



MAY 08 2023

**AGENDA PLACEMENT FORM**

(Submission Deadline – Monday, 5:00 PM before Regular Court Meetings)

**Approved**

Date: 5/1/2023

Meeting Date: 5/08/2023

*as extension of  
CR 1207*

Submitted By: Julie Edmiston

Department/Office: Public Works

Signature of Director/Official: 

Agenda Title:

Consideration of Grant of Permanent Easement

**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 Grant of Permanent Easement for 30'x 235' with an 80' Diameter Cul-de-sac Roadway in the Jacob Giltner Survey, Abstract No. 295 in Precinct 1

(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 (Action Item, Workshop, Consent, Executive)

Check All Departments That Have Been Notified:

County Attorney  IT  Purchasing  Auditor

Personnel  Public Works  Facilities Management

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

**Please Inter-Office All Original Documents to County Judge's Office Prior to Deadline & List All External Persons Who Need a Copy of Signed Documents In Your Submission Email**

MAY 09 2023

April Long  
County Clerk, Johnson County Texas

BY [Signature] DEPUTY

**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**

□

## GRANT OF PERMANENT EASEMENT

**Date:** April 17, 2023.

**Grantors:** Ryan Lee Fuqua et ux. Tiffany Amanda Fuqua, Sam Truman Fuqua and Joe Tyler Fuqua

**Grantor's Mailing Address (including county):**  
304 Rose Ave  
Cleburne, Johnson County, Texas 76033

**Grantee:** Johnson County, Texas, a political subdivision of the State of Texas

**Grantee's Mailing Address (including county):**  
2 North Main Street  
Cleburne, Johnson County, Texas 76033

**Consideration:** Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid to the Grantor, the receipt and sufficiency of which is hereby acknowledged, and the further consideration of Grantee accepting the road and right-of-way for public ingress and egress and the free and uninterrupted use, liberty and privilege of passing in, over and along that certain easement or right-of-way.

**Property (including any improvements):** A 30 foot wide Roadway Easement with a Cul-de-sac having an 80 foot diameter BEING all of that certain parcel of land situated in the JACOB GILTNER SURVEY, ABSTRACT NO. 295, Johnson County, Texas, and being a portion of a 104.56 acre tract of land being referred to as Tract 1, as surveyed by Buffalo Creek Surveyor LLC, under the direct supervision of Joe Davis Ballard RPLS No. 5614, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found at the base of wood fence corner post for the most

northerly northeast corner of said Tract 1, being a portion of a called 123 acre tract of land conveyed to Sam Truman Fuqua, Ryan Lee Fuqua and Joe Tyler Fuqua, by the instrument No. 2020-01207, as recorded in the Official Public records of Johnson County, Texas, and being a common corner of a called 78.180 acre tract of land conveyed to Billy Roy Baldwin by the Instrument No. 2016-18747 of the Official Public Records of Johnson County, Texas;

THENCE South 13 degrees 41 minutes 29 seconds East, along a common line between Tract 1 and said 78.180 acre tract, at 235.31 feet passing a common corner of both Tract 1 and said 78.180 acre tract, and continuing in all a distance of 310.00 feet to a capped (stamped "RPLS 5614") ½ inch iron rod set for a corner of said easement, said corner being the beginning of a curve to the left of said cul-de-sac;

THENCE along said curve and perimeter of said cul-de-sac an arc length of 215.60 feet to the end of said curve or perimeter of said cul-de-sac

THENCE North 13 degrees 41 minutes 29 seconds West, along the southwesterly line of said 30 foot wide easement, in all a distance of 235.31 feet to the northwest corner of said easement, said corner being on a common line with a called 35.804 acre tract of land conveyed to Ross Baldwin and wife Nellie Ann Baldwin by the deed recorded in Volume 727, Page 217, of the Official Public Records of Johnson County, Texas:

THENCE North 59 degrees 53 minutes 00 seconds East generally along a fence line and a common line between Tract 1 and said 35.804 acre tract, a distance of 31.28 feet to the POINT OF BEGINNING OF Roadway Easement as surveyed on the ground by Buffalo Creek Surveyor under the direct supervision of Joe Davis Ballard RPLS 5614.

**Reservations from and Exceptions to Conveyance and Warranty:**

None.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, and conveys to Grantee a permanent access easement, 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 permanent access easement to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

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

**SIGNATURES AND ACKNOWLEDGEMENTS**

**SIGNATURES OF GRANTORS RYAN LEE FUQUA AND TIFFANY AMANDA FUQUA:**

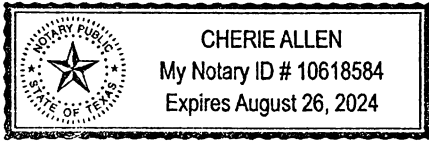
X   
Ryan Lee Fuqua



seal

Cherie Allen

Notary Public, State of Texas



SIGNATURE OF GRANTOR JOE TYLER FUQUA:

X [Signature]  
Joe Tyler Fuqua

ACKNOWLEDGEMENT OF JOE TRUMAN FUQUA

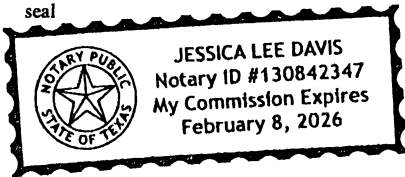
Tyler [Signature]

STATE OF TEXAS }

COUNTY OF Johnson }

This instrument was acknowledged before me by Joe Tyler Fuqua on the 27th day of April, 2023.

seal



[Signature]

Notary Public, State of Texas

ACCEPTED BY:

[Signature]

Christopher Boedeker

County Judge

STATE OF TEXAS §

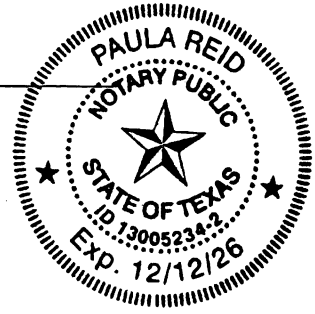
§

COUNTY OF JOHNSON §

This instrument was acknowledged before me on this the 8 day of May, 2023, by Christopher Boedeker in his capacity as County Judge of Johnson County, Texas.

seal

*Paula Reid*  
NOTARY PUBLIC, STATE OF TEXAS



After recording return to:

Christopher Boedeker  
County Judge  
Johnson County Courthouse  
2 North Main Street  
Cleburne, Texas 76033

Page 3 of 3  
GRANT OF PERMANENT EASEMENT

Scale: 1"=200'	Drawn by: JDB	Approved by: JDB
Job No. 00523	Date drawn: 3.07.23	Date Apprv'd: 3.07.23

**NOTE:**

All bearings and coordinates are correlated to the Texas State Plane Coordinate System, Central Texas Zone, NAD83 Datum, determined by using the Global Positioning System.

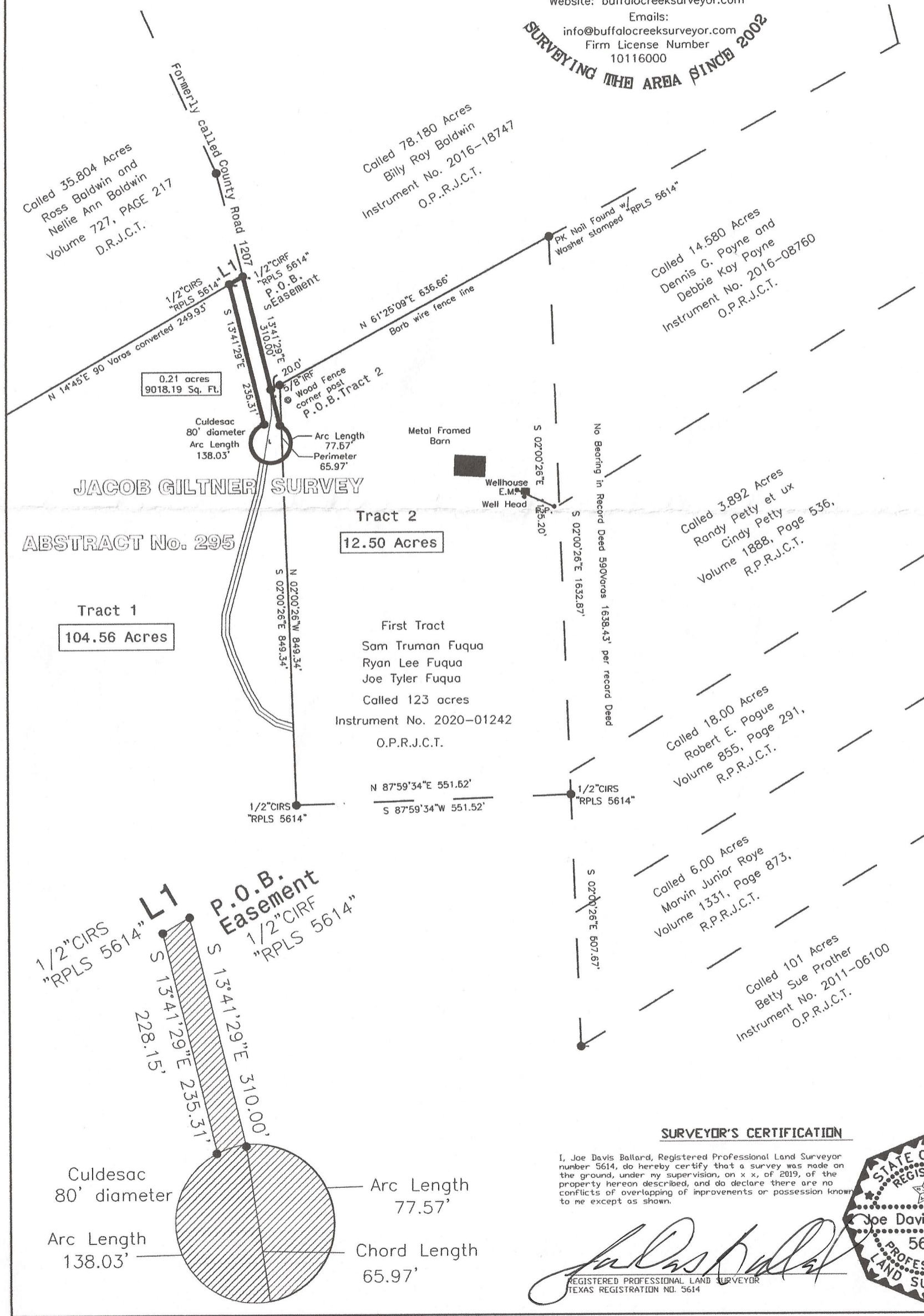
Course	Bearing	Distance
L1	N 59°53'00" E	31.28'

**BUFFALO CREEK SURVEYOR**



P.O. Box 626  
 Rio Vista, TX 76093  
 Phone 817-373-3338  
 Website: buffalocreeksurveyor.com  
 Emails:  
 info@buffalocreeksurveyor.com  
 Firm License Number  
 10116000

**SURVEYING THE AREA SINCE 2002**



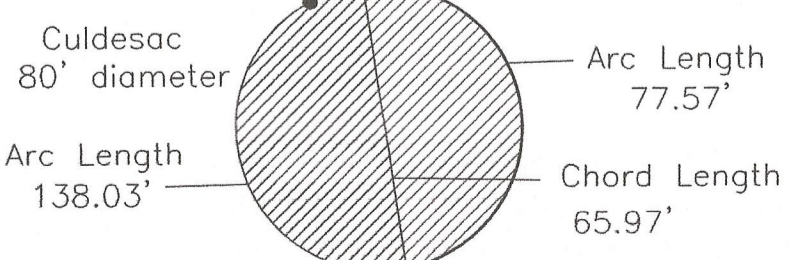
**JACOB GILTNER SURVEY**

**ABSTRACT No. 295**

**Tract 1  
104.56 Acres**

**Tract 2  
12.50 Acres**

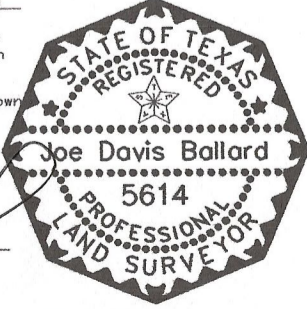
First Tract  
 Sam Truman Fuqua  
 Ryan Lee Fuqua  
 Joe Tyler Fuqua  
 Called 123 acres  
 Instrument No. 2020-01242  
 O.P.R.J.C.T.



**SURVEYOR'S CERTIFICATION**

I, Joe Davis Ballard, Registered Professional Land Surveyor number 5614, do hereby certify that a survey was made on the ground, under my supervision, on x x, of 2019, of the property hereon described, and do declare there are no conflicts of overlapping of improvements or possession known to me except as shown.

*Joe Davis Ballard*  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 TEXAS REGISTRATION NO. 5614



BUFFALO CREEK SURVEYOR



P.O. Box 626  
Rio Vista, TX 76093  
Phone 817-373-3338  
Website: buffalocreeksurveyor.com

Emails:  
info@buffalocreeksurveyor.com  
Firm License Number  
10116000  
SURVEYING THE AREA SINCE 2002

30 foot wide Roadway Easement with a Culdesac  
having an 80 foot diameter

Being all of that certain parcel of land situated in the JACOB GILTNER SURVEY, ABSTRACT No. 295. Johnson County, Texas, and being a portion of a 104.56 acre tract of land referred to being called Tract 1, as surveyed by Buffalo Creek Surveyor LLC., under the direct supervision of Joe Davis Ballard RPLS No. 5614, and being more particularly described by metes and bounds as follows:

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THENCE along said curve and perimeter of said culdesac an arc length of 215.60 feet to the end of said curve or perimeter of said culdesac;

THENCE North 13 degrees 41 minutes 29 seconds West, along the southwesterly line of said 30 foot wide easement, in all a distance of 235.31 feet to the northwest corner of said easement, said corner being on a common line with a called 35.804 acre tract of land conveyed to Ross Baldwin and wife Nellie Ann Baldwin by the deed recorded on Volume 727, Page 217, of the Official Public Records of Johnson County, Texas;

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SURVEYOR'S CERTIFICATION

I, Joe Davis Ballard, Registered Professional Land Surveyor number 5614, do hereby certify that a survey was made on the ground, under my supervision, on x x, of 2019, of the property hereon described, and do declare there are no conflicts of overlapping of improvements or possession known to me except as shown.

REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 5614

