

JOHNSON COUNTY COMMISSIONERS COURT

OCT 11 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 Commissioners Court

LARRY WOOLLEY
Commissioner Pct. #4

STATE OF TEXAS

§

COUNTY OF JOHNSON

§

§

ORDER #2022-78

**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 White, Pct. #3 and seconded by Commissioner Bailey, Pct. #1 that stated: "I make the motion to approve the revision of the plat of **The Homesteads**, Phase Ten, Lots 62 and 63, Block S, to form Lot 62R, Block S, in Precinct #3."

Said motion was approved by a vote of the Commissioners Court on the 11th day of October, 2022.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

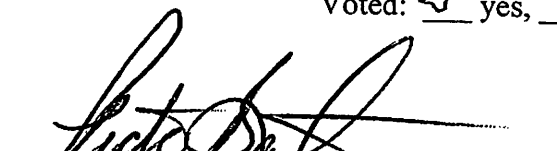
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the revision of the plat of **The Homesteads**, Phase Ten, Lots 62 and 63, Block S, to form Lot 62R, Block S, in Precinct #3.

WITNESS OUR HAND THIS, THE 11TH DAY OF OCTOBER 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

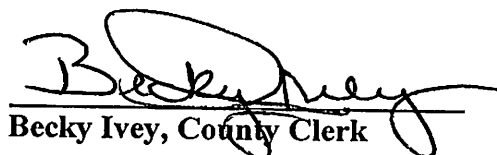
Voted: yes, ___ no, ___ abstained



Larry Woolley, Comm. Pct. #4

Voted: yes, ___ no, ___ abstained

ATTEST:



Becky Ivey, County Clerk



OWNER'S DECLARATION

STATE OF TEXAS
COUNTY OF JOHNSON

Whereas, Alan Raymond Osterloh is the owner of all that certain tract or parcel of land situated in the Edwin Hendricks Survey, Abstract No. 328, Johnson County, Texas, being all of Lot 62 and Lot 63, Block S of The Homesteads Phase Ten, recorded in Volume 5, Page 66, Plat Records, Johnson County, Texas and being more particularly described by metes and bounds and follows:

BEGINNING at a 5/8 inch capped iron rod stamped "Landpoint" set of the Southeast corner of said Lot 62, at the Southwest corner of Lot 61, Block S of said Homesteads Phase Ten and in the North right-of-way line of Melinda Drive (60 foot R.O.W.), from which an iron rod marked "The" is found at the Southeast corner of said Lot 61, at the Southeast corner of Lot 60, Block S of said Homesteads Phase Ten and in said North right-of-way line, bears N59°59'04"E a distance of 100.00 feet;

THENCE S59°59'04"W with the South line of said Lot 62, the South line of said Lot 63 and said common North right-of-way line, a distance of 200.00 feet to a 5/8 inch capped iron rod stamped "Landpoint" set at the Southwest corner of said Lot 63, at the Southeast corner of Lot 64, Block S of said Homesteads Phase Ten and in a 50-foot North right-of-way line, from which a 5/8-inch iron rod found for the most Southern Southeast corner of Lot 65 and the Northern Northeast corner of Lot 66, Block S of said Homesteads Phase Ten bears S49°47'12"E, a distance of 168.45 feet;

THENCE N30°00'56"W with the West line of said Lot 63 and the common East line of said Lot 64, a distance of 270.54 feet to a 5/8 inch capped iron rod stamped "Landpoint" set at the Northwest corner of said Lot 64 and in the South line of Lot 23, Block S of said Homesteads Phase Ten;

THENCE N59°59'04"E with the North line of said Lot 63, the North line of said Lot 62, the common South line of said Lot 23 and the common South line of said Lot 24, Block S of said Homesteads Phase Ten, a distance of 200.00 feet to a 5/8 inch capped iron rod stamped "Landpoint" set at the Northwest corner of said Lot 62, at the Northwest corner of said Lot 61 and in the South line of said Lot 24;

THENCE S37°00'56"E with the East line of said Lot 62 and the common West line of said Lot 64, a distance of 270.54 feet to the POINT OF BEGINNING and containing 1.2427 acres of land, more or less.

STATE OF TEXAS
COUNTY OF JOHNSON

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS

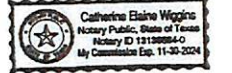
That Alan Raymond Osterloh, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as Lot 62R, Block S of The Homesteads Phase Ten, an addition to said Lot 63, and hereby dedicate to the public use, without reservation, the streets, easements, right-of-ways and any other public area shown hereon.

Alan Osterloh, Alan Raymond Osterloh Date: 9-15-22

SWORN AND SUBSCRIBED BEFORE ME by Christina Wiggin, Christina Wiggin

THIS THE 15th DAY OF September 20 22

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES 11-30-2024



SURVEYORS CERTIFICATE

STATE OF TEXAS
COUNTY OF JOHNSON

I, TED ALLEN GOSSETT, A REGISTERED PROFESSIONAL/STATE 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

REGISTERED PROFESSIONAL/STATE LAND SURVEYOR
DATE 09-17-2022

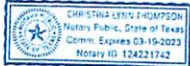
5391 LICENSE NUMBER



BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Ted Allen Gossett, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 15th DAY OF Sept. 20 22

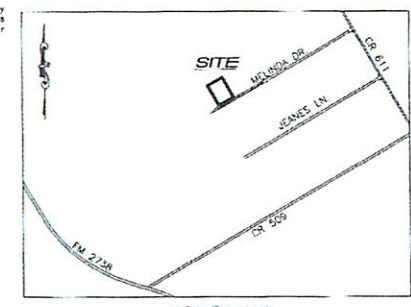
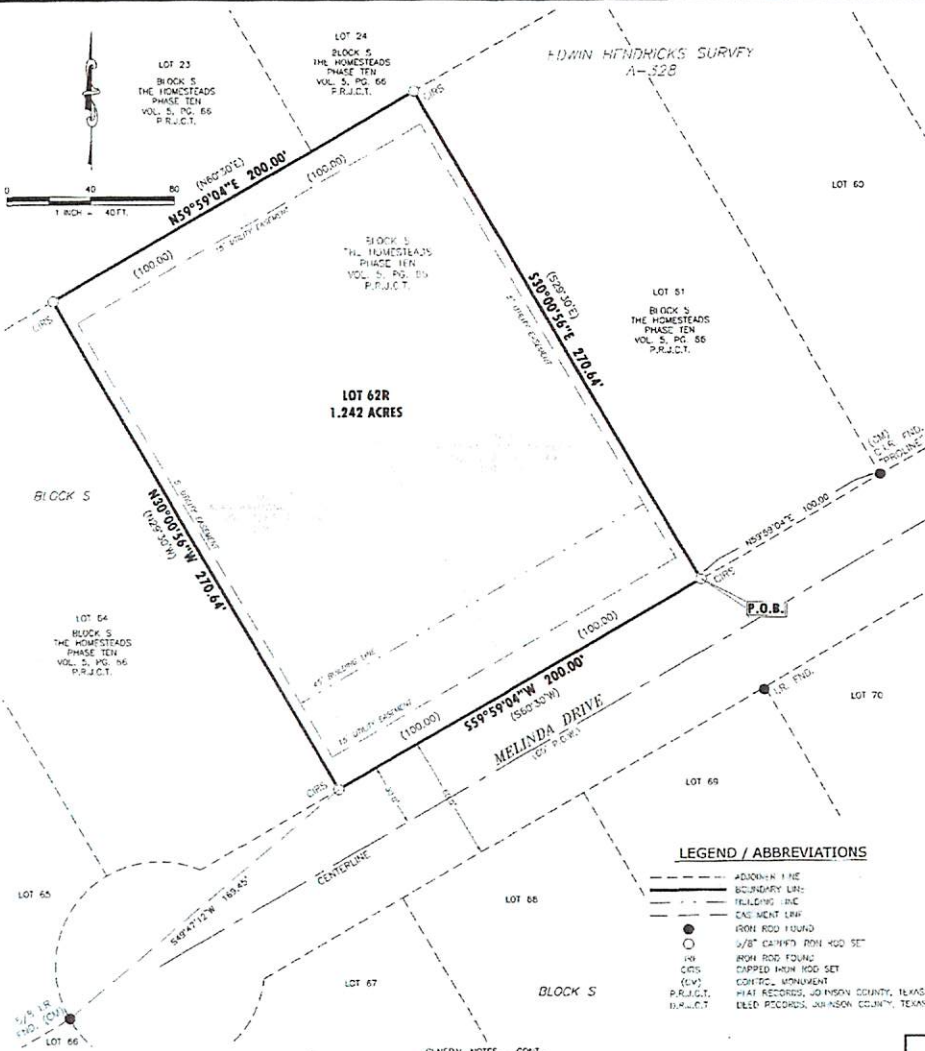
Christina Wiggin, Notary Public in and for the State of Texas



Plat Filed 20

Slide Instrument No. Johnson County Plat Records

By: County Clerk, By: County Judge



GENERAL NOTES

- 1. The surveyor has not obstructed the site. This survey was performed without benefit of title commitment and does not show or assess easements and encumbrances of record.
2. Bearing based on Texas State Plane Coordinates, North Central Zone, 4202, NAD83-US Survey feet, derived from GPS observations.
3. All CURS are 5/8-inch iron rod with plastic cap stamped "Landpoint" unless otherwise noted.
4. According to the Flood Insurance Rate Map (FIRM) Community Panel No. 48251C0223J, dated DECEMBER 4, 2012, the subject property is located within Zone "X" areas determined to be outside the 500-year floodplain. Working this statement does not imply that the property and/or the structure thereon will be free from flooding or flood damage. This determination has been made by reading the property on the referenced map and is not the result of an elevation survey. This flood statement shall not create liability on the part of the surveyor.
5. 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 canals 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. Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.
7. The existing creeks or drainage channels traversing along or across this addition shall 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 ditches along or across said lots.
8. Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
9. Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
10. Johnson County has the right but not a duty to enter onto property and clear any obstruction including but not limited to trees, shrubs, dirt, or buildings, which obstruct the flow of water through drainage easements.
11. A privately designed and constructed private sewage facility system, in suitable soil, can malfunction if the amount of water it 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.
12. 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 to ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of securing the permission of anyone.
13. Subject property is not located within the ETJ of any city or town.
14. Subject property is currently residential property and proposed to be used as residential single family.
15. 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 waive the owner of the property from complying with County, State and Federal regulations. Private Sewage Facilities, although approved on existing aluminum 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.
17. 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.
18. 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 or the jurisdictions in which the property is located.
19. 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 abutting property owner or impose, invade or trespass any duty or liability to Johnson County, the Commissioners, officers or employees of Johnson County.
20. Johnson County makes no representation that the creeks, streams, rivers, drainage channels or other public structures or features portrayed herein are actually existing on the property portrayed by this plat so not violate the statutes or common law of an incorporated city, Johnson County, the State of Texas, or the United States.
21. 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.
22. 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, officers 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 conditions associated therewith.
23. 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 to ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of securing the permission of anyone.
24. Right-of-way Dedication-30' ROW from center of subdivision road
Utility Easement-15' from lot line in front and back, 5' from lot line on sides
Building Lines-45' from subdivision road per plat recorded in Vol. 5, Pg. 66, P.R.J.C.T.

GENERAL NOTES (CONT.)

- 25. The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.
Utility Providers:
Electricity: United Cooperative Services
2831 S. Business Blvd, Burleson, TX 76028
817-447-9292
Water: Monarch Utilities, Southwest Water Company
PO Box 4657, Houston, TX 77478
866-854-7992
NOTE:
1. 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 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 final plat.
2. 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.
3. The approval and filing of a Plat which declares 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.

GENERAL NOTES

- 1. The surveyor has not obstructed the site. This survey was performed without benefit of title commitment and does not show or assess easements and encumbrances of record.
2. Bearing based on Texas State Plane Coordinates, North Central Zone, 4202, NAD83-US Survey feet, derived from GPS observations.
3. All CURS are 5/8-inch iron rod with plastic cap stamped "Landpoint" unless otherwise noted.
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5. 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 canals 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. Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.
7. The existing creeks or drainage channels traversing along or across this addition shall 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 ditches along or across said lots.
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14. Subject property is currently residential property and proposed to be used as residential single family.
15. 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 waive the owner of the property from complying with County, State and Federal regulations. Private Sewage Facilities, although approved on existing aluminum 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.
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19. 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 abutting property owner or impose, invade or trespass any duty or liability to Johnson County, the Commissioners, officers or employees of Johnson County.
20. Johnson County makes no representation that the creeks, streams, rivers, drainage channels or other public structures or features portrayed herein are actually existing on the property portrayed by this plat so not violate the statutes or common law of an incorporated city, Johnson County, the State of Texas, or the United States.
21. 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.
22. 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, officers 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 conditions associated therewith.
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Building Lines-45' from subdivision road per plat recorded in Vol. 5, Pg. 66, P.R.J.C.T.

RE-PLAT
LOT 62R, BLOCK S
THE HOMESTEADS, PHASE TEN
BEING A REPLAT OF LOTS 62 & 63, BLOCK S,
THE HOMESTEADS, PHASE TEN AND
BEING 1.242 ACRES IN THE
EDWIN HENDRICKS SURVEY, A-328
JOHNSON COUNTY, TEXAS
SURVEYOR: LANDPOINT
4100 INTERNATIONAL PLAZA, STE. 240
FORT WORTH, TX 76109
(817) 554-1805
www.landpoint.net
TBPELS REG. NO. 10194220
OWNER: ALAN RAYMOND OSTERLOH
8525 MELINDA DRIVE,
ALVARADO, TEXAS 76009
817-739-3090
SFHET 1 OF 1
PROJECT NO.: 22-1225

OCT 11 2022

Approved

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: Jennifer VanderLaan **TODAY'S DATE:** September 29, 2022

DEPARTMENT: Public Works

SIGNATURE OF DEPARTMENT HEAD: 

REQUESTED AGENDA DATE: October 11, 2022

SPECIFIC AGENDA WORDING:

Public Hearing to Revise the Plat of The Homesteads, Phase 10, Lots 62 & 63, Block S, Being Combined to Form Lot 62R, Block S in Precinct #3

Consideration of **Order 2022-78**, Order approving the Revised Plat of The Homesteads, Phase 10, Lots 62 & 63, Block S to be Combined to Form Lot 62R, Block S in Precinct #3 - Public Works Department

PERSON(S) TO PRESENT ITEM: Jennifer VanderLaan

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: X **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 _____