

JOHNSON COUNTY COMMISSIONERS COURT

JUL 26 2022



Becky Ivey, County Clerk
Johnson County Texas
By [Signature] Deputy

RICK BAILEY
Commissioner Pct. #1

ROGER HARMON
County Judge

MIKE WHITE
Commissioner Pct. #3

KENNY HOWELL
Commissioner Pct. #2

PAULA REID
Assistant to Commissioners Court

LARRY WOOLLEY
Commissioner Pct. #4

STATE OF TEXAS

§
§
§

ORDER #2022-54

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 Riley Estates, Lots 1-4, 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 25th day of July 2022.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

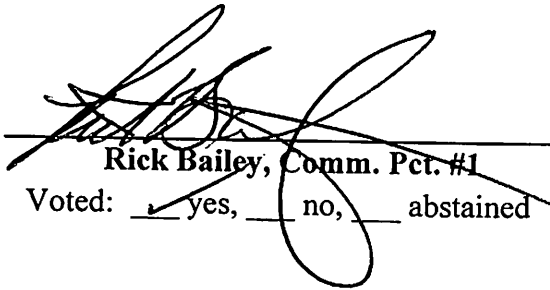
The Commissioners Court of Johnson County, Texas does hereby enter this order approving the Plat of **Riley Estates**, Lots 1-4, Block 1, in Precinct #4 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and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

WITNESS OUR HAND THIS, THE 25TH DAY OF JULY 2022.



Roger Harmon, Johnson County Judge

Voted: yes, no, abstained



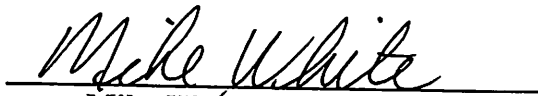
Rick Bailey, Comm. Pct. #1

Voted: yes, no, abstained



Kenny Howell, Comm. Pct. #2

Voted: yes, no, abstained



Mike White, Comm. Pct. #3

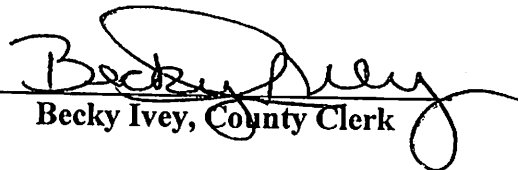
Voted: yes, no, abstained



Larry Woolley, Comm. Pct. #4

Voted: yes, no, abstained

ATTEST:



Becky Ivey, County Clerk



OWNER'S CERTIFICATE

WHEREAS Rex Riley & Nicole Riley, are the sole owner of a tract of land situated in the RALPH TANDY SURVEY, ABSTRACT NO. 834, in Johnson County, Texas and being all of that certain tract of land described in a deed to Rex Riley and Nicole Riley, recorded in Instrument Number 2020-02776, 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 Riley tract, a tract of land described in a deed to Wilma Jeanette Sprinkle, et al, recorded in Instrument Number 2016-21706, Deed Records, Johnson County, Texas, being in the westerly line of a tract of land in a deed to Charles E. Croft, recorded in Instrument Number 2014-04724, Deed Records, Johnson County, Texas, described in Volume 749, Page 14, and Volume 749, Page 50, Deed Records, Johnson County, Texas, said point being the centerline of County Road 419, more or less;

THENCE S 35°32'15" E, along the common line of said Riley tract, said Croft tract, and along the centerline of said County Road 419, more or less, passing the common corner of said Croft tract, and a tract of land described in a deed to Dempsey L. Hale and Judy Hale, recorded in Volume 1903, Page 960, Deed Records, Johnson County, Texas, passing the common corner of said Hale tract, and a tract of land described in a deed to Mark Johnson, recorded in Volume 2862, Page 936, Deed Records, Johnson County, Texas, passing the common corner of said Johnson tract, and a tract of land described in a deed to Daniel Oliver, recorded in Instrument Number 2019-15977, Deed Records, Johnson County, Texas, passing a 1/2 inch iron rod with cap stamped "RPLS 5614" found for the common corner of said Oliver tract, and a tract of land described in a deed to Chad Stone and Heather Stone, recorded in Instrument Number 2010-25908, Deed Records, Johnson County, Texas, and continuing a total distance of 630.31 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Riley tract, and a tract of land described in a deed to Mikal J. Riley and Delilah Riley, recorded in Volume 1841, Page 99, Deed Records, Johnson County, Texas;

THENCE S 65°15'40" W, along the common line of said Riley tract, and said Mikal J. Riley and Delilah Riley tract, a distance of 422.39 feet to a 1/2 inch iron rod found for the common corner of said Riley tract, and said Mikal J. Riley and Delilah Riley tract, and being in the east line of a tract of land described in a deed to James E. Garren and Marya J. Garren, recorded in Instrument Number 2012-14363, Deed Records, Johnson County, Texas;

THENCE N 30°04'09" W, along the common line of said Riley tract, and said Garren tract, a distance of 255.59 feet to a 1/2 inch iron rod found for the common corner of said Riley tract, and said Garren tract;

THENCE S 59°56'09" W, along the common line of said Riley tract, and said Garren tract, a distance of 849.71 feet to a 1/2 inch iron rod found for the common corner of said Riley tract, and said Garren tract, said point being in the east line of a tract of land described in a deed to Charlene T. Yoes, recorded in Volume 1055, Page 736, Deed Records, Johnson County, Texas;

THENCE N 30°07'47" W, along the common line of said Riley tract, and said Yoes tract, a distance of 327.55 feet to a 1/2 inch iron rod found for the common corner of said Riley tract, and said Garren tract, and said Sprinkle tract;

THENCE N 59°41'40" E, along the common line of said Riley tract, and said Sprinkle tract, passing a 1/2 inch iron rod found on a distance of 422.32 feet, passing a 1/2 inch iron rod with cap stamped "RPLS 5614" at a distance of 701.53 feet, and continuing a total distance of 1210.56 feet to the POINT OF BEGINNING and containing 518,415 square feet or 11.855 acres of land more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Rex Riley & Nicole Riley, owners of the above described tract of land, do hereby adopt this plat designating the herein described property as RILEY ESTATES, LOTS 1-4, 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 5th day of July, 2022.

By: Rex Riley

STATE OF TEXAS COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Rex Riley, 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 6th day of July, 2022.

Mary Bullock Notary Public in and for the State of Texas

My Commission expires: 8/6/2023

My Commission expires: 8/6/2023

By: Nicole Riley

STATE OF TEXAS COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Nicole Riley, 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 5th day of July, 2022.

Mary Bullock Notary Public in and for the State of Texas

MARY BULLOCK Notary Public, State of Texas Notary ID 13211836-9 My Commission Exp. 05-06-2023

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.

The easement recorded in Volume 564, Page 184, Deed Records, Johnson County Texas, is blanket in nature, and shall not exceed 20' in width once pipeline is installed, centerline being pipeline as installed.

The easement recorded in Instrument Number 216-30361, Deed Records, Johnson County Texas, is blanket in nature, and shall not exceed 20' in width once pipeline is installed, centerline being pipeline as installed.

Water: Johnson County Special Utility District 617-760-5200 Electricity: United Co-Op 817-556-4000 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. 4625100325J, 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 floodway 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 food 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, 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 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 heron 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, petrolling, 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 deed, or a contract of sale or other exterior contract to convey that is delivered to a purchaser under 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.

SURVEYOR'S NOTES:

- 1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (CORS86).
2. THE FLOOD WAY DEPICTED HEREON WAS LOCATED BY SCALING METHODS UTILIZING A COPY OF FEMA FIRM PANEL, MAP NUMBER 4825100325J, 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".

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 _____

County Clerk, Johnson County, Texas

"Deputy Clerk"

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE

DAY OF _____, 2022

County JUDGE _____

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, December 29, 2021. The subdivision boundary corners are marked with iron pins as noted.

Signature: Roy Rodriguez Date: 07/15/2022



FINAL PLAT RILEY ESTATES LOTS 1-4, BLOCK 1 BEING 11.855 ACRES OF LAND SITUATED IN THE RALPH TANDY SURVEY, ABSTRACT NO. 834 JOHNSON COUNTY, TEXAS DECEMBER 29, 2021

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(1) NOTE: The best of knowledge for this survey by the Texas State Plane Coordinate System, North Central Zone (4202), NAD83 (CORS86).
(2) CIP - Controlling measurement.
(3) Unless otherwise noted, unless program is affected by any part of same.

BLUESTAR SURVEYING logo and contact information: FIRM NUMBER 10147300, 1124 000th Street, Suite 100, P.O. Box 1000, Waco, Texas 76788-1000, (817) 768-1124, www.bluestarsurveying.com

OWNER: REX RILEY & NICOLE RILEY PO BOX 823 GRANDVIEW, TEXAS 76060 PHONE NUMBER: 817-304-3240

REQUEST FOR AGENDA PLACEMENT FORM

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

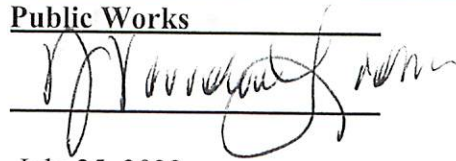
SUBMITTED BY: Jennifer VanderLaan

TODAY'S DATE: July 14th, 2022

DEPARTMENT:

Public Works

SIGNATURE OF DEPARTMENT HEAD:



REQUESTED AGENDA DATE:

July 25, 2022

SPECIFIC AGENDA WORDING:

Consideration of Order No. 2022-54, Order approving Final Plat for Riley Estates, Lots 1-4, Block 1 in Precinct 4- Public Works Department

COMMISSIONERS COURT

JUL 25 2022

PERSON(S) TO PRESENT ITEM: Jennifer VanderLaan

Approved

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: _____ **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 _____