

JAN 23 2023

Approved

**AGENDA PLACEMENT FORM**

(Submission Deadline – Tuesday, 12:00 PM before Regular Court Meetings)

Date: January 12, 2023

Meeting Date: 1/23/2023

Submitted By: Julie Edmiston

Department/Office: Public Works

Signature of Director/Official:  \_\_\_\_\_

Agenda Title: Plat Approval

**Public Description** (Description should be 2-4 sentences explaining to the Court and the public what action is recommended and why it is necessary):

Consideration of Order 2023-05, Order approving Final Plat of Westover Hills,  
Phase 2, Lots 5-20, Block 1, Lots 5 & 6, Block 2, Lots 9-12, Block 3, Lots 1-4,  
Block 6 in Precinct 1-Public Works Department

(May attach additional sheets if necessary)

Person to Present: Jennifer VanderLaan

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC  CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: 10 minutes

Session Requested: Action Item (Action Item, Workshop, Consent, Executive)

**Check All Departments Requiring Notification:**

County Attorney  IT  Purchasing  Auditor

Personnel  Public Works  Facilities Management

Other Department/Official (list) \_\_\_\_\_

JAN 23 2023

April Long  
County Clerk, Johnson County Texas

BY AK DEPUTY



# JOHNSON COUNTY COMMISSIONERS COURT

**Christopher Boedeker**  
County Judge

**Rick Bailey**  
Commissioner  
Precinct 1

**Kenny Howell**  
Commissioner  
Precinct 2

**Mike White**  
Commissioner  
Precinct 3

**Larry Woolley**  
Commissioner  
Precinct 4

THE STATE OF TEXAS  
  
COUNTY OF JOHNSON

§  
§  
§

ORDER 2023-05

## 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

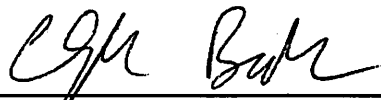
**WHEREAS**, a motion was made by Commissioner Bailey, Pct. 1 and seconded by Commissioner White, Pct. 3 that stated: "I make the motion to approve for filing purposes only, a Plat of Westover Hills, Phase 2, Lots 5-20, Block 1, Lots 5 and 6, Block 2, Lots 9-12, Block 3, Lots 1-4, Block 6, in Precinct 1 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 23<sup>rd</sup> day of January 2023.

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

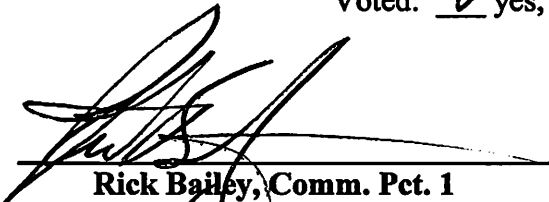
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Westover Hills, Phase 2**, Lots 5-20, Block 1, Lots 5 and 6, Block 2, Lots 9-12, Block 3, Lots 1-4, Block 6, in Precinct 1 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public does not make those roads and streets county roads subject to county maintenance.

**WITNESS OUR HAND THIS, THE 23<sup>RD</sup> DAY OF JANUARY 2023.**



**Christopher Boedeker, Johnson County Judge**

Voted:  yes,  no,  abstained



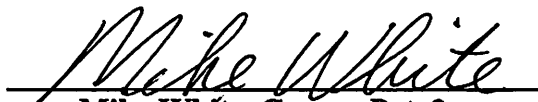
**Rick Bailey, Comm. Pct. 1**

Voted:  yes,  no,  abstained



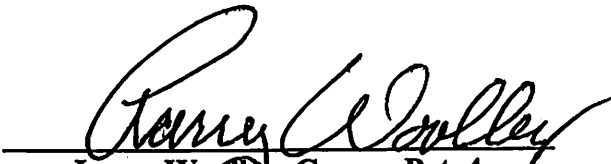
**Kenny Howell, Comm. Pct. 2**

Voted:  yes,  no,  abstained



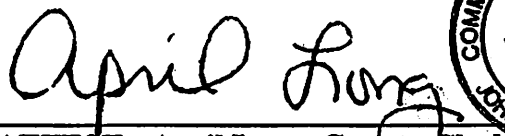
**Mike White, Comm. Pct. 3**

Voted:  yes,  no,  abstained



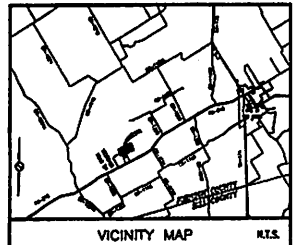
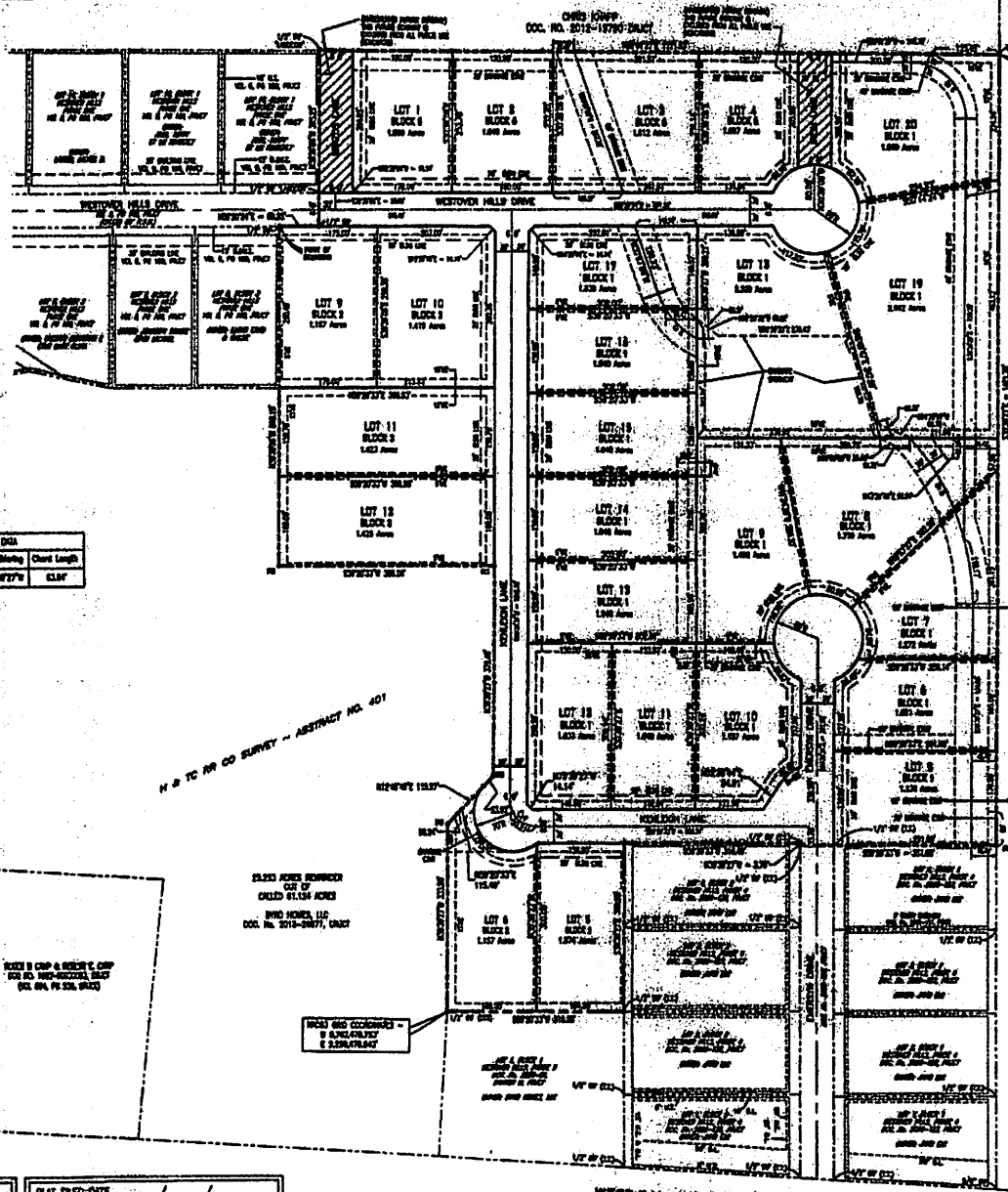
**Larry Woolley, Comm. Pct. 4**

Voted:  yes,  no,  abstained



**ATTEST: April Long, County Clerk**





ORANGE COUNTY CLERK DATA

No.	Date	Book	Length	Page	Chart Number	Chart Length
A	02/07/23	130.07	118.57	87.77	ST117261	147.87
B	07/28/47	458.07	222.68	171.14	ST118747	178.57
C	02/28/23	100.07	138.47	99.37	ST227071	140.57

**LEGEND**

1/4" = 100' HORIZONTAL SCALE  
 1" = 100' VERTICAL SCALE

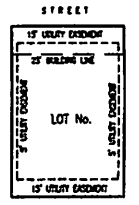
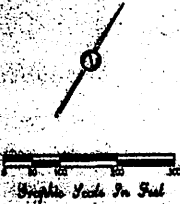
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TYPICAL LOT EASEMENTS  
(EXCEPT WHERE SHOWN OTHERWISE)

**26 LOTS**

BEING A 39.542 ACRES OUT OF THE H & TC RR CO SURVEY - ABSTRACT NO. 401  
 JOHNSON COUNTY, TEXAS

39.542 ACRE TRACT  
 FINAL PLAT  
**WESTOVER HILLS, PHASE 2**  
 LOTS 5 - 20, BLOCK 1  
 LOTS 5 & 6, BLOCK 2  
 LOTS 9 - 12, BLOCK 3  
 LOTS 1 - 4, BLOCK 6

BEING A 39.542 ACRES OUT OF THE H & TC RR CO SURVEY - ABSTRACT NO. 401  
 JOHNSON COUNTY, TEXAS

DATE: APRIL, 2022 SCALE: 1"=100' FILE: P-26/WESTOVER HILLS JOHNSON  
 BY: SCULLO-TERRY, STANTON & ASSOCIATES, INC.  
 ENGINEERING AND SURVEYING  
 108 WEST MAIN STREET • ARLINGTON, TEXAS 76010  
 TELEPHONE: 817-878-2261  
 ESTABLISHED 1953 • FIDELITY NO. 0-615 & 0-100049-00  
 EMAIL: jstanton@starry.com

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

COUNTY JUDGE \_\_\_\_\_

PLAT FILED DATE \_\_\_\_\_  
 INSTRUMENT No. \_\_\_\_\_  
 DRAWER \_\_\_\_\_ SLIDE \_\_\_\_\_  
 BECKY BEY, JOHNSON COUNTY CLERK  
 BY \_\_\_\_\_ DEPUTY CLERK

RECORDED ON THE ORIGINAL RECORDS ON OCTOBER 10, 2021 & FEBRUARY 2022

JOHNSON COUNTY NOTICE

CONVEYANCE

- 1. The subdivision of any part thereof to be located within the limits of any city or town... 2. The subdivision of any part thereof to be located within the limits of any city or town...

PERMITS

- 1. The subdivision of any part thereof to be located within the limits of any city or town... 2. The subdivision of any part thereof to be located within the limits of any city or town...

UTILITY

- 1. The subdivision of any part thereof to be located within the limits of any city or town... 2. The subdivision of any part thereof to be located within the limits of any city or town...

RECORDS

- 1. The subdivision of any part thereof to be located within the limits of any city or town... 2. The subdivision of any part thereof to be located within the limits of any city or town...

FLOOD

- 1. The subdivision of any part thereof to be located within the limits of any city or town... 2. The subdivision of any part thereof to be located within the limits of any city or town...

DUTIES OF CONVEYOR

- 1. The conveyor and his firm shall be bound to execute the deed... 2. The conveyor and his firm shall be bound to execute the deed...

PLAT

- 1. It is a Criminal Offense punishable by a fine of up to \$1,000.00... 2. It is a Criminal Offense punishable by a fine of up to \$1,000.00...

UTILITY

- 1. From Lot Line in Front of Block... 2. From Lot Line on the side...

ROAD

- 40' ROW from the center of road on F.M. or State... 30' ROW from center of County Roads or Roads to a subdivision...

BUILDING

- 30' From Lot Line (State HWY & FM)... 25' From Lot Line (County Road or Subdivision Roads)...

OWNER'S COFFICE

STATE OF TEXAS COUNTY OF JOHNSON

WHEREAS, BYRD HOMES, LLC, acting by and through the undersigned, its duly authorized agent in the sole owner of a tract of land situated in the H & TC RR Co. Survey, Abstract No. 401, said tract being a portion of that called 81 acre tract conveyed to Byrd Homes, LLC, according to the deed recorded in Document Number 2010-25877, Deed Records of Johnson County, Texas (DAJCT), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the northeast corner of Lot 8, Block 3, Westover Hills, Phase One, an addition to Johnson County, Texas as recorded in Volume 9, Page 120, Plat Records of Johnson County, Texas (PLAUCT), said iron rod also being in the south right of way line of Westover Hills Drive, a called 60 foot right of way;

THENCE North 30° 20' 54" East, with the south right of way line of Westover Hills Drive, a distance of 89.50 feet, to a 1/2 inch iron rod found; for corner;

THENCE North 30° 39' 08" West, departing the south right of way line of Westover Hills Drive, at a distance of 80.00 feet, passing a 1/2 inch iron rod with a plastic cap stamped "UNEXCISED" found at the northeast corner of Lot 14, Block 3, Westover Hills, Phase One, said iron rod also being in the north right of way line of Westover Hills Drive and then with the south right of way line of Lot 14, in all a distance of 315.21 feet to a 1/2 inch iron rod with a plastic cap stamped "UNEXCISED" found at the northeast corner of Lot 13 for corner;

THENCE North 58° 41' 27" East, a distance of 1221.83 feet, to a 1/2 inch iron rod found; for corner;

THENCE South 30° 30' 27" East, a distance of 1421.78 feet to a 1/2 inch iron rod with a plastic cap stamped "S 8172753361" set at the northeast corner of Lot 4, Block 1, Westover Hills-Phase One, an addition to Johnson County, Texas, according to the plat recorded in Document No. 2520-127, PLAUCT, for corner;

THENCE South 30° 20' 53" West with the north line of said Lot 4, Block 1, at a distance of 251.04 feet, passing through a 1/2 inch iron rod with a plastic cap stamped "UNEXCISED" found at the northeast corner of Lot 14, Block 1, Westover Hills Phase One, said iron rod also being in the north right of way line of Westover Hills Phase One, and then with the south right of way line of Chicago Drive, a 60 right of way for corner;

THENCE North 30° 20' 27" West with the east line of said Lot 4, Block 2, and the west right of way line of Emory Drive, a distance of 3.70 feet to a 1/2 inch iron rod with a plastic cap stamped "UNEXCISED" for corner;

THENCE South 58° 20' 23" West with the north line of said Lot 4, Block 2, a distance of 318.49 feet to a 1/2 inch iron rod with a plastic cap stamped "S 8172753361" set at the northeast corner of Lot 4; for corner;

THENCE South 30° 30' 27" East with the west line of said Block 2, a distance of 300.00 feet to a 1/2 inch iron rod with a plastic cap stamped "UNEXCISED" found at the southeast corner of Lot 3 for corner;

THENCE South 30° 20' 27" West, departing the west line of said Block 2, a distance of 318.00 feet, passing through a 1/2 inch iron rod with a plastic cap stamped "S 8172753361" found for corner;

THENCE North 30° 30' 27" West, a distance of 333.50 feet to a 1/2 inch iron rod with a plastic cap stamped "S 8172753361" set for corner;

THENCE North 12° 40' 40" East, a distance of 118.77 feet to a 1/2 inch iron rod with a plastic cap stamped "S 8172753361" set for corner;

THENCE North 30° 30' 27" West, a distance of 379.48 feet to a 1/2 inch iron rod with a plastic cap stamped "S 8172753361" set for corner;

THENCE South 60° 20' 23" West, a distance of 288.08 feet to a 1/2 inch iron rod with a plastic cap stamped "S 8172753361" set for corner;

THENCE North 30° 30' 27" West, at a distance of 319.79 feet, passing the southeast corner of the aforementioned Lot 4, Block 3, Westover Hills-Phase One, then with the west line of said Lot 4, in all a distance of 610.19 feet to the POINT OF BEGINNING, containing a calculated area of 39,542 acres (1,722,630 square feet) of land.

OWNER'S COFFICE

STATE OF TEXAS COUNTY OF JOHNSON

WHEREAS, BYRD HOMES, LLC, acting by and through the undersigned, its duly authorized agent in the sole owner of a tract of land situated in the H & TC RR Co. Survey, Abstract No. 401, said tract being a portion of that called 81 acre tract conveyed to Byrd Homes, LLC, according to the deed recorded in Document Number 2010-25877, Deed Records of Johnson County, Texas (DAJCT);

NOW HERETOFORE KNOWN ALL MEN BY THESE PRESENTS:

That, Byrd Homes, LLC, acting by and through Michelle Byrd, Manager, owner of above described tract of land, does hereby accept this plat depicting the lands described in Block 1, Lots 5 and 6, Block 2, Lots 9 through 12, Block 3, and Lots 1 through 4, Block 4, Westover Hills - Phase 2, an addition to Johnson County, Texas, and does hereby dedicate to the public's use, without reservation, the streets, easements, right-of-ways and any other public uses shown hereon.

Michelle Byrd 7-14-2022
BYRD
MANAGER, BYRD HOMES, LLC DATE

STATE OF TEXAS COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Michelle Byrd, 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 consideration therein expressed, in the capacity therein stated.

OWNED UNDER BY HMO AND SDA OF OFFICE on this the 14th day of July, 2022.

Charles E. Malone
Notary Public, for the State of Texas
My Commission Expires: 06-02-2024



SURVEYOR'S COFFICE

MEG is to certify that I, Joyce P. Stanton, a Registered Professional Land Surveyor, in the State of Texas, have plotted the above subdivision from an actual survey on the ground, and that the plat accurately represents that survey made by me or under my direction and supervision. All boundaries have been marked with an iron rod with a plastic cap stamped "S 8172753361".

Joyce P. Stanton
Registered Professional Land Surveyor
Texas Registration No. 6173



26 LOTS

39.542 ACRE TRACT FINAL PLAT

WESTOVER HILLS, PHASE 2
LOTS 5 - 20, BLOCK 1
LOTS 9 AND 6, BLOCK 2
LOTS 9 - 12, BLOCK 3
LOTS 1 - 4, BLOCK 6

BEING A 39.542 ACRES OUT OF THE H & TC RR CO SURVEY - ABSTRACT NO. 401 JOHNSON COUNTY, TEXAS

DATE: APRIL, 2022 SCALE: 1"=100' FILE: P-WESTOVER HILLS JOHNSON
D/S SCULLS-TERRY, STANTON & ASSOCIATES, INC.
ENGINEERING AND SURVEYING



BYRD HOMES, LLC
004 CONVEYOR CLERK
JOSHUA, TEXAS 70050
CONTACT: MCKEE BYRD
817-253-4805

308 WEST MAIN STREET - ARLINGTON, TEXAS 76010
TELEPHONE: 817-375-3361
ESTABLISHED 1953 - FIRM NO. E-6113 & 8-120049-CO
EMAIL: jstanton@starry.com

FP-1028 Sheet 2 of 2

APPROVED BY JOHNSON COUNTY COMMISSIONERS' COURT ON THE DAY OF 20
SECURITY JUDGE

PLAT FEES DUE
INSTRUMENT No.
DRAWER SLIDE
BENNY MEY, JOHNSON COUNTY CLERK
BY DEPUTY CLERK