



JOHNSON COUNTY COMMISSIONERS COURT

AUG 14 2023

April Long
County Clerk, Johnson County Texas

BY  DEPUTY

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 2023-58

COUNTY OF JOHNSON

ORDER APPROVING REVISION OF PLAT PURSUANT TO SECTION 232.009 (c-1) OF THE TEXAS LOCAL GOVERNMENT CODE

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 approved by the Commissioners Court of Johnson County and filed for record; and

WHEREAS, pursuant to Section 232.009 of the Texas Local Government Code an application for a revision of the subdivision plat has been presented to the Public Works Department of Johnson County; and

WHEREAS, the revision of the subdivision plat does not affect a public interest or public property of any type, including, but not limited to, a park, school, or road; and

WHEREAS, written notice of the application to revise the subdivision plat has been provided to the owners of the lots that are within 200 feet of the subdivision plat to be revised, as indicated in the most recent records of the Central Appraisal District of the Johnson County; and

WHEREAS, notice has been posted on Johnson County’s Internet website for at least 30 days preceding the date of the meeting to consider the application until the day after the meeting; and

WHEREAS, the revision of the subdivision plat will not interfere with the established rights of any owner of a part of the subdivided land; and


WHEREAS, a motion was made by Commissioner White, Pct. 3 and seconded by Commissioner Bailey, Pct. 1 that stated: "I make the motion to approve the revision of the plat of **The Homesteads, Phase 3**, Lot 12, Block 2, to create Lot 12R-1 and Lot 12R-2, Block 2, in Precinct 3."

Said motion was approved by a vote of the Commissioners Court on the 14th day of August 2023.

NOW THEREFORE BE IT RESOLVED AND ORDERED:


The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the revision of the plat of **The Homesteads, Phase 3**, Lot 12, Block 2, to create Lot 12R-1 and Lot 12R-2, Block 2, in Precinct 3.


WITNESS OUR HAND THIS, THE 14TH DAY OF AUGUST 2023.

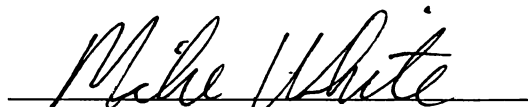


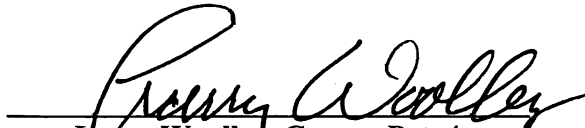
Christopher Boedeker, Johnson County Judge

Voted: yes, ___ no, ___ abstained


Rick Bailey, Comm. Pct. 1
Voted: yes, ___ no, ___ abstained

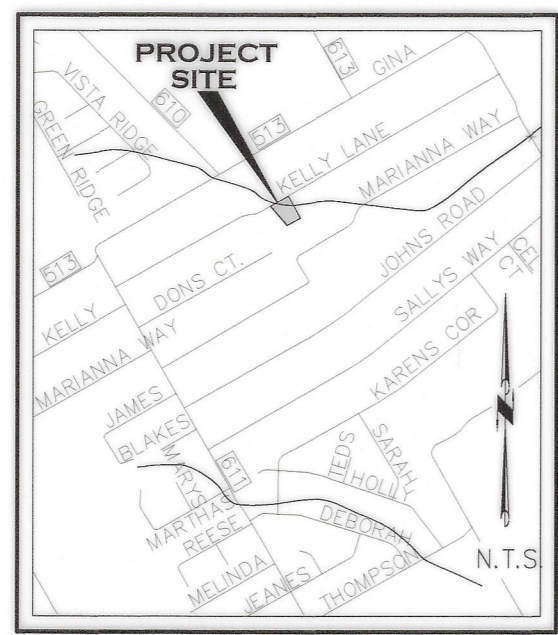
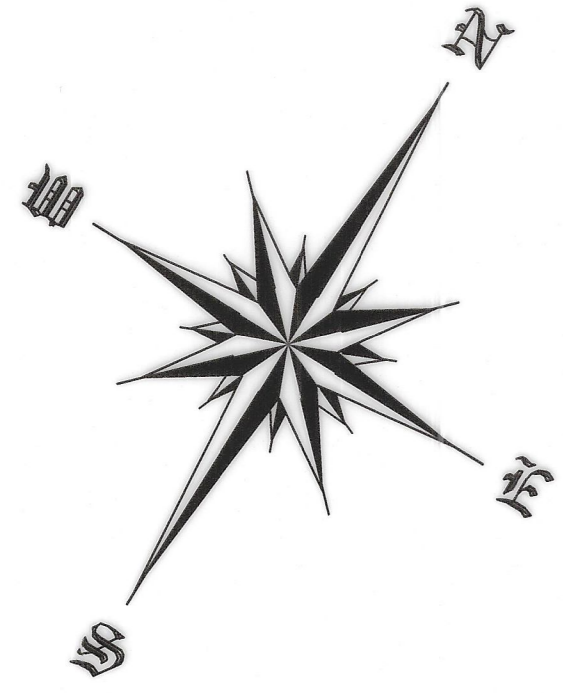

Kenny Howell, Comm. Pct. 2
Voted: yes, ___ no, ___ abstained


Mike White, Comm. Pct. 3
Voted: yes, ___ no, ___ abstained


Larry Woolley, Comm. Pct. 4
Voted: yes, ___ no, ___ abstained


ATTEST: **April Long, County Clerk**





VICINITY MAP (NOT TO SCALE)



SURVEYOR'S NOTES:

- 1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA2011). ALL DISTANCES SHOWN ARE GRID. SCALE FACTOR IS 1.00000000.
2. THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS FINAL PLAT AND PROPERTY DESCRIPTION WERE PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAY BE EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.
3. () DENOTES RECORD DATA.

LEGEND

- IRS 5/8" IRON ROD SET WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" UNLESS OTHERWISE NOTED
IRF IRON ROD FOUND
(C.M.) CAPPED IRON ROD FOUND CONTROLLING MONUMENT
O.P.R.J.C.T. OFFICIAL PUBLIC RECORDS JOHNSON COUNTY TEXAS
U.E. UTILITY EASEMENT
B.L. BUILDING LINE

PROPERTY DESCRIPTION

BEING A TRACT OF LAND LOCATED IN THE E. SMITH SURVEY, ABSTRACT NO. 756, JOHNSON COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND AS DESCRIBED IN A DEED TO LOUISE BELL, RECORDED IN INSTRUMENT NO. 2022-2486, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS (O.P.R.J.C.T.), ALSO KNOWN AS LOT 12, BLOCK 2, THE HOMESTEADS, PHASE THREE, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 155, PLAT RECORDS, JOHNSON COUNTY, TEXAS (P.R.J.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND (N:6861888.93, E:2379440.45) IN THE SOUTHERLY LINE OF KELLY LANE, FOR THE NORTHWESTERLY CORNER OF SAID LOT 12 AND BEING THE NORTHEASTERLY CORNER OF LOT 1E, BLOCK F, THE HOMESTEADS, PHASE SEVEN, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 177, P.R.J.C.T.;
THENCE, N 60°18'25" E, WITH THE SOUTHERLY LINE OF SAID KELLY LANE, A DISTANCE OF 421.67 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR THE NORTHEASTERLY CORNER OF SAID LOT 12 AND BEING THE NORTHWESTERLY CORNER OF LOT 11W, SAID BLOCK 2;
THENCE, S 29°47'33" E, A DISTANCE OF 491.40 FEET TO A 5/8" IRON ROD FOUND (N:6861671.36, E:2380050.91) IN THE NORTHERLY LINE OF LOT 13, SAID BLOCK 2, FOR THE SOUTHEASTERLY CORNER OF SAID LOT 12 AND BEING THE SOUTHWESTERLY CORNER OF SAID LOT 11W;
THENCE, S 60°18'48" W, A DISTANCE OF 290.27 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET IN THE EASTERLY LINE OF LOT 47, SAID BLOCK F, FOR THE SOUTHWESTERLY CORNER OF SAID LOT 12 AND THE NORTHWESTERLY CORNER OF SAID LOT 13, BLOCK 2;
THENCE, N 44°45'27" W, WITH THE WESTERLY LINE OF SAID LOT 12 AND THE EASTERLY LINE OF SAID LOT 47 AND LOT 1E, SAID BLOCK F, A DISTANCE OF 508.95 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.016 ACRES OF LAND.

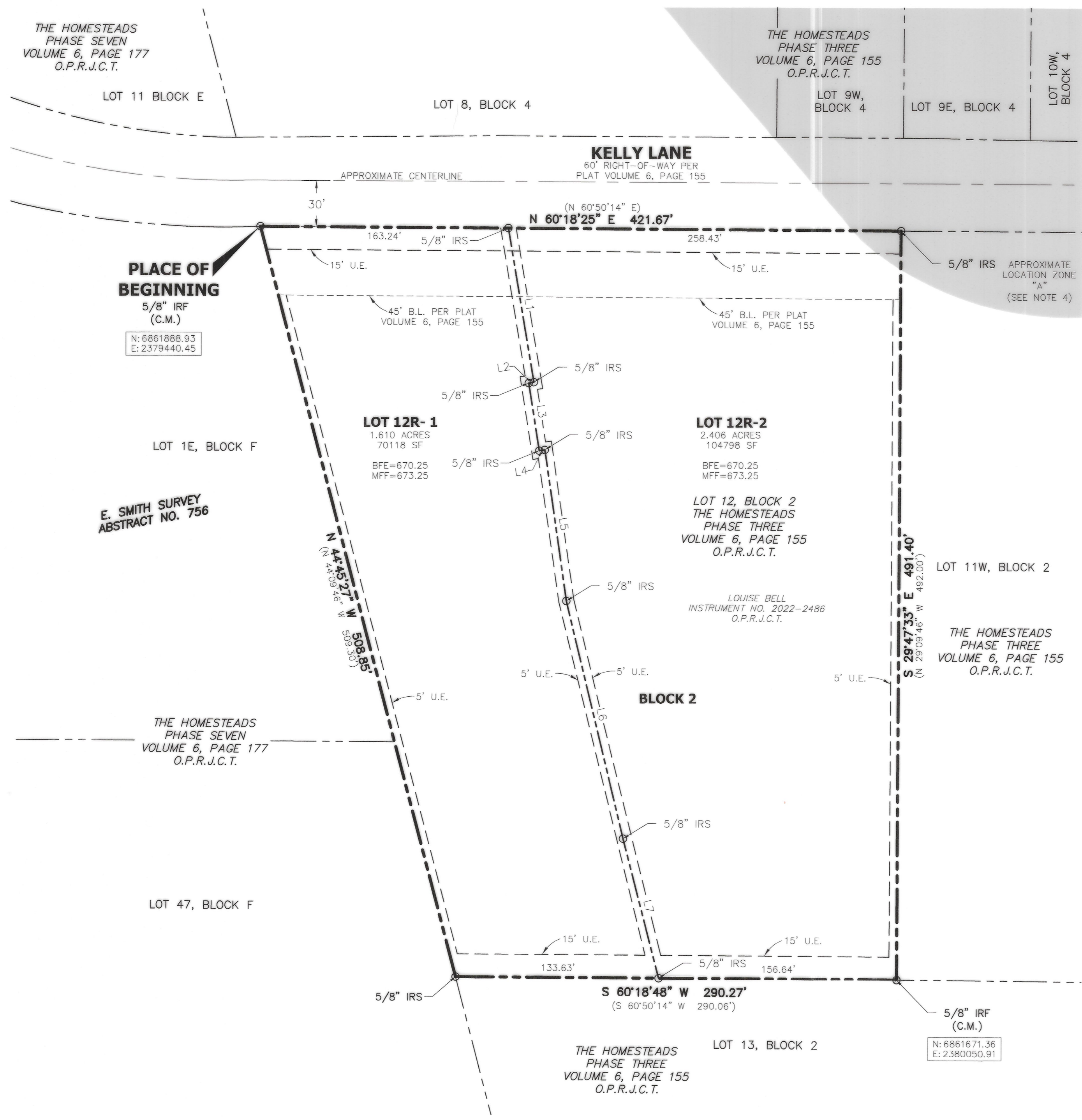


Table with 3 columns: LINE, BEARING, DISTANCE. Contains data for lines L1 through L7.

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS:

THAT LOUISE BELL, IS THE SOLE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOTS 12R-1 AND 12R-2, BLOCK 2, THE HOMESTEADS, PHASE 3, 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.

THIS 11th DAY OF July, 2023, BY: Louise Bell

STATE OF TEXAS COUNTY OF JOHNSON THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 11th DAY OF July, 2023 BY LOUISE BELL, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 11th DAY OF July, 2023. Notary Public in and for the State of Texas.

MY COMMISSION EXPIRES: Notary Public in and for the State of Texas. Commission Expires 6/5/2025. Notary ID 124191766.

PLAT RECORDED IN YEAR INSTRUMENT # SLIDE DATE COUNTY CLERK, JOHNSON COUNTY, TEXAS DEPUTY

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE DAY OF 2023 COUNTY JUDGE

LOT 12R-1 AND LOT 12R-2, BLOCK 2, THE HOMESTEADS, PHASE 3, AN ADDITION TO JOHNSON COUNTY, TEXAS. BEING A REPLAT OF LOT 12, BLOCK 2, THE HOMESTEADS, PHASE THREE ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 155, PLAT RECORDS JOHNSON COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION THAT I, ROBERT L. YOUNG, DO CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND ON MARCH 15, 2023 AND THAT THE CORNER MONUMENTS, ANGLES POINT OF CURVES, BOUNDARY MARKERS ARE CORRECTLY SHOWN THEREON AND HAVE BEEN MARKED, AND WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

Robert L. Young Registered Professional Land Surveyor Texas Registration No. 5400



JOHNSON COUNTY, TEXAS NOTES:

- 1. THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN THE ETJ OF ANY CITY OR TOWN.
2. THE PROPOSED USAGE FOR THIS PLAT IS SINGLE-FAMILY RESIDENTIAL.
3. UTILITY PROVIDERS: WATER SERVICE PROVIDED BY MONARCH UTILITIES A SOUTHWEST WATER COMPANY. PHONE 866-654-7992. ELECTRIC SERVICE IS TO BE PROVIDED BY UCS. PHONE 817-556-4000. SEWER SERVICE IS PROVIDED BY PRIVATE INDIVIDUAL SEPTIC SYSTEMS.
4. FLOOD STATEMENT: ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 4825102225-J, EFFECTIVE DATE DECEMBER 04, 2012, THIS PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "A" NOTE: LOTS 12R-1 & 12R-2 DO HAVE BASE FLOOD ELEVATIONS PER SAMANTHA D. RENZ, P.E., LETTER DATED MAY 02, 2023.
5. FLOOD NOTES: BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
6. 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 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.
7. UTILITY EASEMENTS: 15' FROM LOT LINE IN FRONT, 15' FROM LOT LINE IN BACK, 5' FROM LOT LINE ON THE SIDES.
8. 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.
9. BUILDING LINES: 50' FROM LOT LINE (STATE HWY. & F.M.), 25' FROM LOT LINE (COUNTY ROAD OR SUB-DIVISION ROADS).
10. 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 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.
11. 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.
12. THE DEVELOPER SHALL COMPLETE ALL ROADS AND DRAINAGE FACILITIES IN A SUBDIVISION WITHIN TWELVE (12) MONTHS AFTER THE DATE OF FINAL PLAT APPROVAL.
13. 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.
14. 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.
15. 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.
16. 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.

VOID UNLESS RECORDED IN THE PLAT RECORDS OF JOHNSON COUNTY, WITHIN FIVE (5) YEAR OF THE DATE OF APPROVAL BY THE COMMISSIONER'S COURT.

TRANS TEXAS SURVEYING & MAPPING logo and contact information: 401 N. NOLAN RIVER ROAD, CLEBURNE, TEXAS 76009, OFFICE: 817-556-3440, FAX: 817-556-3545, www.transexasurveying.com



AGENDA PLACEMENT FORM

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

Date: July 25, 2023

Meeting Date: August 14, 2023

Submitted By: Julie Edmiston

Department/Office: Public Works

Signature of Director/Official: 

Agenda Title:
Public Hearing and 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):

Public Hearing to Revise the Plat of The Homesteads, Phase 3, Lot 12, Block 2, to create Lots 12R-1 and 12R-2, Block 2 in Precinct 3.

Consideration of Order 2023-58, Order Approving the Revised Plat of The Homesteads, Phase 3, Lot 12, Block 2, to Create Lots 12R-1 and 12R-2, Block 2.

(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 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

AUG 14 2023

NOTICE OF PUBLIC HEARING

Pursuant to Chapter 232 of the Texas Local Government Code, the Johnson County Commissioners Court will consider an application and hear protests to revise the recorded subdivision plat of The Homesteads, Phase 3, Lot 12, Block 2, recorded in Volume 6, Page 155, Plat Records of Johnson County, Texas:

**Lot 12, Block 2
to be revised
to Create Lots 12R-1 and 12R-2, Block 2**

At: **9:00 o'clock a.m.** on: August 14, 2023 in the
Commissioners' Courtroom on the second floor
Of the Johnson County Courthouse
2 North Main Street, Cleburne, Texas 76033

Published in '*Times Review*' classified section under 'LEGAL NOTICE' on these dates:

July 22/25/27, 2023

Posted on the Johnson County Website starting July 12, 2023