

SEP 12 2022

**Denied**

**REQUEST FOR AGENDA PLACEMENT FORM**

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

**SUBMITTED BY:** Jennifer VanderLaan      **TODAY'S DATE:** September 2,2022

**DEPARTMENT:** Public Works

**SIGNATURE OF DEPARTMENT HEAD:** 

**REQUESTED AGENDA DATE:** September 12,2022

**SPECIFIC AGENDA WORDING:**

Consideration of Variance to Lift Groundwater Accessibility Certification requirement for Country Meadows Addition, a proposed subdivision of 6 lots, to be served by private water wells in Precinct #4-Public Works Department

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

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

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

**STAFF NOTICE:**

<b>COUNTY ATTORNEY:</b> <u>X</u>	<b>IT DEPARTMENT:</b> _____
<b>AUDITOR:</b> _____	<b>PURCHASING DEPARTMENT:</b> _____
<b>PERSONNEL:</b> _____	<b>PUBLIC WORKS:</b> <u>X</u>
<b>BUDGET COORDINATOR:</b> _____	<b>OTHER:</b> _____

\*\*\*\*\*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 Country Meadows Grandview, LLC Date 8.25.22

Phone # (682) 321-7552

Email Address Julie@c2-construction.com or Nick@c2-construction.com

#### Property Information for Variance Request:

Property 911 address 6965 CR 203, Grandview 76050

Subdivision name Country Meadows Addition Block 1 Lot 1-6

Survey Pamela Sessions Survey Abstract 176 Acreage 15.006

Reason for request See attached.

#### 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



Johnson County Public Works Department

August 25, 2022

Re: Country Meadows Addition  
Lots 1-6, Block 1  
Portion of the Pamela Sessions Survey, Abstract No. 176  
Instrument No. 2019-13629 D.R.J.C.T.  
6965 CR 203

Variance Request

This request is related to groundwater testing section 8. (a) of Subdivision Rules and Regulations.

We respectfully request the Commissioner's Court consider the following and grant a variance.

Plat was submitted for approval April 29th and although many requests were made by the county, no mention of a groundwater test was mentioned until July 25th, nearly 3 months after submittal. The lost time and excessive unexpected costs are significant.

- Three months lost time between submission and notification.
- Six months to schedule a second well to be drilled. Site has one existing well.
- Testing and report time is three weeks.
- Cost of ground water testing \$23,000.
- Cost of well \$22,500.
- Interest carries on property for 8 months not accounted for estimated at \$14,400.
- Total Estimated Cost \$59,900.

We are a small family development company and this burden puts this project at a loss that will affect the company significantly. As the developer and builder on the project, we will be drilling the wells for each of the homes we construct and will always drill wells to whatever depth is required to supply adequate water.

Although this requirement has been listed in the Subdivision Rules and Regulations it has not been required in the past and was therefore unanticipated.

Respectfully Submitted,

  
Julie Crimmins

  
Nick Crimmins



**WARRANTY DEED WITH VENDOR'S LIEN**

PROVIDENCE TITLE COMPANY  
GF NO.: 102016432

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: April 29, 2022

Grantor: William Moore, a Single Man

Grantor's Address (including County):

7216 County Road 206  
Grandview, TX 76050  
Johnson County

Grantee: Country Meadows Grandview, LLC

Grantee's Address (including County):

2805 W Arkansas Ln, Ste 301  
Arlington, TX 76016  
Tarrant County

Consideration: TEN AND NO/100 ~~(\$10.00)~~ DOLLARS;  
and other good and valuable considerations in hand paid by the GRANTEE herein named, the receipt of which is hereby acknowledged;

AND, THE FURTHER CONSIDERATION of the execution and delivery by GRANTEE of that one certain promissory note in the original principal sum of **Four Hundred Eighty Thousand Three Hundred Seventy-Five And No/100 Dollars (\$480,375.00)**, bearing interest as therein specified and being due and payable as therein provided to the order of Pinnacle Bank, and providing for the acceleration of maturity in event of default and for attorney's fees; and secured by the Vendor's Lien and Superior Title retained *(to the extent of \$465,000.00, the balance represents money being advanced for construction, in accordance with the plans and specifications heretofore agreed upon by and between the parties herein, on the herein described property)*; ; and being additionally secured by a Deed of Trust of even date therewith to Ronny D. Korb, as Trustee; on the condition that this Vendor's Lien is cumulative of and without prejudice of or to said Deed of Trust;

Property (including any improvements):

6965 CR 203, Grandview, TX 76050 also known as;

BEING A 15.000 ACRE PORTION OF A TRACT OF LAND, IN THE PAMELA SESSIONS SURVEY, ABSTRACT NO. 766, JOHNSON COUNTY, TEXAS, CONVEYED TO DONALD BARNES, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 12391, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS, (O.P.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT AN IRON ROD FOUND, S 30°25'25" E, A DISTANCE OF 420.03 FEET, FROM THE NORTHWEST CORNER OF SAID BARNES TRACT, IN THE EAST LINE OF COUNTY ROAD 203;

THENCE, CROSSING SAID BARNES TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. N 60°01'03" E, A DISTANCE OF 363.91 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING";
2. N 30°25'04" W, AT A DISTANCE OF 361.31 FEET PASSING AN IRON ROD FOUND, IN ALL A DISTANCE OF 420.04 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING", FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, IN THE SOUTHEAST LINE OF A TRACT OF LAND, CONVEYED TO SAMUEL M. RAY IV TRUST, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 17115, O.P.R.J.C.T.;

THENCE, WITH THE COMMON LINE BETWEEN SAID BARNES TRACT, AND WITH SAID RAY TRACT, N 60°01'03" E, A DISTANCE OF 408.59 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING", FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, CROSSING SAID BARNES TRACT, AND WITH THE COMMON LINE BETWEEN SAID BARNES TRACT, AND WITH A TRACT OF LAND, CONVEYED TO GLORY KURTZ, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 24851, O.P.R.J.C.T., CONSECUTIVELY, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. S 36°22'11" E, A DISTANCE OF 962.57 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING";
2. S 57°06'25" W, A DISTANCE OF 874.77 FEET, TO A CAPPED IRON ROD SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE EAST LINE OF SAID COUNTY ROAD 203, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. N 30°01'59" W, A DISTANCE OF 251.53 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING";
2. N 30°25'25" W, A DISTANCE OF 329.47 FEET, TO THE POINT OF BEGINNING AND CONTAINING 15.000 ACRES OF LAND, MORE OR LESS.

**Reservations from Conveyance:**

None.

**Exceptions to Conveyance and Warranty:**

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for current year, which Grantee assumes and agrees to pay.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Pinnacle Bank, at Grantee's request, has paid cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of Pinnacle Bank and are transferred to Pinnacle Bank without recourse against Grantor.

The vendor's lien against and superior title to the property herein conveyed are retained until each note described herein is fully paid according to its terms, at which time this Deed shall become absolute.

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

MADE EFFECTIVE THE DATE FIRST HEREINABOVE SPECIFIED.

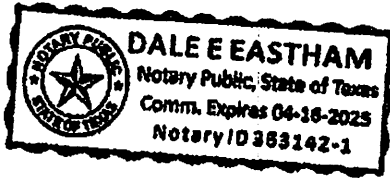
William Moore  
William Moore

ACKNOWLEDGMENT

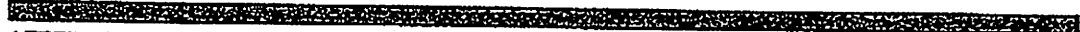
State of Texas §  
County of Johnson §

Before me, the undersigned, on this day personally appeared William Moore known to me (or proved to me on the oath of \_\_\_\_\_ or through Valid ID to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29th day of April, 2022.



L. Orla Street  
Notary Public, State of Texas  
My Commission Expires:



AFTER RECORDING RETURN TO:  
Country Meadows Grandview, LLC  
2805 W Arkansas Ln, Ste 301  
Arlington, TX 76016

PREPARED IN THE LAW OFFICE OF:  
Ramsey & Foster, PC  
5001 Hwy 287 S. #105  
Arlington, TX 76017



**Johnson County  
Becky Ivey  
Johnson County  
Clerk**

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**Instrument Number: 2022 - 15453**

**eRecording - Real Property**

**Warranty Deed**

**Recorded On: May 03, 2022 08:20 AM**

**Number of Pages: 4**

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**" Examined and Charged as Follows: "**

**Total Recording: \$34.00**

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**\*\*\*\*\* 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: 2022 - 15453**  
**Receipt Number: 20220503000010**  
**Recorded Date/Time: May 03, 2022 08:20 AM**  
**User: Leslie S**  
**Station: ccl83**

**Record and Return To:**

**Corporation Service Company**



**STATE OF TEXAS  
COUNTY OF JOHNSON**

**I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Johnson County, Texas.**

**Becky Ivey  
Johnson County Clerk  
Johnson County, TX**

*Becky Ivey*