

AGENDA PLACEMENT FORM

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

Date: 3/31/2023

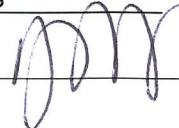
Meeting Date: 4/10/2023

Submitted By: Julie Edmiston

COMMISSIONERS COURT

Department/Office: Public Works

APR 10 2023

Signature of Director/Official: 

No Action

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 2023-28, Order Approving Final Plat of Willow Creek Ranch Subdivision, Lots 1-11, Block 1 in Precinct 4 - Public Works Department

JCSUD Water

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

Check All Departments Requiring Notification:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) _____



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

§

ORDER 2023-28

COUNTY OF JOHNSON

§

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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 _____ and seconded by Commissioner _____ that stated: “I make the motion to approve for filing purposes only, a Plat of **Willow Creek Ranch Subdivision**, Lots 1-11, Block 1, 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 10th day of April 2023.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Willow Creek Ranch Subdivision**, Lots 1-11, Block 1, 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 10TH DAY OF APRIL 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

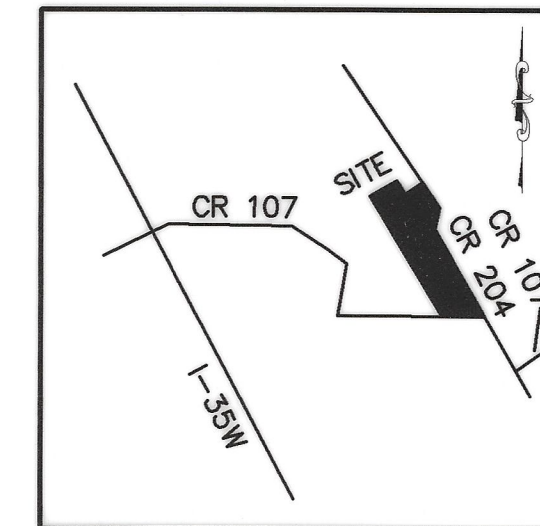
GRAPHIC SCALE



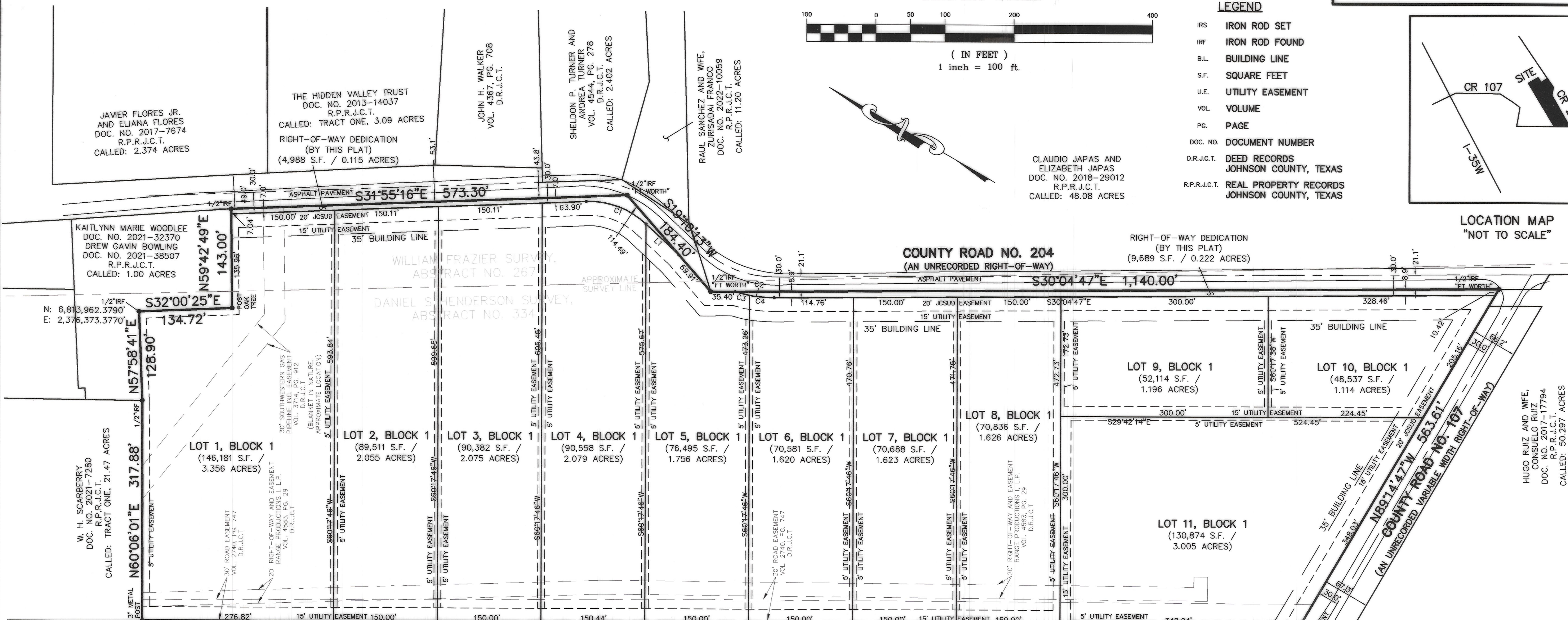
(IN FEET)
1 inch = 100 ft.

LEGEND

- IRS IRON ROD SET
- IRF IRON ROD FOUND
- B.L. BUILDING LINE
- S.F. SQUARE FEET
- U.E. UTILITY EASEMENT
- VOL. VOLUME
- PG. PAGE
- DOC. NO. DOCUMENT NUMBER
- D.R.J.C.T. DEED RECORDS JOHNSON COUNTY, TEXAS
- R.P.R.J.C.T. REAL PROPERTY RECORDS JOHNSON COUNTY, TEXAS



LOCATION MAP
"NOT TO SCALE"



LINE TABLE		
NO.	BEARING	LENGTH
L1	S13°22'07"W	65.39'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	94.85'	045°17'23"	120.00'	50.06'	S09°16'34"E	92.40'
C2	56.98'	018°08'15"	180.00'	28.73'	N21°00'39"W	56.74'
C3	21.53'	006°51'13"	180.00'	10.78'	S15°22'08"E	21.52'
C4	35.45'	011°17'02"	180.00'	17.78'	S24°26'16"E	35.39'

- STANDARD NOTES:
- This subdivision or any part thereof is not located within the ETJ of any city or town.
 - The proposed usage for this plat is single family residential.
 - Developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.
 - Utility Providers:
Water: Johnson County Special Utility District, Phone #: 817-760-5200
Electricity: United Cooperative Services, Phone #: 817-556-4070
Septic: Private individual septic system
 - All bearings and coordinates shown hereon are relative to the Texas State Plane Coordinate System, North Central Zone (4202). All distances shown hereon are surface distances.
 - All corners are a one-half inch iron rod set with cap stamped "3B", unless otherwise noted hereon.

UTILITY EASEMENT NOTES:
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.)
 - 35' from lot line (County Road or Subdivision Roads)

FLOOD STATEMENT:
According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C0350J, effective date of December 04, 2012, this property is located in zone "X", (Areas determined to be outside the 500-year 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".

JIMMY J. ATLAS
DOC. NO. 2019-30026
R.P.R.J.C.T.
CALLED: 66.121 ACRES

JOHNSON COUNTY PLAT RECORDS Date: _____, Instrument No.: _____, Slide: _____

BY: _____
County Clerk

BY: _____
Deputy County Clerk

POINT OF BEGINNING
1/2" IRF
N: 6,812,280.4150'
E: 2,376,818.6610'

FINAL PLAT
LOTS 1 - 11, BLOCK 1
WILLOW CREEK RANCH SUBDIVISION
11 SINGLE FAMILY RESIDENTIAL LOTS
BEING A 21.842 ACRE TRACT OF LAND
BEING 1.8 ACRES OUT OF THE
WILLIAM FRAZIER SURVEY, ABSTRACT NO. 267 AND
DANIEL S HENDERSON SURVEY, ABSTRACT NO. 334

JOHNSON COUNTY, TEXAS

DEL Z. ENTERPRISES, LLC OWNERS
3711 FM 1446 (210) 262-0799
Waxahachie, Texas 75165
Contact: Edmundo Zamorano

3B LAND SURVEYING, INC SURVEYOR
656 Bacak Rd (972) 825-7949
Ennis, Texas 75119
TBPLS No. 10194480
Revised: February 01, 2023
Dated: December 27, 2021

656 Bacak Road
Ennis, Texas 75119
972-825-7949

TBPLS FIRM NO.
10194480

STATE OF TEXAS §
COUNTY OF JOHNSON §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Del Z. Enterprises, LLC is the owner of all that parcel of land located in Johnson County, Texas, being a part of the William Frazier Survey, Abstract Number 267, being a part of the Daniel S Henderson Survey, Abstract Number 334, being all of that called 21.867 acre tract of land described in deed to Del Z. Enterprises, LLC recorded in County Clerk's Document Number 2021-40148, Real Property Records Johnson County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod found at the most westerly south corner of said 21.867 acre tract of land, said point being at the most easterly south corner of that called 66.121 acre tract of land described in deed to Jimmy J. Atlas recorded in County Clerk's Document Number 2019-30026, Real Property Records Johnson County, Texas and said point being in the northerly line of County Road No. 107 (an unrecorded right-of-way);

THENCE North 29 degrees 42 minutes 14 seconds West, 1,675.30 feet along the northeast line of said 66.121 acre tract of land to a 3 inch metal fence post found at the west corner of said 21.867 acre tract of land and being at the south corner of that called Tract One, a 21.47 acre tract of land described in deed to W. H. Scarberry recorded in County Clerk's Document Number 2021-7280, Real Property Records Johnson County, Texas;

THENCE along the northwest line of said 21.867 acre tract of land as follows:

North 60 degrees 06 minutes 01 seconds East, 317.88 feet to a one-half inch iron rod found at the east corner of said Tract One and said point being at the south corner of that called 1.00 acre tract of land described in deed to Kaitlynn Marie Woodlee recorded in County Clerk's Document Number 2021-32370, Real Property Records Johnson County, Texas and being at the south corner of that called 1.00 acre tract of land described in deed to Drew Gavin Bowling recorded in County Clerk's Document Number 2021-38507, Real Property Records Johnson County, Texas;

North 57 degrees 58 minutes 41 seconds East, 128.90 feet along the southeast line of said 1.00 acre tract of land to a one-half inch iron rod found for corner;

South 32 degrees 00 minutes 25 seconds East, 134.72 feet along the southeast line of said 1.00 acre tract of land to point in a large Post Oak Tree found for corner;

North 59 degrees 42 minutes 49 seconds East, 143.00 feet to a one-half inch iron rod found at the most easterly north corner of said 21.867 acre tract of land, said point being at the east corner of said 1.00 acre tract of land and said point being in the southwest right-of-way line of County Road No. 204 (an unrecorded right-of-way);

THENCE along the northeast line of said 21.867 acre tract of land and along the southwest right-of-way line of County Road No. 204 as follows:

South 31 degrees 55 minutes 16 seconds East, 573.30 feet to a one-half inch iron rod with cap stamped "Ft Worth" found for corner;

South 19 degrees 10 minutes 13 seconds West, 184.40 feet to a one-half inch iron rod with cap stamped "Ft Worth" found at the west corner of that called 48.08 acre tract of land described in deed to Claudio Japas and Elizabeth Japas recorded in County Clerk's Document Number 2018-29012, Real Property Records Johnson County, Texas;

South 30 degrees 04 minutes 47 seconds East, 1,140.00 feet along the southwest line of said 48.08 acre tract of land to a one-half inch iron rod with cap stamped "Ft Worth" found at the intersection of the southwest right-of-way line of County Road No. 204 with the northerly right-of-way line of County Road No. 107;

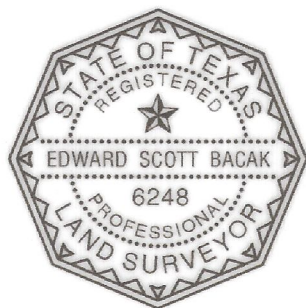
THENCE North 89 degrees 14 minutes 47 seconds West, 563.61 feet along the south line of said 21.867 acre tract of land and along the northerly right-of-way line of County Road No. 107 to the POINT OF BEGINNING and containing 951,434 square feet or 21.842 acres of land.

Basis of Bearing is derived from GPS observations relative to the Texas WDS RTK Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SURVEY CERTIFICATION

That I, Edward Scott Bacak, a Registered Professional Land Surveyor of the State of Texas, certify that that the provided plat correctly represents an actual on-the-ground survey performed under my direct supervision and that all corners, angle point of curves, boundary markers, and bench markers are correctly placed thereon and have been marked with steel rods or concrete markers and shall be included on the plat.

ES Bacak
Edward Scott Bacak, R.P.L.S. No. 6248



656 Bacak Road
Ennis, Texas 75119
972-825-7949

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

THAT, **Del Z. Enterprises, LLC**, acting herein by and through its duly authorized officers, owner of the above described tract of land, does hereby adopt this plat designating the herein described property as **LOTS 1 - 11, BLOCK 1, WILLOW CREEK RANCH SUBDIVISION**, an addition to Johnson County, Texas and hereby dedicate to the public use, without reservation, the streets, easements, rights-of-way and any other public area shown hereon.

WITNESS, MY HAND, THIS THE 30th DAY OF March, 2023.

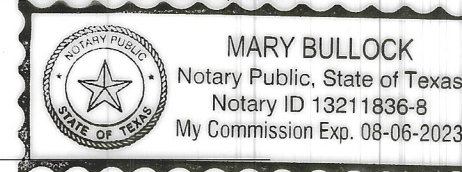
By: DEL Z. ENTERPRISES, LLC

Edmundo Zamorano
Edmundo Zamorano

STATE OF TEXAS §
COUNTY OF Johnson

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Edmundo Zamorano, known to me to be the person whose names is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations therein GIVEN under my hand and seal of office, this 30th day of March, 2023.

Mary Bullock
Notary Public in and for the State of Texas



My commission expires: 8/6/2023

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.
- Inspection 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.

DUTIES OF DEVELOPER/PROPERTY OWNER:

1. 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.
2. 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.
3. 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.
4. 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.

FILING A PLAT

- It is a Criminal Offense punishable by a fine of up to \$1,000.00, 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 roads, 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 and such road, street or passageway and specifically accepting such road or passageway for county maintenance.

APPROVED:

JOHNSON COUNTY COMMISSIONERS COURT

DATE: _____

COUNTY JUDGE

Date: _____, Instrument No.: _____, Slide: _____

JOHNSON COUNTY PLAT RECORDS

BY: _____
County Clerk

BY: _____
Deputy County Clerk

FINAL PLAT

LOTS 1 - 11, BLOCK 1
WILLOW CREEK RANCH SUBDIVISION

11 SINGLE FAMILY RESIDENTIAL LOTS

BEING A 21.842 ACRE TRACT OF LAND
BEING 1.8 ACRES OUT OF THE
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BEING 20.0 ACRES OUT OF THE
DANIEL S HENDERSON SURVEY, ABSTRACT NO. 334

JOHNSON COUNTY, TEXAS

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Dated: December 27, 2021