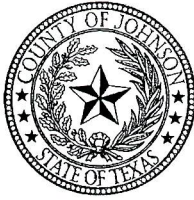


JUN 13 2023

April Long  
County Clerk, Johnson County Texas

BY ll 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

§  
§  
§

ORDER 2023-40

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 Woolley, Pct. 4 and seconded by Commissioner White, Pct. 3 that stated: "I make the motion to approve for filing purposes only, a Plat of **Creek View Acres**, Lots 1-3, 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 12<sup>th</sup> day of June 2023.

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

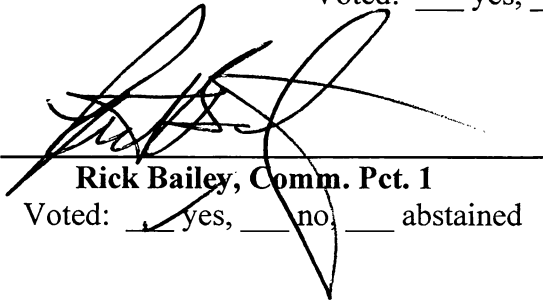
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Creek View Acres**, Lots 1-3, Block 1, in Precinct 4 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

**WITNESS OUR HAND THIS, THE 12<sup>TH</sup> DAY OF JUNE 2023.**



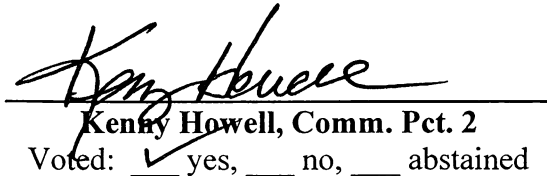
**Christopher Boedeker, Johnson County Judge**

Voted: \_\_\_ yes, \_\_\_ no, \_\_\_ abstained



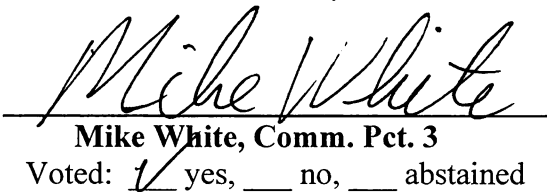
**Rick Bailey, Comm. Pct. 1**

Voted: \_\_\_ yes, \_\_\_ no, \_\_\_ abstained



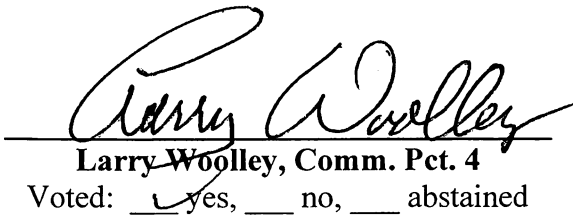
**Kenny Howell, Comm. Pct. 2**

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**



BARBARA ANN BARNES  
VOL 1530, PG 538  
D.R.J.C.T.

FRANCIS DONEGAN SURVEY  
ABSTRACT NO. 207

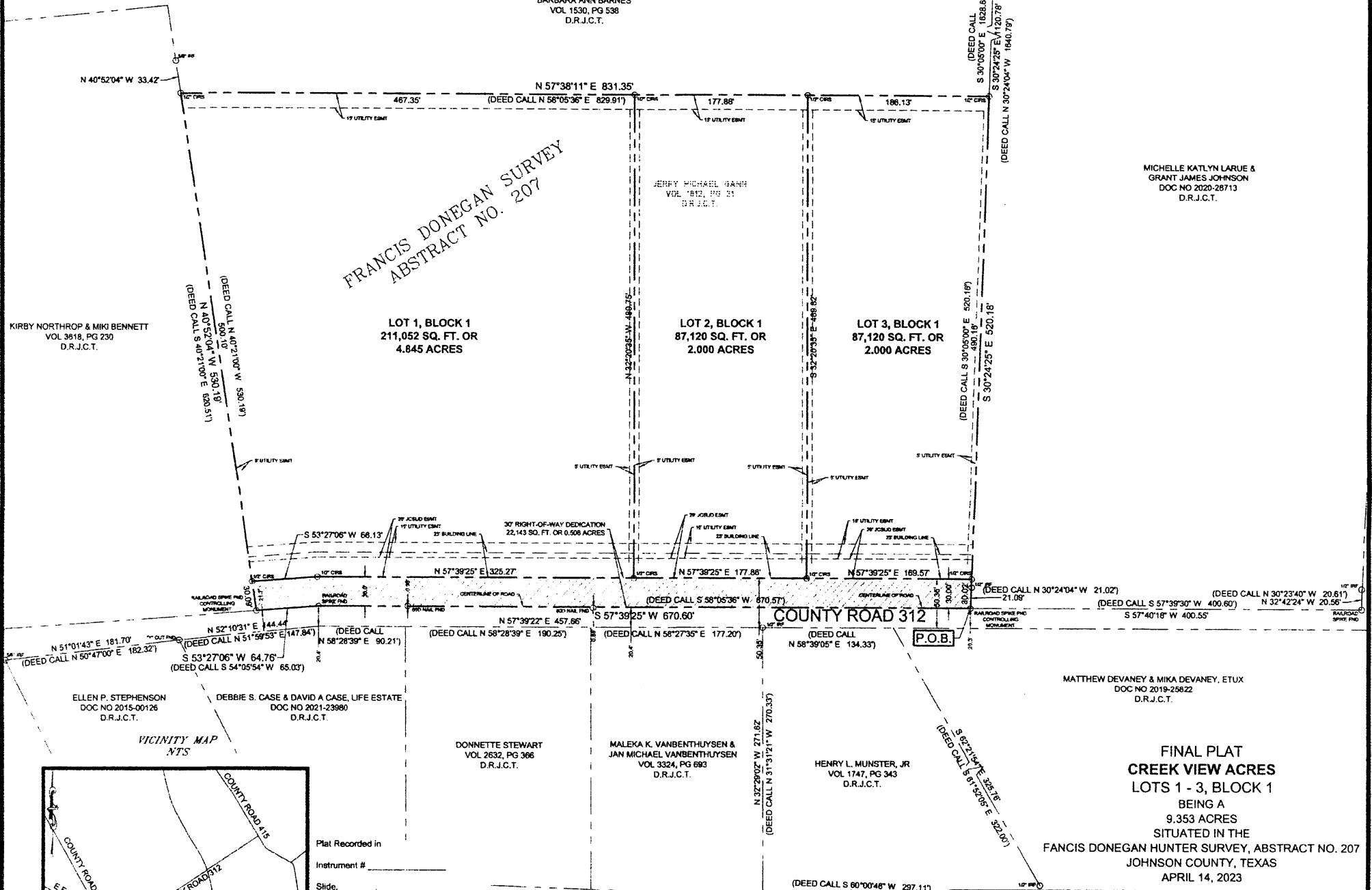
MICHELLE KATLYN LARUE &  
GRANT JAMES JOHNSON  
DOC NO 2020-28713  
D.R.J.C.T.

KIRBY NORTHPROP & MIKI BENNETT  
VOL 3618, PG 230  
D.R.J.C.T.

LOT 1, BLOCK 1  
211,052 SQ. FT. OR  
4.845 ACRES

LOT 2, BLOCK 1  
87,120 SQ. FT. OR  
2.000 ACRES

LOT 3, BLOCK 1  
87,120 SQ. FT. OR  
2.000 ACRES



ELLEN P. STEPHENSON  
DOC NO 2015-00126  
D.R.J.C.T.

DEBBIE S. CASE & DAVID A. CASE, LIFE ESTATE  
DOC NO 2021-23980  
D.R.J.C.T.

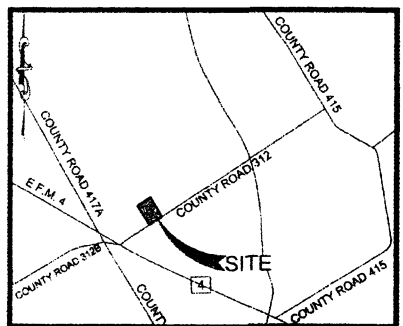
DONNETTE STEWART  
VOL 2632, PG 366  
D.R.J.C.T.

MALEKA K. VANBENTHUYSEN &  
JAN MICHAEL VANBENTHUYSEN  
VOL 3324, PG 693  
D.R.J.C.T.

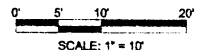
HENRY L. MUNSTER, JR  
VOL 1747, PG 343  
D.R.J.C.T.

MATTHEW DEVANEY & MIKA DEVANEY, ETUX  
DOC NO 2019-25822  
D.R.J.C.T.

VICINITY MAP  
NTS



Plat Recorded in \_\_\_\_\_  
Instrument # \_\_\_\_\_  
Slide \_\_\_\_\_  
Date \_\_\_\_\_  
County Clerk, Johnson County, Texas  
Deputy Clerk \_\_\_\_\_



OWNER:  
JERRY MICHAEL GANN  
5209 COUNTY ROAD 312  
CLEBURNE, TEXAS 76031  
PHONE # 817-219-5698

**FINAL PLAT**  
**CREEK VIEW ACRES**  
LOTS 1 - 3, BLOCK 1  
BEING A  
9.353 ACRES  
SITUATED IN THE  
FRANCIS DONEGAN HUNTER SURVEY, ABSTRACT NO. 207  
JOHNSON COUNTY, TEXAS  
APRIL 14, 2023

COPYRIGHT © BLUESTAR SURVEYING LLC ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEM WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS SURVEY WITHOUT THE ORIGINAL SIGNATURE ARE NOT VALID.

(1) NOTES: The basis of bearings for this survey is the True Meridian. Please Consult the Surveyor's Office, North Central Survey (NCS), North American Datum (NAD83).

(2) (CA) is a Consulting Surveyor.

(3) Unless otherwise noted, subject property is affected by any and all notes, deeds, mortgages and other matters that are shown on or as part of this recorded plat and are a part of this correction recorded.

**BLUESTAR SURVEYING**

11700 W. STATE ST. SUITE 100  
DALLAS, TEXAS 75243  
PHONE: 817-219-5698  
WWW.BLUESTARSURVEYING.COM

JN 23-045-P SHEET 1 OF 2 DATE: 6/10/23

OWNER'S CERTIFICATE

WHEREAS JERRY MICHAEL GANN, is the sole owner of a 9.353 acre tract of land situated in the FRANCIS DONEGAN SURVEY, ABSTRACT NO. 207, in Johnson County, Texas, being that certain tract of land described in a deed to Jerry Michael Gann, recorded in Volume 1812, Page 21, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a railroad spike found for the common corner of said Gann tract, and a tract of land described in a deed to Michele Katlyn Larue and Grant James Johnson, recorded in Document Number 2020-28713, Deed Records, Johnson County, Texas, said point being in the center line of County Road 312, more or less;

THENCE S 57°39'25" W, along the south line of said Gann tract, and along the centerline of said County Road 312, more or less, a distance of 670.60 feet to a railroad spike found for corner;

THENCE S 53°27'06" W, along the south line of said Gann tract, and along the centerline of said County Road 312, more or less, a distance of 84.78 feet to a railroad spike found for the common corner of said Gann tract, and a tract of land described in a deed to Kirby Northrop and Miki Bennet, recorded in Volume 3618, Page 230, Deed Records, Johnson County, Texas;

THENCE N 40°52'04" W, along the common line of said Gann tract, and said Northrop tract a distance of 530.19 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for corner, said point being the northwest corner of said Gann tract;

THENCE N 57°38'11" E, along the north line of said Gann tract, a distance of 831.35 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for corner, said point being the northeast corner of said Gann tract, and being in the west line of said Larue tract;

THENCE S 30°24'25" E, along the common line of said Gann tract, and said Larue tract, passing a 1/2 inch iron rod found online at a distance of 490.16 feet, and continuing a total distance of 520.18 feet to the POINT OF BEGINNING and containing 407,436 square feet or 9.353 acres of land more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Jerry Michael Gann, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as CREEK VIEW ACRES, LOTS 1 - 3, BLOCK 1, an addition to Johnson County, Texas, and hereby dedicate to the public use, without reservation, the streets, easements, right-of-ways and any other public area shown hereon.

WITNESS OUR HAND, this the 18th day of May, 2023.

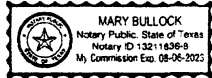
By Jerry Michael Gann, Notary Public in and for the State of Texas

STATE OF TEXAS COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Jerry Michael Gann, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said ownership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the 18th day of May, 2023.

Mary Bullock, Notary Public in and for the State of Texas



My Commission Expires: 5/6/2023

GENERAL NOTES:

This subdivision or any part thereof is not located within the ETJ of any City or Town

The designation of the proposed usage of the areas shown on plat is for single family residential use.

The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.

Water: Johnson County Special Utility District 817-760-5200
Electricity: United Co-Op Services 817-556-4000
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.

Flood Statement:

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C03251, effective date December 04, 2012, this property is located in zone "X" (Areas determined to be out of the flood plain).

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".

Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the roadway 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.

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, impute 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 buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance or efficiency 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.

Filing a plat:

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 register 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 register 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.

SURVEYOR'S NOTES:

- 1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (CORS98).
2. ALL 1/2" IRON RODS SET WITH A CAP STAMPED "BLUESTAR SURVEYING".
3. THIS PROPERTY IS SUBJECT TO EASEMENT RECORDED IN VOLUME 940, PAGE 184, AND VOLUME 1094, PAGE 481, DEED RECORDS, JOHNSON COUNTY TEXAS, CANNOT BE LOCATED, AND ARE BLANKET IN NATURE.

NOTES:

- 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 and back; 5' from lot line on the sides.
Building Lines: 50' from lot line (State Highway & F.M.); 25' from lot line (County Road or Subdivision Roads)

Plat Recorded in

Instrument # \_\_\_\_\_
Slide, \_\_\_\_\_.
Date \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023
County Clerk, Johnson County, Texas
County Judge \_\_\_\_\_
Deputy Clerk \_\_\_\_\_

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Roy Rodriguez, Registered Professional Land Surveyor, Texas Registration No. 5596 hereby state that this correctly represents a survey made under my supervision on, April 14, 2023. The subdivision boundary corners are marked with iron pins as noted.

Signature: Roy Rodriguez
Date: 05/18/2023



FINAL PLAT
CREEK VIEW ACRES
LOTS 1 - 3, BLOCK 1
BEING A
9.353 ACRES
SITUATED IN THE
FRANCIS DONEGAN HUNTER SURVEY, ABSTRACT NO. 207
JOHNSON COUNTY, TEXAS
APRIL 14, 2023

OWNER:
JERRY MICHAEL GANN
5209 COUNTY ROAD 312
CLEBURNE, TEXAS 76031
PHONE # 817-219-5688

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(1) NOTES: The books of bearings for this survey is the Texas State Plane Coordinate System GRS, North Central Zone (4202), North American Datum 1983.
(2) (3) is Controlling monument.
(4) Unless otherwise noted, subject property is assumed by any and all notes, details, easements and other matters that are shown on or in part of the recorded plat and/or as part of the title commitment provided.

BLUESTAR SURVEYING logo and contact information: FIRM NUMBER: 10147900, 2200 W. STATE ST., SUITE 100, DALLAS, TEXAS 75201, WWW.BLUESTARSURVEYING.COM. Includes a grid with: JUN 23-045-P, SHEET 2 OF 2, DATE: 4/14/23

**AGENDA PLACEMENT FORM**

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

Date: May 24, 2023

COMMISSIONERS COURT

Meeting Date: June 12, 2023

JUN 12 2023

Submitted By: Julie Edmiston

**Approved**

Department/Office: Public Works

Signature of Director/Official: 

Agenda Title:  
Final 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 2023-40, Order Approving Final Plat of Creek View  
Acres, Lots 1-3, 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 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**