

JOHNSON COUNTY COMMISSIONERS COURT SEP 26 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 Commissioners Court

LARRY WOOLLEY  
Commissioner Pct. #4

STATE OF TEXAS

§  
§  
§

COUNTY OF JOHNSON

ORDER #2022-74

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 White, Pct. #3 and seconded by Commissioner Howell, Pct. #2 that stated: "I make the motion to approve for filing purposes only, a Plat of Marcos Gutierrez Addition, Lot 1, Block 1, in Precinct #3 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 26<sup>th</sup> day of September 2022.

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

The Commissioners Court of Johnson County, Texas does hereby enter this order approving the Plat of **Marcos Gutierrez Addition**, Lot 1, Block 1, in Precinct #3 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 26<sup>TH</sup> DAY OF SEPTEMBER 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**

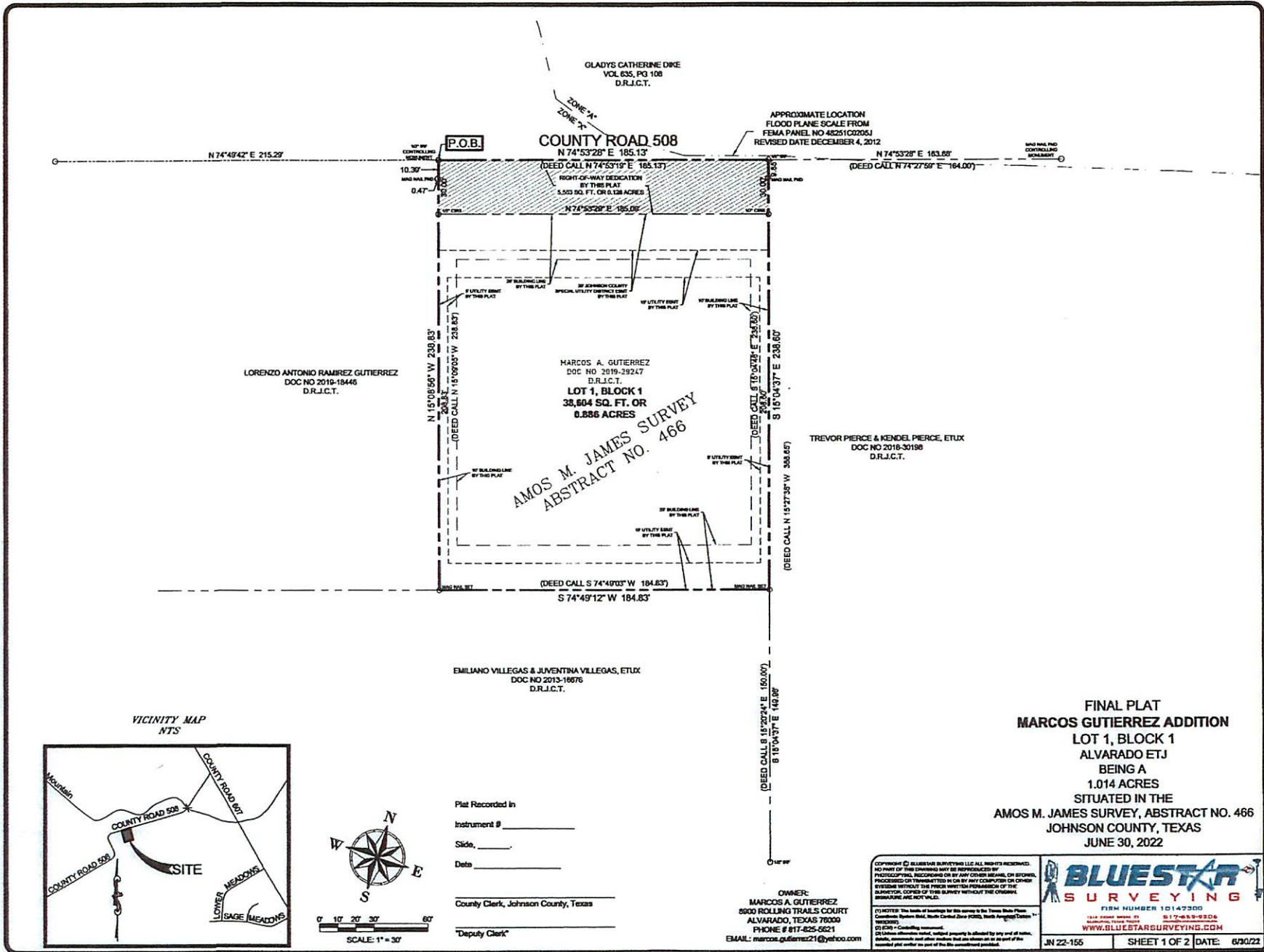
Voted:  yes,  no,  abstained

ATTEST:



**Becky Ivey, County Clerk**





LORENZO ANTONIO RAMIREZ GUTIERREZ  
DOC NO 2019-18446  
D.R.J.C.T.

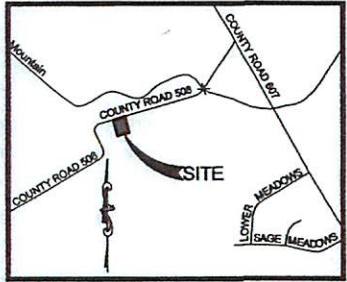
MARCOS A. GUTIERREZ  
DOC NO 2019-29247  
D.R.J.C.T.  
**LOT 1, BLOCK 1**  
**38,604 SQ. FT. OR**  
**0.886 ACRES**

**AMOS M. JAMES SURVEY**  
**ABSTRACT NO. 466**

TREVOR PIERCE & KENDEL PIERCE, ETUX  
DOC NO 2018-30198  
D.R.J.C.T.

EMILIANO VILLEGAS & JUVENTINA VILLEGAS, ETUX  
DOC NO 2013-10676  
D.R.J.C.T.

VICINITY MAP  
NTS



SCALE: 1" = 30'

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

OWNER:  
MARCOS A. GUTIERREZ  
8000 ROLLING TRAILS COURT  
ALVARADO, TEXAS 76009  
PHONE # 817-825-5621  
EMAIL: marcos.gutierrez21@yahoo.com

**FINAL PLAT**  
**MARCOS GUTIERREZ ADDITION**  
**LOT 1, BLOCK 1**  
**ALVARADO ETJ**  
**BEING A**  
**1.014 ACRES**  
**SITUATED IN THE**  
**AMOS M. JAMES SURVEY, ABSTRACT NO. 466**  
**JOHNSON COUNTY, TEXAS**  
**JUNE 30, 2022**

**BLUESTAR SURVEYING**  
FIRM NUMBER 10147300  
1204 CROSS CREEK, CT.  
ALVARADO, TEXAS 76009  
PHONE # 817-853-9208  
WWW.BLUESTARSURVEYING.COM

NOTES: The truth of bearings for this survey is the True Meridian. The State Plane Coordinate System (NAD 83) is used. North is True North. (Texas 11-100000)  
CROSS - Controlling monument.  
24. Unless otherwise noted, natural property is affected by any and all water, debris, encumbrances and other matters that are shown on or are part of the recorded plat unless the plat is otherwise provided.

JN 22-155 SHEET 1 OF 2 DATE: 6/30/22

**OWNER'S CERTIFICATE**

WHEREAS MARCOS A. GUTIERREZ, is the sole owner of a tract of land situated in the AMOS M. JAMES SURVEY, ABSTRACT NO. 468, in Johnson County, Texas and being that certain tract of land described in a deed to Marcos A. Gutierrez, recorded in Document Number 2019-29247, 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 Gutierrez tract, and a tract of land described in a deed to Lorenzo Antonio Ramirez Gutierrez, recorded in Document Number 2019-18446, Deed Records, Johnson County, Texas, said point being the centerline of County Road 508, more or less;

THENCE N 74°53'28" E, along the north line of said Gutierrez tract, recorded in Document Number 2019-29247, and along the centerline of said County Road 508, more or less, a distance of 185.13 feet to a 1/2 inch iron rod found for the common corner of said Gutierrez tract, recorded in Document Number 2019-29247, and a tract of land described in a deed to Trevor Pierce and Kendal Pierce, et ux, recorded in Document Number 2018-30186, Deed Records, Johnson County, Texas;

THENCE S 15°04'37" E, along the common line of said said Gutierrez tract, recorded in Document Number 2019-29247, and said Pierce tract, a distance of 238.60 feet to a mag nail set for the common corner of said said Gutierrez tract, recorded in Document Number 2019-29247, and a tract of land described in a deed to Emiliano Villegas and Juventina Villegas, et ux, recorded in Document Number 2013-16676, Deed Records, Johnson County, Texas;

THENCE S 74°49'12" W, along the common line of said Gutierrez tract, recorded in Document Number 2019-29247, and said Villegas tract, a distance of 184.83 feet to a mag nail set for the common corner of said said Gutierrez tract, recorded in Document Number 2019-29247, and said Gutierrez tract, recorded in Document Number 2019-18446;

THENCE N 15°08'56" W, along the common line of said Gutierrez tract, recorded in Document Number 2019-29247, and said Gutierrez tract, recorded in Document Number 2019-18446, a distance of 238.83 feet to the POINT OF BEGINNING and containing 44,157 square feet or 1.014 acres of land more or less.

**OWNER'S DEDICATION**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Marcos A. Gutierrez, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as MARCOS GUTIERREZ ADDITION, LOT 1, 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 14th day of September, 2022.

By: Marcos Gutierrez  
Marcos A. Gutierrez

STATE OF TEXAS  
COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Marcos A. Gutierrez, 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 14th day of Sept, 2022.

Odella Villanueva  
Notary Public in and for  
The State of Texas

My Commission expires: 10/08/2025



**GENERAL NOTES:**

This subdivision or any part thereof is located within the ETJ of Alvarado.

The designation of 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 Special Utility District 817-760-5200  
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. 48251C0205J, 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 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, painting, 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.

**SURVEYOR'S NOTES:**

- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (COR96).
- THE FLOOD WAY DEPICTED HEREON WAS LOCATED BY SCALING METHODS UTILIZING A COPY OF FEMA FIRM PANEL, MAP NUMBER 48251C0205J, BASED 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 PLAN MAP. THIS SURVEYOR DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF SAID FEMA MAP OR FOR THE BASE FLOOD ELEVATION CALCULATED FROM SAID SHADED AREA SHOWN HEREON INDICATING APPROXIMATE LOCATION OF 100 YEAR FLOOD PLAIN BASED ON INFORMATION STATED ABOVE.
- ALL 1/2" IRON RODS SET WITH A CAP STAMPED "BLUESTAR SURVEYING".
- EASEMENTS TO JOHNSON COUNTY SPECIAL UTILITY DISTRICT RECORDED IN VOLUME 2361, PAGE 560, AND VOLUME 816, PAGE 512, CAN NOT BE LOCATED, AND ARE BLANKET IN NATURE.

**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, June 30, 2022. The subdivision boundary corners are marked with iron pins as noted.

Signature Roy Rodriguez  
Date 09/14/2022



**FINAL PLAT**  
**MARCOS GUTIERREZ ADDITION**  
**LOT 1, BLOCK 1**  
**ALVARADO ETJ**  
**BEING A**  
**1.014 ACRES**  
**SITUATED IN THE**  
**AMOS M. JAMES SURVEY, ABSTRACT NO. 466**  
**JOHNSON COUNTY, TEXAS**  
**JUNE 30, 2022**

**OWNER:**  
MARCOS A. GUTIERREZ  
8900 ROLLING TRAILS COURT  
ALVARADO, TEXAS 76009  
PHONE # 817-825-5621  
EMAIL: marcos.gutierrez21@yahoo.com

**BLUESTAR SURVEYING**  
FIRM NUMBER 101-47300  
1014 TEXAS BEAM BLVD. SUITE 1000  
DALLAS, TEXAS 75243  
WWW.BLUESTARSURVEYING.COM

JN 22-155 SHEET 2 OF 2 DATE: 6/23/22

**REQUEST FOR AGENDA PLACEMENT FORM**

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

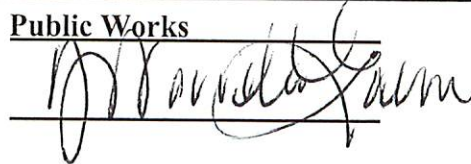
**SUBMITTED BY:** Jennifer VanderLaan

**TODAY'S DATE:** September 15, 2022

**DEPARTMENT:**

Public Works

**SIGNATURE OF DEPARTMENT HEAD:**



**REQUESTED AGENDA DATE:**

September 26, 2022

**SPECIFIC AGENDA WORDING:**

Consideration of Order No. 2022-74, Order approving Final Plat of Marcos Gutierrez Addition, Lot 1, Block 1 in Precinct 3- Public Works Department

COMMISSIONERS COURT

SEP 26 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 \_\_\_\_\_