

**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

**THE STATE OF TEXAS**

§  
§  
§

**ORDER #2022-56**

**COUNTY OF JOHNSON**

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**ORDER RELEASING CONSTRUCTION BOND NUMBER PB11509801931 FROM MORGAN ACRES, LLC FOR THE SUM OF \$166,754.50 SECURED BY PHILADELPHIA INDEMNITY INSURANCE COMPANY, FOR THE CONSTRUCTION OF ROADS, STREETS, DRAINAGE AND SIGNAGE FOR 100 ACRE WOOD ADDITION, IN PRECINCT #1**

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The Johnson County Commissioners Court met on July 25, 2022 in regular session for the consideration of the release of CONSTRUCTION BOND NUMBER PB11509801931 from Morgan Acres, LLC for the sum of \$166,754.50 secured by Philadelphia Indemnity Insurance Company, for the construction of roads, streets, drainage and signage for **100 Acre Wood Addition**, in Precinct #1.

A motion was made by Commissioner Bailey, Pct. #1 and seconded by Commissioner Woolley, Pct. #4 that: "The Commissioners Court find that construction of roads, streets, drainage and signage in **100 Acre Wood Addition**, in Precinct #1, has been completed as set forth in the subdivision plat and associated construction drawings and documents submitted to the County at or prior to the approval of the subdivision and the CONSTRUCTION BOND NUMBER PB11509801931 secured by Philadelphia Indemnity Insurance Company securing such construction should be released."

Said motion was approved by a vote of the Commissioners Court on the 25<sup>th</sup> day of July, 2022.

**NOW THEREFORE BE IT RESOLVED AND ORDERED:**

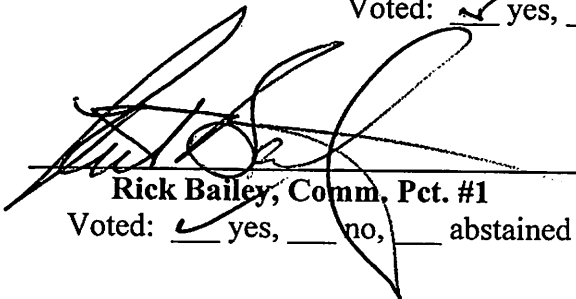
The Commissioners Court of Johnson County, Texas does hereby enter this Order to release CONSTRUCTION BOND NUMBER PB11509801931 securing the construction of roads, streets, drainage and signage in 100 Acre Wood Addition and the obligations of Philadelphia Indemnity Insurance Company related thereto.

**WITNESS OUR HAND THIS, THE 25<sup>TH</sup> DAY OF JULY, 2022.**



**Roger Harmon, Johnson County Judge**

Voted:  yes, \_\_\_ no, \_\_\_ abstained



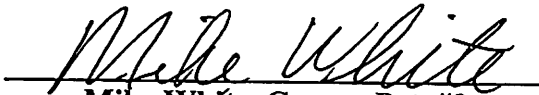
**Rick Bailey, Comm. Pct. #1**

Voted:  yes, \_\_\_ no, \_\_\_ abstained



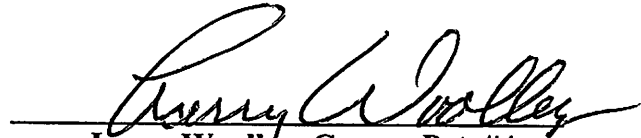
**Kenny Howell, Comm. Pct. #2**

Voted:  yes, \_\_\_ no, \_\_\_ abstained



**Mike White, Comm. Pct. #3**

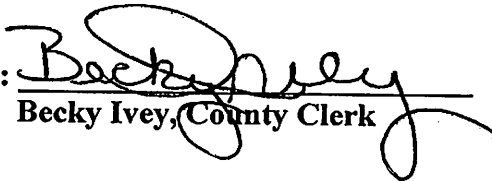
Voted:  yes, \_\_\_ no, \_\_\_ abstained



**Larry Woolley, Comm. Pct. #4**

Voted:  yes, \_\_\_ no, \_\_\_ abstained

ATTEST:

  
**Becky Ivey, County Clerk**



## CONSTRUCTION BOND

STATE OF TEXAS §  
COUNTY OF JOHNSON §

### KNOW ALL MEN BY THESE PRESENTS:

THAT we, Morgan Acres, LLC of Cleburne, Texas, as Principal, and Philadelphia Indemnity Insurance Company as Surety, whose address is One Bala Plaza, Suite 100, Bala Cynwyd, Pennsylvania 19004, are held and firmly bound unto the County of Johnson, State of Texas (Johnson County), as Obligee, through its County Judge Roger Harmon, or his successor in office, in the sum of One Hundred Sixty Six Thousand Seven Hundred Fifty Four and 50/100 Dollars (\$166,754.50), for the payment of which well and truly be made, we bind ourselves, and each of us, our heirs executors, administrators, successors and assigns, jointly and severally, by these presents.

WHEREAS, the said Principal desires to sub-divide and plat a certain tract of land located outside the limits of an incorporated city or town in Johnson County, Texas, said subdivision to be known as 100 Acre Wood Addition, more fully described as A Single Family Subdivision of Lots 1-12, Block 1, Johnson County, Texas, and being 68.36 Acres Out of the J. Geiger & B. Jenkins Survey, Abstract No. 306/1074; and

WHEREAS, the said Principal is required by Section V, Financial Security, of the *Subdivision Rules and Regulations of Johnson County, Texas Amended and Approved November 14, 2011 and as Further Amended Through January 25, 2021* and by Section 232.004 of the *Texas Local Government Code* to file a bond with the Johnson County Commissioners Court in the amount of 100% of the estimated construction cost of constructing the roads, streets, drainage and signage for the above described property in conformance with the *Subdivision Rules and Regulations of Johnson County, Texas Amended and Approved November 14, 2011 and as Further Amended Through January 25, 2021*, and in conformance with the plat for the 100 Acre Wood Addition approved by the Johnson County Commissioners Court and filed in the Plat Records of Johnson County, Texas.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH that the Principal, who owns the tract of land to be subdivided under the name of "100 Acre Wood Addition" must construct the roads, streets, drainage and signage for such subdivision in conformance with the specifications contained in the *Subdivision Rules and Regulations of Johnson County, Texas Amended and Approved November 14, 2011 and as Further Amended Through January 25, 2021*, and in conformance with the plat approved for said subdivision by the Johnson County Commissioners Court.

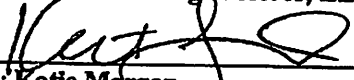
Principal, who owns the tract of land to be subdivided under the name of "100 Acre Wood Addition" must construct the roads, streets, drainage and signage for such subdivision by 12-31-2022 (date). If such roads, streets, drainage and signage are not constructed by 12-31-2022 (date), then upon delivery of written notification and reasonable evidence to Surety that such roads, streets, drainage and signage have not been constructed according to the conditions described above, then such proceeds of this bond as are reasonably necessary to construct or complete the construction of the roads, streets, drainage and signage as described in the plat filed in the Plat Records of Johnson County depicting "100 Acre Wood Addition" shall be payable to County Judge Roger Harmon or his successor in office, for Johnson County, Texas. Venue for all actions arising under, pursuant, or in relation to this bond shall be in the District Courts of Johnson County, Texas.

This bond shall remain in full force and in effect until all the roads, streets, drainage and signage requirements in and for such subdivision have been constructed and completed by the Principal and approved by the Johnson County Public Works Department and the Commissioners Court, and until this Construction Bond has been released by a Court Order from the Johnson County Commissioners Court.

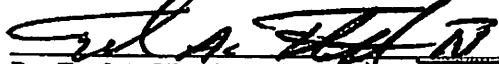
No right of action shall accrue on this bond to or for the future use of any person or corporation other than the Commissioners Court of Johnson County, Texas herein named or successors of said Commissioners Court.

IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals this 19<sup>th</sup> day of November, 2021.

**PRINCIPAL -Morgan Acres, LLC**

  
\_\_\_\_\_  
By: Katie Morgan  
Address: PO Box 1476  
Cleburne, Texas 76033

**SURETY – Philadelphia Indemnity Insurance Company**

  
\_\_\_\_\_  
By: Fred A. Thefford IV, Attorney in Fact  
Address: One Bala Plaza, Suite 100  
Bala Cynwyd, Pennsylvania 19004

**REQUEST FOR AGENDA PLACEMENT FORM**

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

**SUBMITTED BY:** Jennifer VanderLaan      **TODAY'S DATE:** July 14, 2022

**DEPARTMENT:**      Public Works

**SIGNATURE OF DEPARTMENT HEAD:**      

**REQUESTED AGENDA DATE:**      July 25, 2022

**SPECIFIC AGENDA WORDING:**

Consideration of Order 2022-56 Releasing Construction Bond Number PB11509801931 from Morgan Acres, LLC for the sum of \$166,754.50, secured by Philadelphia Indemnity Insurance Company, for the Construction of Roads, Streets, Drainage, and Signage for 100 Acre Wood Addition, in Precinct #1- Public Works Department

COMMISSIONERS COURT

**PERSON(S) TO PRESENT ITEM:** Jennifer VanderLaan

JUL 25 2022

**SUPPORT MATERIAL:** (Must enclose supporting documentation)

**TIME:** 5 minutes

**ACTION ITEM:** X **Approved**  
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 \_\_\_\_\_