MARSHALL and AARON MARSHALL, OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOTS 1R & 2R, BLOCK 1 WILD OAKS, AN ADDITION TO JOHNSON COUNTY, TEXAS, AND HEREBY DEDICATE TO THE PUBLIC USE, WITHOUT RESERVATION, THE STREETS, RIGHTS OF WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON.

WITNESS MY HAND THIS 8th day of June, 2022, A.D.

JAYE MARSHALL
AARON MARSHALL



STATE OF TEXAS
COUNTY OF JOHNSON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED JAYE MARSHALL, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he and she executed the same for the purposes and consideration therein expressed and in the capacity herein stated.

GIVEN UNDER MY HAND SEAL OF OFFICE, THIS 8th DAY OF June, 2022, A.D.

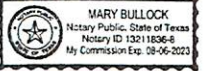
Mary Bullock
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF JOHNSON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED AARON MARSHALL, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he and she executed the same for the purposes and consideration therein expressed and in the capacity herein stated.

GIVEN UNDER MY HAND SEAL OF OFFICE, THIS 10th DAY OF June, 2022, A.D.

Mary Bullock
Notary Public, State of Texas



JOHNSON COUNTY NOTES

- 1. This subdivision or any part thereof is not located within the ETJ of any city or town.
2. The proposed usage for this plot is single-family residential.
3. Utility Providers: Water Service Provided by Johnson County SUD, 710 FM 3048, Joshua, Texas 76068 (817) 763-5202. Electric Service Provided by United Coop. Services, PO BOX 230, Stephenville, Texas 76401 (817) 556-4000. Septic: Private Individual Septic System.
4. Hazard Statement: This site is located in Non-shaded Zone "X" in unincorporated Johnson County, Texas according to FEMA map number 482010025, dated FEBRUARY 4, 2012. This statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This determination has been made by zoning the property on the referenced map and is not the result of an elevation survey. The flood statement shall not create liability on the part of the surveyor.
5. Flood Notice: 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 pool 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".
6. Easement: 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 the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are abutting or adjacent to drainage courses along or across said lots.
7. Utility Easements: 15' 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.
8. Right-of-Way Dedication: 30' R.O.W. from center of County Road 40 R.O.W. from center of road on F.M. or State.
9. Building Lines: 50' Front (State Highway & F.M. Road), 25' from lot line (County Road or Suburban Road).
10. Filing a plat: It is a criminal offense punishable by a fine of up to \$100,000, 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 executory contract to convey that a developer or a purchaser unless the plat is filed with the surveyor, a plat or map is not given effect 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 report 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 educate or inform the property owner of impacts, risks 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 purporting hereon are actually existing on the property portrayed by this plat do not violate the attitudes 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 cited herein to make accurate and truthful representations upon 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 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 the plat or construction documents associated therewith.
14. The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.
15. 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.
16. 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 approved by the owner of the owner's expense if manual 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.
17. A properly designed and constructed private sewage facility system, if installed in suitable soil, can reduce the volume of water that is required to dispose of a lot's contents. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.
18. 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 out in this plat shall be maintained by Johnson County. Road 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.

SURVEYORS CERTIFICATE

STATE OF TEXAS
COUNTY OF TARRANT

I, TED A. GOSSETT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

Ted A. Gossett
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS
5991
LICENSE NUMBER



STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED JAYE MARSHALL and AARON MARSHALL, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he and she executed the same for the purposes and consideration therein expressed and in the capacity herein stated.

GIVEN UNDER MY HAND SEAL OF OFFICE, THIS 8th DAY OF June, 2022, A.D.

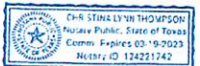
Christina Thompson
Notary Public, State of Texas

Plat filed 20

Side Johnson County Plat Records

By: County Clerk

Approved By: Johnson County Judge



REPLAT

LOT 1R & 2R, BLOCK 1 WILD OAKS

BEING A REPLAT OF LOTS 1 & 2, BLOCK 1, WILD OAKS, ACCORDING TO THE PLAT THEREOF RECORDED IN DOCUMENT NO. 2022-81 AND BEING 8.214 ACRES

IN THE D. MILLICAN SURVEY, A-540 JOHNSON COUNTY, TEXAS MAY, 06 2022

SURVEYOR: LANDPOINT OWNER: JAYE MARSHALL & AARON MARSHALL 3840 E. F.M. 4 CLEBURNE, TEXAS 76031 972-630-8995

TxDOT PERMIT NUMBER: PDR-127-11-2022 FOR LOT 1, BLOCK 1

4103 INTERNATIONAL PLAZA, SILE 240 FORT WORTH, TX 76109 (817) 554-1805 www.landpoint.net TBPELS REG. NO. 10194220