

JOHNSON COUNTY COMMISSIONERS COURT

OCT 11 2022



Becky Ivey, County Clerk
Johnson County Texas
By _____ *JK* 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 #2022-80

COUNTY OF JOHNSON

**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 Howell, Pct. #2 that stated: "I make the motion to approve the revision of the plat of **Gaona Estates**, Phase 2, Lots 4, 5 and 6, Block A, to create Lots 4R thru 6R, Block A, 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 **Gaona Estates**, Phase 2, Lots 4, 5 and 6, Block A, to create Lots 4R thru 6R, Block A, 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

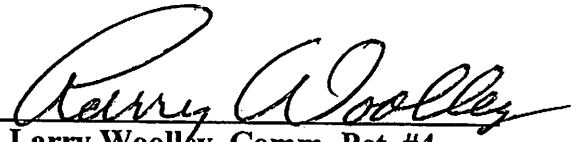
Voted: yes, ___ no, ___ abstained


Kenny Howell, Comm. Pct. #2

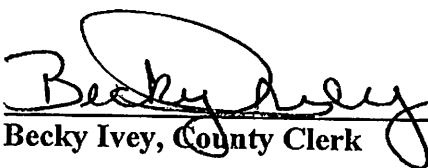
Voted: yes, ___ no, ___ abstained

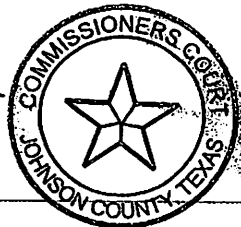

Mike White, Comm. Pct. #3

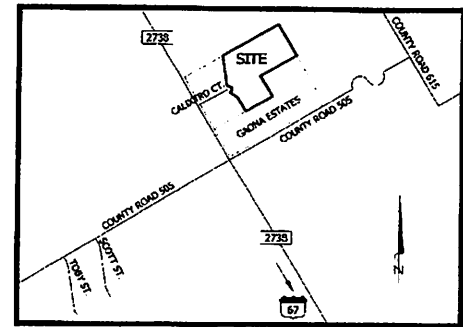
Voted: yes, ___ no, ___ abstained


Larry Woolley, Comm. Pct. #4

Voted: yes, ___ no, ___ abstained

ATTEST: 
Becky Ivey, County Clerk



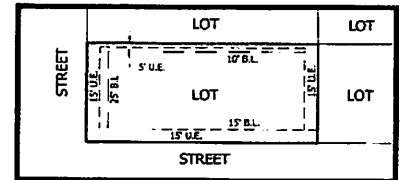


VICINITY MAP
SCALE: 1" = 2000'
JOHNSON COUNTY, TEXAS

Parcel #	Square Feet	Acres
4 R	222162	5.100
5 R	436096	10.011
6 R	435855	10.006

Line #	Length	Direction
L1	300.00'	N30° 12' 31" W
L2	153.16'	N56° 58' 44" W
L3	10.24'	N80° 36' 15" W
L4	30.40'	S10° 40' 13" W

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	185.81'	60.07'	177° 26' 19"	N18° 18' 08" W	119.97'



LOT DETAIL
NOT TO SCALE

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE _____ DAY OF _____, 2022

COUNTY JUDGE

Filed for Record _____
Year _____, Instrument No. _____
Slide _____

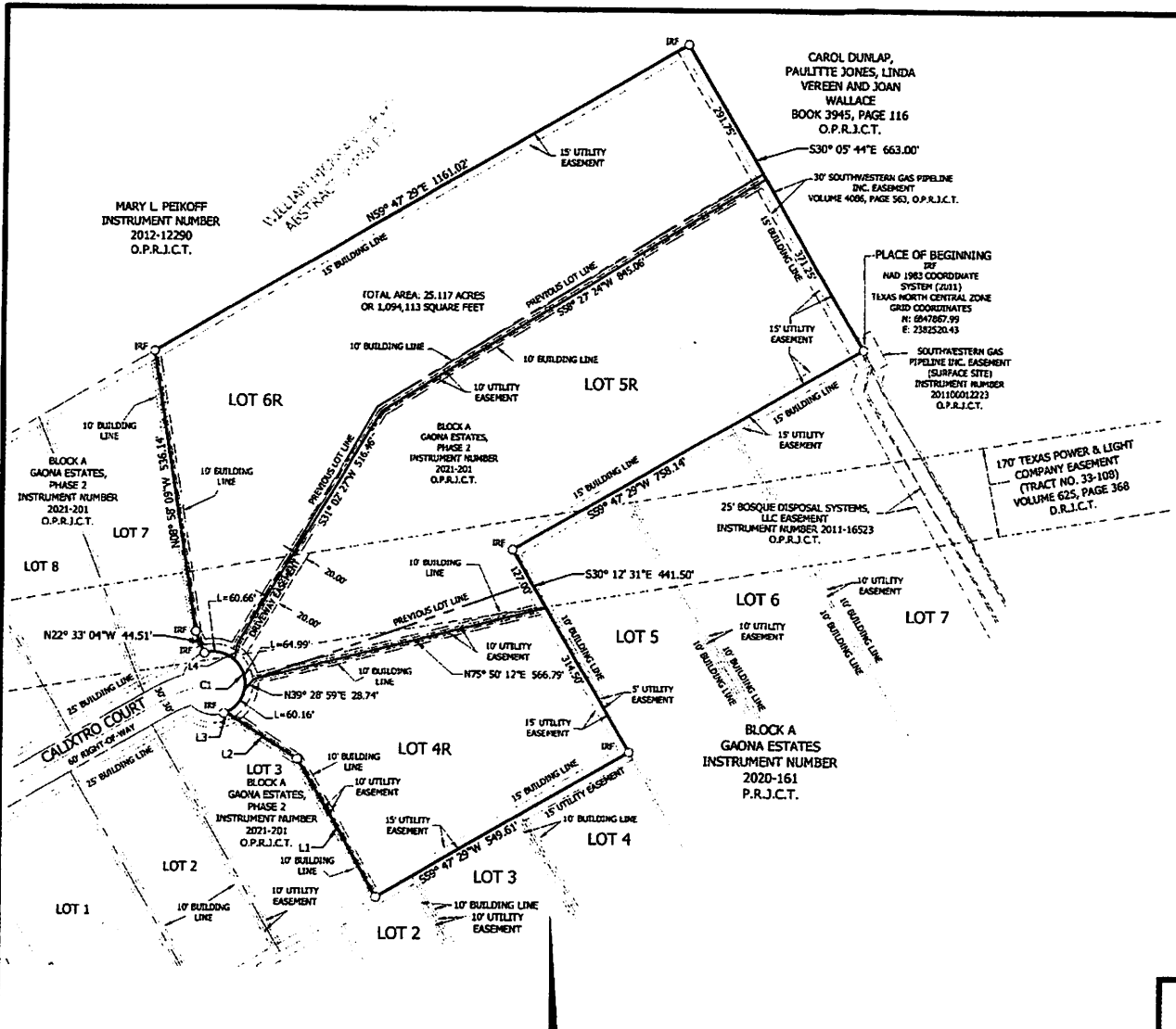
County Clerk

Deputy Clerk

REPLAT
OF
GAONA ESTATES, PHASE 2
LOTS 4R THRU 6R, BLOCK A
BEING all of Lots 4, 5 and 6, Block A, Gaona Estates,
Phase 2, an addition in Johnson County, Texas,
according to the plat recorded in Instrument Number
2021-201, Plat Records, Johnson County, Texas

SHEET 1 OF 2
REVISED: 9/15/2022
PROJECT NO. 9042-20-002

PREPARED BY:
BANNISTER ENGINEERING
240 North Mitchell Road
Mansfield, TX 76063 817.842.2094
TBPLS REGISTRATION NO. 10193823



LEGEND

N NORTH
S SOUTH
E EAST
W WEST

• DECIMALS
• MINUTES/FEET
• SECONDS/INCHES

B.L. BUILDING LINE
U.E. UTILITY EASEMENT
O.P.R.J.C.T. OFFICIAL PUBLIC RECORDS JOHNSON COUNTY, TEXAS
D.R.J.C.T. DEED RECORDS JOHNSON COUNTY, TEXAS
P.R.J.C.T. PLAT RECORDS JOHNSON COUNTY, TEXAS

"VOID UNLESS RECORDED IN THE PLAT RECORDS OF JOHNSON COUNTY, WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL BY THE COUNTY."

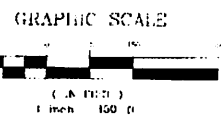
WATER SERVICE:
PRIVATE INDIVIDUAL
WATER WELLS

SEWER SERVICE:
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ELECTRIC SERVICE:
UNITED COOPERATIVE
SERVICES
2601 S. INTERSTATE 35W
BURLESON, TEXAS 76028
PHONE: 817-782-8316

ENGINEER / SURVEYOR:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
CONTACT: MICHAEL DAVIS, RPLS
PHONE: 817-842-2094
Mike@bannistereng.com

OWNER / DEVELOPER:
DEYANIRA GAONA
7289 COUNTY ROAD 526
MANSFIELD, TEXAS 76063
PHONE: 817-303-6608
gaonainurance@aol.com



B:\Projects\9000 (New Projects)\9042-20-002 (Gaona ETS - Amended)\Survey\SURVEY Doc\9042-20-002 Plat.dwg
 9/15/2022 10:18:13 AM

OWNER'S DEDICATION:

WHEREAS Deyanira Gaona, is the sole owner of a 25.117 acre tract of land located in the William Hickman Survey, Abstract No. 327, Johnson County, Texas; said 25.117 acre tract of land BEING all of Lots 4, 5 and 6, Block A, Gaona Estates, Phase 2, an addition in Johnson County, Texas, according to the plat recorded in Instrument Number 2021-201, Plat Records, Johnson County, Texas.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, Deyanira Gaona, being the sole owner(s) of the above described tract of land, do hereby adopt this plat designating the herein described property as **Lots 4R thru 6R, Block A, GAONA ESTATES, PHASE 2**, an addition to Johnson County, Texas and does dedicate to the public use, without reservation, the streets, easements, rights-of-ways and any other public area shown hereon.

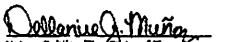
Executes this 20th day of September, 2022.

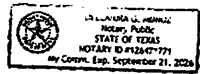
By: 
Deyanira Gaona

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Deyanira Gaona, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 20th day of September, 2022.


Dolores A. Munoz
Notary Public, The State of Texas
My Commission Expires: 9/28/2026



GENERAL NOTES:

1. All bearings shown herein are Texas State Plane Coordinate System, NAD83 (2011), Texas North Central Zone (4202). All distances shown herein are surface distances.

2. Notice: Setting a portion of any lot in this addition by metes and bounds is a violation of state law and is subject to penalties imposed by law.

3. **Flood Statement:**
According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C02253, effective date December 4, 2012, this property is located in Zone "X", (Areas determined to be outside 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 roadway 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 flood 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.

4. This subdivision or any part thereof is not located within the ETJ of any city or town.

5. Lots 1 and 9 are for commercial/industrial use and Lots 2 through 8 are single family residential use.

6. The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.

7. **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.

8. **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.

ONCOR EASEMENT NOTE:
Lots 5R and 6R, Block A are affected by the Onco Transmission Easement shown hereon. By rights conveyed in the easement recorded in Volume 625, Page 358, construction of a driveway across the easement is permitted. The easement may be crossed in a perpendicular alignment if possible, but can be aligned at a maximum of 45 degrees by right. Prior to construction of the crossing, an encroachment agreement must be executed with Onco Electric Delivery Company, L.L.C. Lot 5R, Block A must cross the easement in the driveway easement shown hereon.

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, patrolling, 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.

Utility Easement:

15' from lot line in front & back
5' from lot line on the sides

Right of Way Dedication:

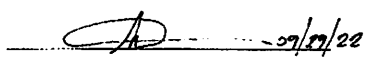
40' ROW from center of road on F.M. or State
30' ROW from center of County roads or roads in a subdivision.

Building Lines:

50' from lot line (State Hwy & F.M.).
25' from lot line (County Road or Subdivision Roads).
15' from lot line on rear
10' from lot line on sides

SURVEYOR'S CERTIFICATION:

I, Michael Dan Davis, Registered Professional Land Surveyor Number 4838, State of Texas, hereby certify that this plat was made on the ground, under my direct supervision, on the date shown, and that all property corners hereon have been found or set as shown.


Michael Dan Davis

DATE: 09/29/22
Registered Professional Land Surveyor No. 4838
BANNISTER ENGINEERING, LLC
T.B.P.L.S. REGISTRATION NO. 10193823



**REPLAT
OF
GAONA ESTATES, PHASE 2
LOTS 4R THRU 6R, BLOCK A**

BEING all of Lots 4, 5 and 6, Block A, Gaona Estates, Phase 2, an addition in Johnson County, Texas, according to the plat recorded in Instrument Number 2021-201, Plat Records, Johnson County, Texas
SHEET 2 OF 2

PREPARED BY: BANNISTER ENGINEERING, LLC
REVISED: 9/15/2022
PROJECT NO. 9042-20-002



**WATER SERVICE:
PRIVATE INDIVIDUAL
WATER WELLS**

**SEWER SERVICE:
PRIVATE INDIVIDUAL
SEPTIC SYSTEMS**

**ELECTRIC SERVICE:
UNITED COOPERATIVE
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PHONE: 817-782-8316**

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CONTACT: MICHAEL DAVIS, RPLS
PHONE: 817-842-2094
Mike@bannistereng.com**

**OWNER / DEVELOPER:
DEYANIRA GAONA
7289 COUNTY ROAD 526
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PHONE: 817-303-6608
gaonainsurance@aol.com**

"VOID UNLESS RECORDED IN THE PLAT RECORDS OF JOHNSON COUNTY, WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL BY THE COUNTY."

Filed for Record _____
Year _____, Instrument No. _____
Slide _____

County Clerk

Deputy Clerk

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 Gaona Estates, Phase 2, Lots 4, 5 and 6, Block A, Being Revised to Create Lots 4R thru 6R, Block A in Precinct #3

Consideration of Order 2022-80 . Order approving the Revised Plat of Gaona Estates, Phase 2, Lots 4, 5 and 6, Block A to be Revised to Create Lots 4R thru 6R, Block A 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
(Anticipated number of minutes needed to discuss item) **WORKSHOP:** _____
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 _____