

JOHNSON COUNTY COMMISSIONERS COURT

DEC 12 2022



Becky Ivey, County Clerk
Johnson County Texas
By AF 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 2022-98

COUNTY OF JOHNSON

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 Bailey, Pct. 1 that stated: "I make the motion to approve for filing purposes only, a Plat of **J Homes Addition**, Lots 1 and 2, Block A, in Precinct 4 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 12th day of December 2022.

NOW THEREFORE BE IT RESOLVED AND ORDERED:



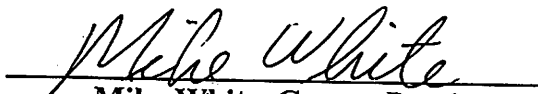
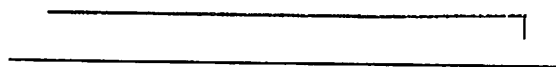
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **J Homes Addition**, Lots 1 and 2, Block A, in Precinct 4 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.


WITNESS OUR HAND THIS, THE 12TH DAY OF DECEMBER 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



SURVEYOR'S NOTES:

1. The Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202).
2. This plat was prepared without a title report or commitment.
3. The purpose of this plat is to create a two lot addition for development.
4. According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C-02001, effective date December 4, 2012, this property is located in zone X (Unshaded), Areas determined to be outside the 0.2% annual chance floodplain.

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".

LEGAL DESCRIPTION

WHEREAS J Homes Enterprises, LLC is the owner of a 2.2078 acre tract of land out of the Seth Morris Survey, Abstract No. 536, Johnson County, Texas, being all of tract of land described in unrecorded deed to J Homes Enterprises, LLC, being the same land described in deed to SKA Properties, LLC, as recorded in Document Number 2022-25307, Deed Records of Johnson County, Texas (D.R.J.C.T.), and that land described in deed to J Homes Enterprises, LLC, as recorded in Document Number 2022-25519, D.R.J.C.T., and being more particularly described as follows:

BEGINNING at a point at the northeast corner of said SKA Properties, LLC tract and the southeast corner of a tract of land described in a deed to Tom Kappa, as recorded in Volume 2778, Page 247 (D.R.J.C.T.) and on the west right-of-way line of H and O Lane (a variable width right-of-way), for a corner;

THENCE South 00 degrees 20 minutes 31 seconds West along the east line of said SKA Properties, LLC tract and the west right-of-way line of said H and O Lane a distance of 295.02 feet to a point at the southwest corner of said SKA Properties LLC tract, and the northeast corner of a tract of land described in a deed to Janet Vogeler Life Estate, (D.R.J.C.T.), for a corner;

THENCE North 89 degrees 40 minutes 29 seconds West along the south line of said SKA Properties, LLC tract and the south line of said Kappa tract, a distance of 337.20 feet to a point at a distance of 20.00 feet, and continuing a total distance of 310.77 feet to a point at the southwest corner of said SKA Properties LLC tract and the northwest corner of said Janet Vogeler Life Estate, for a corner;

THENCE North 04 degrees 42 minutes 29 seconds West, along the west line of said SKA Properties, LLC tract a distance of 300.00 feet to a point at the northwest corner of said SKA Properties, LLC tract, and the southwest corner of said Kappa tract, for a corner;

THENCE South 88 degrees 01 minutes 29 seconds East, along the north line of said SKA Properties, LLC tract and the south line of said Kappa tract, a distance of 337.20 feet to the **POINT OF BEGINNING** AND CONTAINING 2.2078 acres or 96,173 square feet of land more or less.

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS

That J HOMES ENTERPRISES, LLC, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as LOTS 1 AND 2, BLOCK A, J HOMES ADDITION an addition to Johnson County, Texas, and hereby dedicate to the public use, without reservation, the streets, easements, rights-of-ways and any other public area shown hereon.

J HOMES ENTERPRISES, LLC Date 11-19-2022

SWORN AND SUBSCRIBED BEFORE ME BY Joel C. Howard

THIS THE 19 DAY OF November 20 22

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 7-27-2026

Surveyor's Certificate: 

Know all men by these presents:

That I, JOEL C. HOWARD, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of Johnson County, Texas.

Date: 11-19-2022

Joel C. Howard
Joel C. Howard, RPLS No. 6267



LEGEND

O.P.R.J.C.T.	OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS
FR(C)	FOUND IRON ROD (WITH CAP)
SR	SET 1/2-INCH IRON ROD WITH CAP STAMPED "GEONAV"
30 FT.	SQUARE FEET
VOL.	VOLUME
PG.	PAGE
DOC.	DOCUMENT
NO.	NUMBER

STANDARD NOTES:

1. This subdivision or some part thereof is located within the ETJ of Alvarado.
2. The designation of the proposed usage of the area shown on plat is single family residential.
3. The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.

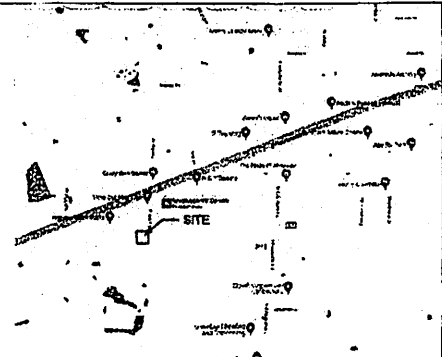
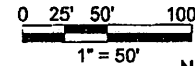
Water: BETHANY SPECIAL UTILITY DISTRICT/PH:817-790-2516 (ALVARADO OFFICE)
Electricity: UNITED COOPERATIVE SERVICES/PH:817-556-4000 (CLEBURNE OFFICE)
Septic: PRIVATE INDIVIDUAL SEPTIC SYSTEMS

Private Sewage Facility:

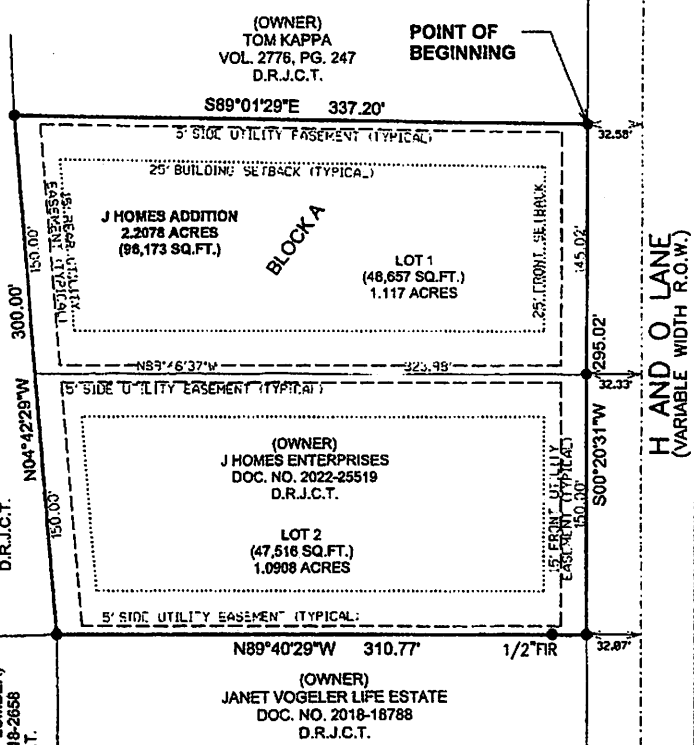
On-site sewage facility performance cannot be guaranteed even though all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.

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.



VICINITY MAP
N.T.S.



(OWNER)
DEBRA KAY SPIVEY
VOL. 3908, PG. 98
D.R.J.C.T.

(OWNER)
SHIRLEY TWATER
DOC. NO. 2019-29848
D.R.J.C.T.

(OWNER)
MARK HANDLEY &
MARY HANDLEY ETUX
DOC. NO. 2016-5073
D.R.J.C.T.

(OWNER)
MARVIN STEWART
VOL. 1485, PG. 803
D.R.J.C.T.

(OWNER)
NICHOLAS J. STEWART, NETUX
(NICK STEWART LUMBER)
DOC. NO. 2018-2658
D.R.J.C.T.

- MINIMUM STANDARD REQUIREMENTS:**
- 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 & back
5' from lot line on the sides
 - Building Lines:
50' from lot line (State Hwy & F.M.)
25' from front lot line (County Road or Subdivision Roads)

Approved this _____ day of _____, 20____, by the Commissioner's Court of Johnson County, Texas.

County Judge, Date

Date _____, Instrument # _____, & Slide _____

County Clerk, Johnson County, Texas

Deputy, Johnson County, Texas

GEONAV
SURVEYING • MAPPING • SCANNING

3410 MIDCOURT RD. STE 110 CARROLLTON, TEXAS 75006
SCALE: 1"=50' (173' 45.240) PROJECT NUMBER: 2792
TSP/LS FIRM NO. 10194205

DATE: OCTOBER 24, 2022 DRAWN BY: JCH

FINAL PLAT
SHOWING
LOTS 1 AND 2, BLOCK A
J HOMES ADDITION
AN ADDITION
TO THE E.T.J. OF ALVARADO,
JOHNSON COUNTY, TEXAS
BEING 2.2078 ACRES LOCATED IN THE
SETH MORRIS SURVEY
ABSTRACT NUMBER 536

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, inputs 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 construction or maintenance, or efficacy of its respective systems in any of the easements shown on the plat, and buildings, fences, trees, shrubs, other growths, or improvements which in any way endanger or interfere with the 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.

Plat Statements:

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.

STANDARD NOTES CONT.

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 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.

OWNER:
J HOMES ENTERPRISES, LLC
1447 NEWT PATTERSON ROAD
MANSFIELD, TEXAS 76003
PH:682-551-3401

 <p>GEONAV SURVEYING • MAPPING • SCANNING</p> <p>3410 MIDCOURT RD, STE 110, CARROLLTON, TEXAS 75006 SCALE 1"=30' (R72) 243-2409 PROJECT NUMBER: 2792 TEPE'S FORM NO. 10194205</p> <p>DATED: OCTOBER 24, 2022 DRAWN BY: JCH</p>	<p>FINAL PLAT SHOWING LOTS 1 AND 2, BLOCK A J HOMES ADDITION AN ADDITION TO THE E.T.J. OF ALVARADO, JOHNSON COUNTY, TEXAS</p> <p>BEING 2.2078 ACRES LOCATED IN THE SIXTH MOORE'S SURVEY ABSTRACT NUMBER 636</p>
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DEC 12 2022

Approved

REQUEST FOR AGENDA PLACEMENT FORM

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

SUBMITTED BY: Jennifer VanderLaan **TODAY'S DATE:** December 5, 2022

DEPARTMENT: Public Works

SIGNATURE OF DEPARTMENT HEAD: 

REQUESTED AGENDA DATE: December 12, 2022

SPECIFIC AGENDA WORDING:

Consideration of **Order 2022-98**, Order approving the Final Plat of Lots 1 and 2, Block A of the J Homes Addition in Precinct #4 - Public Works Department

PERSON(S) TO PRESENT ITEM: Jennifer VanderLaan

SUPPORT MATERIAL: (Must enclose supporting documentation)

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

STAFF NOTICE:

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