DEC 27 2022

# **Approved**

REQUEST FOR AGENDA PI	ACEMENT FORM						
Submission Deadline - Tuesday, 12:00 PM before Court Dates							
SUBMITTED BY: Jennifer VanderLaan	TODAY'S DATE: December 16, 2022						
DEPARTMENT:	Public Works						
SIGNATURE OF DEPARTMENT HEAD:	Wander Jain						
REQUESTED AGENDA DATE:	December 27, 2022						
SPECIFIC AGENDA WORDING:							
Consideration of Variance to Lift Groundwater Ac	ccessibility Certification Requirement for						
Vasquez Addition, a proposed subdivision of 2 lots, to be served by private water wells in							
Precinct #4- Public Works Department							
PERSON(S) TO PRESENT ITEM: Jennifer V	ander! een						
SUPPORT MATERIAL: (Must enclose supp	orting documentation)						
TIME: 10 minutes  (Anticipated number of minutes needed to discuss item	ACTION ITEM: x WORKSHOP CONSENT: EXECUTIVE:						
STAFF NOTICE:							
COUNTY ATTORNEY: IT DE	PA DTMENT.						
	HASING DEPARTMENT:						
PERSONNEL: PUBLI	C WORKS: X						
BUDGET COORDINATOR:OTHE	R:						
**************************************							
*********This Section to be Completed by County Judge's Office*******							
ASSIGNED AGENDA DATE:  REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE							
COLIDT MEMBED, ADDDOMAI	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 required under the adopted Rules and Regulations. To request a variance for a deviation or exception to those Rules and Regulations 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.

Name ADRIAN AIDNZO VASUUEZ	Date 12/2/2011						
Phone Number (817) 425 - 3123							
Email Address VRCINODIL @ GNAIL. COM							
Property Information for Variance Request:							
Property 911 address 4575 CR 212 PIVALADO TO TO	(00)(7						
Subdivision name VASUVEZ ADDITION Block 1	Lot 1 & 2						
Survey 12 RHUDES Abstract 715	Acreage_ <u>5.024</u>						
Request A VARIANCE FOR GIAC							
Reason for request FUR PROPUSOD 2 LOT TRACTS							
Provide the following with this request:							
Copy of plat (if property has been platted)							
Copy of property deed							
Survey or drawing showing existing structures							

Revised 09/14/2022





VICINITY MAP (NOT TO SCALE)

NSON COUNTY, TEXAS NOTES

- THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED MITHIN THE ANY ETJ OF ANY CITY ON TOWN.
- THE PROPOSED USAGE FOR THIS PLAT IS SHOLE-PANELY RESOUNTAL
- UTILITY PROVOCES:
- WATER SERVICE PROVIDED BY PRIVATE WELL. ELECTRIC SERVICE IS TO BE PROVIDED BY U.C.S. PHONE 817-556-4003.
- SCHOR SCHOOL IS PROVIDED BY PRIVATE NOVOURL SEPTIC SYSTEMS.
- FLOOD STATEMENT

BLOOKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASONOMES, AND FILLING OR OSSTRUCTION OF THE FLOODWAY IS PROVIDED.

THE EKSTHO CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THIS ADDITION HELL REWAIN AS ONEN CHANNELS. AND HELL BE WANTARDD BY THE HOMOULK, DWICKS OF THE LOT OR LOTS, THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE COURSES ALONG OR ACROSS SAID, SAID LOTS.

CHASON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OF LOSS OF UPE OF PROPERTY OCCASIONED BY FLOCKING OF FLOCK CONSTRUCT.

CHISCH COUNTY HAS THE RIGHT BUT NOT A DUTY TO ENTER ONTO PROPERTY AND CLEAR ANY DESTRUCTION INCLUDING BUT NOT LIMITED TO TREES, PLANTS, DRIT, OR BUILDINGS, MHON DESTRUCT THE FLOW OF MATER THROUGH ENAMAGE EASTWOYTS. UTSUTY PASTNESS

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- A PURCHASER MAY NOT USE OR OCCUPY PROPERTY DESCRIBED IN A PLAT OR REPLAT OF A SUBDIVISION UNTIL SUCH THE AS THE PLAT IS FILED FOR RECORD WITH THE COUNTY CLERK'S OFFICE OF THE JOHNSON COUNTY CLERK.
- THE DEVELOPER SHALL COMPLETE ALL ROADS AND DRANACE FACULTES IN A SUSDIVISION WITHIN THELVE (12) WONTHS AFTER THE DATE OF FRAME PLAN APPROVAL.

ON-SITE SERVICE FADULTY PERFORMANCE CANNOT BE QUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWACE FADULTES ARE COMPLED WITH

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SURVEYOR'S NOTES

- THE SURVEY PERFORMED ON THE CHOUND OF THE SUBJECT PROPERTY AND THE PROPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS PERMAL PLAT AND PRODERTY DESCRIPTION HERE PROPARED MENULT THE BOORTY OF AN ABSTRACT OF THE, THEREFORE THERE MAY BE ASSEMBLY OF OTHER PRAFE THAT COULD LEST AND ARE NOT SHOWN.

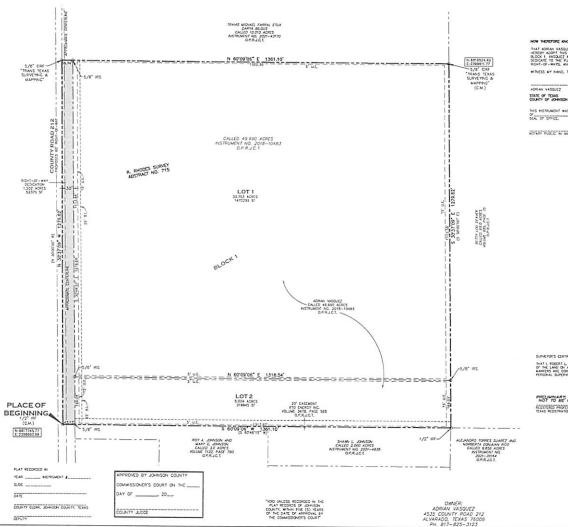
CHAPTER IN DESCRIPTION

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BECREASE AT A 1/2" HON ROD FOUND IN COUNTY ROAD NO. 212, FOR THE SOUTHWEST CORNER OF SAID 49,990 ACRE TRACT

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#### NOW THEREFORE KNOWN TO ALL HEN BY THESE PRESENTS:

THAT ADRIAN VASQUEZ, THE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, DOCS HERBEY ADDRESS THE PLAND DESCRIBED HIS RESERVE DESCRIBED PROVIDERY AS 10.11 & 2, ROCK 1, MASQUEZ ADDRESS AN ADDRESS OF JAMPS ON LOWERTY THAT AND A RESERVE DEDUCATE TO THE PRINCE SEQUENT DESCRIPTION OF THE PRINCE SEQUENT OF THE PRINCE

\_\_\_\_ DAY OF \_\_\_\_ WINESS MY HAND, THIS THE .....

ADRIAN VASQUEZ

THIS INSTRUMENT WAS ADDROMEDED BEFORE ME ON THE DAY OF THE DAY OF

MOTARY BUILD IN AND THE THE STATE OF THESE

SURVEYOR'S CERTIFICATION

PRELIMINARY, FOR REVIEW PURPOSES ONLY. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5400

> FINAL PLAT SHOWING

LOTS 1 AND 2, BLOCK 1 VASQUEZ ADDITION AN ADDITION OF JOHNSON COUNTY, TEXAS BEING 39.979 ACRES OF LAND

LOCATED IN THE R. RHODES SURVEY ABSTRACT NO. 715, JOHNSON COUNTY, TEXAS

TRANS TEXAS SURVEYING MAPPING Scole: 1"=100" Date:12/16/2022 DWG: 20200042-FINAL PLAT

# \*\*\*\*\* Electronically Recorded Document \*\*\*\*\*

# **Johnson County**

Becky Ivey Johnson County Clerk Cleburne, TX

Document Number: 2018-10483

Recorded As : ERX-WARRANTY DEED

Recorded On:

April 20, 2018

Recorded At:

02:27:34 pm

**Number of Pages:** 

5

Recording Fee:

\$38.00

Parties:

Direct-

Indirect-

**Receipt Number:** 

126865

Processed By:

**Leslie Shuler** 

# \*\*\*THIS PAGE IS PART OF THE INSTRUMENT\*\*\*



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records in Johnson County, Texas.

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color race is invalid and unenforceable under Federal law.

BECKY IVEY, COUNTY CLERK JOHNSON COUNTY, TEXAS

#### FWT GF#18-11369-086

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

#### WARRANTY DEED WITH VENDOR'S LIEN

DATE: April 20, 2018							
GRANTOR: PEGGY S. HUSBAND	FOTHERGILL	AND	SAMUEL	C.	FOTHERGILL,	WIFE	AND
GRANTOR'S MAILING A	ADDRESS:					<del></del>	

GRANTEE: ADRIAN VASQUEZ, A MARRIED MAN

GRANTEE'S MAILING ADDRESS: 4489 County Road 212, Alvarado, TX 76009

CONSIDERATION: Ten and No/100 (\$10.00) and other valuable consideration to the undersigned paid by the grantees herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by grantees of their one certain promissory note of even date herewith in the principal sum of \$267,750.00 payable to the order of The American National Bank of Texas, as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in event of default and for attorney's fees; additionally secured by a Deed of Trust of even date herewith to John Davidson, Trustee.

PROPERTY (including any improvements):

See Exhibit "A" attached hereto and made a part hereof for all purposes.

# RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is given and accepted subject to any and all easements, restrictions, rights-of-way, covenants, conditions, reservations, municipal or other governmental zoning laws, regulations and ordinances, if any, affecting and enforceable against the herein described property.

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Grantor waives and conveys to Grantee the right to ingress and egress to and from the surface of the Property relating to the portion of the mineral estates owned by Grantor.

Nothing herein, however restricts or prohibits the pooling or utilization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oils, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

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

The said Vendor's Lien and Superior Title herein retained are hereby transferred, assigned, sold and conveyed to The American National Bank of Texas, its successors and assigns, the payee named in said note without recourse on grantor.

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

PEGOY, S. FOTHERGILL

SAMUEL C. FOTHERGILL

STATE OF TEXAS

COUNTY OF

This instrument was acknowledged before me on the

by Peggy S. Fothergill and Samuel C. Fothergill, wife and husband.

Notary Public, State of Texas

Vicki E. Gamez Commission ID # 11366504

AFTER RECORDING RETURN TO: Adrian Vasquez 4489 County Road 212

Alvarado, TX 76009

2018,

### Exhibit "A"

Being a part of the Richard Rhodes Survey, Abstract 715, Johnson County, Texas, and being a portion of a 50 acre tract as recorded in Volume 340, Page 359, Deed Records, Johnson County, Texas;

Beginning at a steel pin in County Road, being the Southeast corner of 98.75 acre tract as conveyed to H.L. Griggs by Malissa J. Ferguson, same being the southwest corner of the above mentioned 50 acre tract;

Thence North 30 degrees 00 minutes West, with a County Road, 1600.0 feet (576 varas) to a 1/2 inch steel pin for corner;

Thence North 60 degrees 46 minutes 15 seconds East, 1361.1 feet (490 varas) to a steel pin for corner;

Thence South 30 degrees East, 1600.0 feet (576 varas) to a 1/2 steel pin recovered;

Thence South 60 degrees 46 minutes 15 seconds West, 1361.1 feet (490 varas) to the Place of Beginning and containing 49.990 acres.