AUG 14 2023



# JOHNSON COUNTY **COMMISSIONERS COURT**

April Long County Clerks Johnson County Texas 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

COUNTY OF JOHNSON

888

**ORDER 2023-59** 

#### 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 Garnica Addition, Lots 1 & 2, Block 1, in Precinct 3 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 14th day of August 2023.

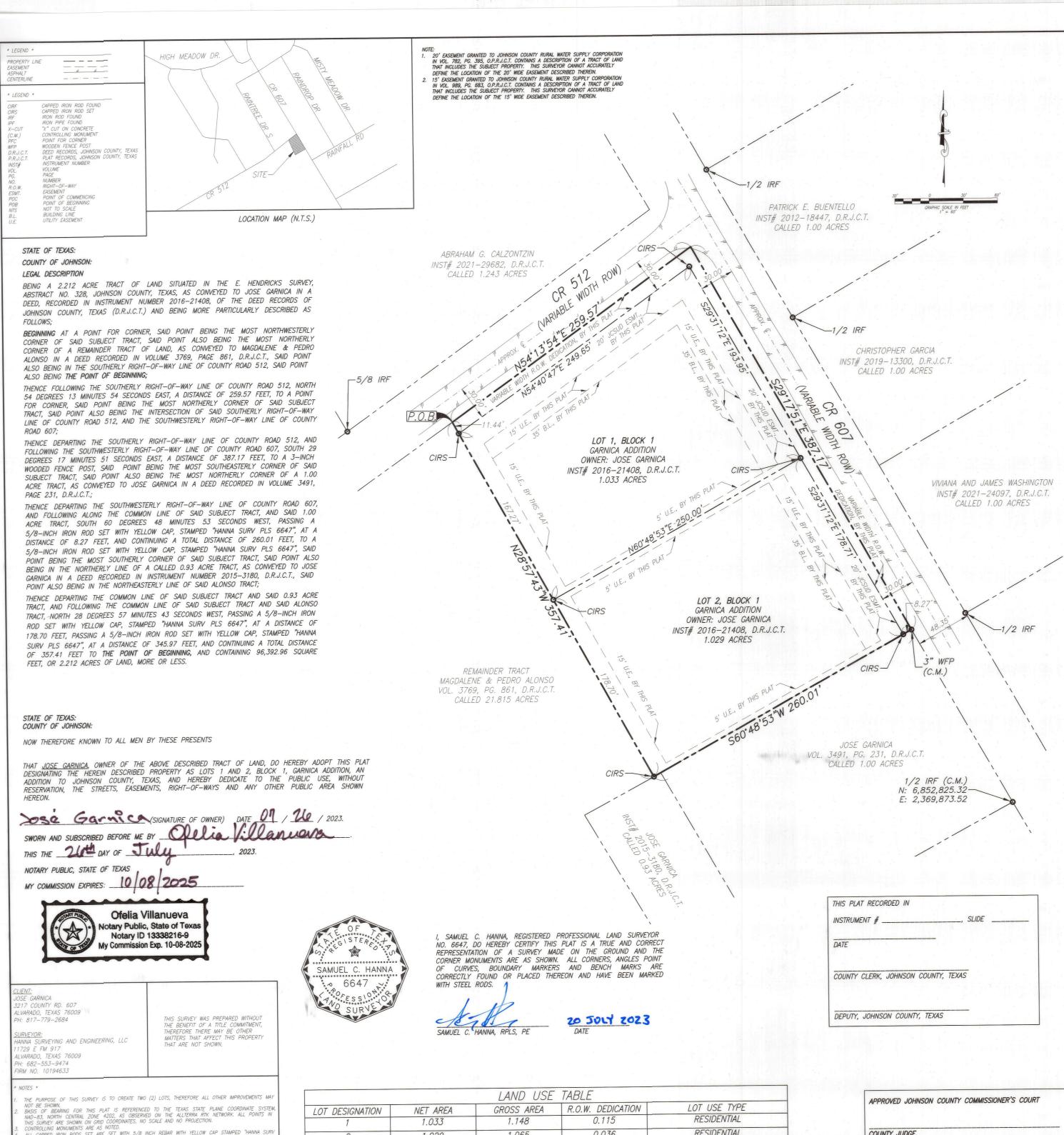
### NOW THEREFORE BE IT RESOLVED AND ORDERED:

The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Garnica Addition**, Lots 1 & 2, Block 1, in Precinct 3 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 14<sup>TH</sup> DAY OF AUGUST 2023.

Ch Ruh	
Christopher Boedeker, Johnson County Judge	
Voted: <u>√</u> yes, no, abstained	
the Del	Len Houce
Rick Bailey, Comm. Pct. 1	/ Kenny Howell, Comm. Pct. 2
Voted: <u>√</u> yes, no,abstained	Voted: _√ yes, no, abstained
Mike White	Juny Coolley
Mike White, Comm. Pct. 3	Larry Woolley, Comm. Pct. 4
Voted:ves, no, abstained	Voted:   yes, no, abstained
ATTEST: April Long, County Clerk	S COLET S COLE

Approving Plat Page 2



\* PLAT NOTES \*

GENERAL

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 AREA SHOWN ON PLAT WILL BE SINGLE FAMILY RESIDENTIAL. THE DEVELOPER SHALL COMPLETE ALL ROADS AND DRAINAGE FACILITIES IN A SUBDIVISION WITHIN TWELVE (12) MONTHS AFTER THE DATE OF FINAL

• UTILITY PROVIDERS FOR THIS PROPERTY ARE AS FOLLOWS:

WATER - JOHNSON COUNTY SPECIAL UTILITY DISTRICT, (817)760-5200 ELECTRICITY - UNITED COOPERATIVE SERVICES, (817)556-4000 SEWER - PRIVATE INDIVIDUAL SEPTIC SYSTEMS

PRIVATE SEWAGE FACILITY

ONSITE 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 A PROPERLY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, INSTALLED IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF THE LOT OWNER TO MAINTAIN AND OPERATE THE 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. 48251C0205J,

ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 48251C0205J, EFFECTIVE DATE DECEMBER 4, 2012, THIS PROPERTY IS LOCATED IN ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE

\*\* 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 COUPLED WITH INADEQUATE LOCAL DRAINAGE SYSTEMS. FLOODPLAIN). SURFACES OR SUBSURFACE CONDITIONS EXISTING ON OR NEAR THE SUBJECT PROPERTY WHICH ARE NOT STUDIED OR ADDRESSED AS PART OF THE

BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS

• 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 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

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

THE APPROVAL AND FILING OF THIS PLAT BY JOHNSON COUNTY DOES NOT RELEIVE 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

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

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

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

• 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 FOR RECORDS WITH THE JOHNSON COUNTY CLERK. 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 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.

RIGHT-OF-WAY (ROW) 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 DEDICATION

• 15' FROM LOT LINE IN FRONT & BACK

• 5' FROM LOT LINE ON THE SIDES

APPROVED JOHNSON COUNTY COMMISSIONER'S COURT

• 50' FROM LOT LINE (STATE HIGHWAY AND F.M.)

• 25' FROM LOT LINE (COUNTY ROAD OR SUBDIVISION ROADS)

BUILDING LINES ARE 35' FROM LOT LINE (COUNTY ROAD)

LOTS 1 & 2, BLOCK 1 GARNICA ADDITION AN ADDITION TO JOHNSON COUNTY, TEXAS E. HENDRICKS SURVEY, ABSTRACT NO. 328 2.212 ACRES MAY. 2023

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FINAL PLAT



H:\2023\23-773 - 3217 CR 607 Alvarado Plat\Survey\23-773 - 3217 CR 607 Alvarado Plat.dwg

RESIDENTIAL 1.148 0.115 1.033 RESIDENTIAL COUNTY JUDGE 1.065 1.029

R.O.W. DEDICATION

GROSS AREA

NET AREA

LOT DESIGNATION

LOT USE TYPE



**COMMISSIONERS COURT** 

AUG 14 2023

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

Date: July 28, 2023	Approve
Meeting Date: August 14, 2023	Applove
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 what action is recommended and why it is necessary):  Consideration of Order 2023-59, Order Approving the Final Plat of Gazandelion Lots 1 & 2, Block 1 in Precinct 3	•
(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 Ag	genda)
Supporting Documentation: (check one) PUBLIC CONFIDENTIAL	
Estimated Length of Presentation: 10 minutes  Consent  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