



AUG 28 2023

AGENDA PLACEMENT FORM

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

Date: August 17, 2023

Meeting Date: August 28, 2023

Approved

Submitted By: Julie Edmiston

Department/Office: Public Works

Signature of Director/Official: 

Agenda Title:
Variance

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 Variance to allow Permitting and Platting with 49.95' of Road Frontage 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 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



Johnson County Public Works Department

Jennifer VanderLaan / Director of Public Works

2 North Mill Street, Suite 305

Cleburne, Texas 76033

817-556-6380

VARIANCE REQUEST

Johnson County Subdivision Rules and Regulations outline what is required under the adopted Rules and Regulations. To request a variance for a deviation or exception to those Rules and Regulations for a lot or tract (ex: road frontage, etc.) please provide the following information.

Variance fee is \$120 per request. This request will be presented to the Commissioner's Court for their decision.

Name Cynthia Martinez Date 8.10.23

Phone Number 817.944.4933

Email Address mt2 - Cindy 75 @ yahoo.com

Property Information for Variance Request:

Property 911 address 8516 CR 509 Alvarado, TX 76009

Subdivision name _____ Block _____ Lot _____

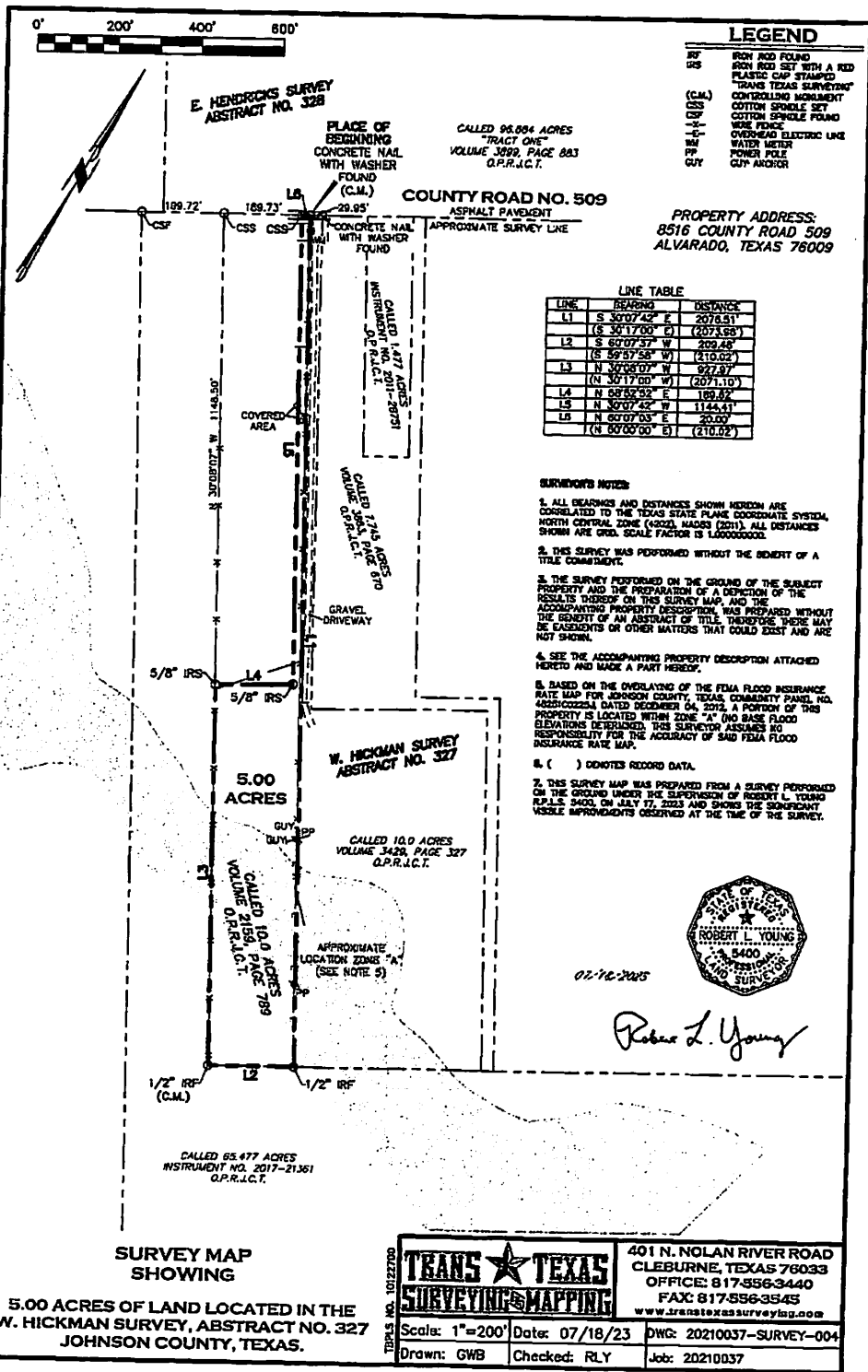
Survey WIM Hickman Survey Abstract 327 Acreage 10

Request Sale 5 acres in back

Reason for request Variance to allow permitting and platting with 49.95' of road frontage

Provide the following with this request:

- Copy of plat (if property has been platted)
- Copy of property deed
- Survey or drawing showing existing structures



LEGEND

- IR IRON ROD FOUND
- IRF IRON ROD SET WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING"
- (C.M.) CONTROLLING MONUMENT
- CSS COTTON SPINDLE SET
- CSF COTTON SPINDLE FOUND
- RF IRON ROD FOUND
- RFW IRON ROD SET WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING"
- OE OVERHEAD ELECTRIC LINE
- WM WATER METER
- PP POWER POLE
- GUY GUY WIRE

PROPERTY ADDRESS:
8516 COUNTY ROAD 509
ALVARADO, TEXAS 76009

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-----------------|------------|
| L1 | S 60°07'42" E | 2076.51' |
| | (S 30°17'00" E) | (2071.50') |
| L2 | S 60°07'37" W | 209.45' |
| | (S 59°37'58" W) | (210.02') |
| L3 | N 30°17'00" W | 927.97' |
| L4 | N 30°17'00" W | (2071.10') |
| L4 | N 68°02'32" E | 189.82' |
| L5 | N 60°07'03" W | 1144.41' |
| L5 | N 60°07'03" E | 20.00' |
| | (N 60°00'00" E) | (210.02') |

SURVEYOR'S NOTES

1. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4303), MADS (2011). ALL DISTANCES SHOWN ARE GROUND SCALE FACTOR IS 1.00000000.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
3. THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS HEREON ON THIS SURVEY MAP, AND THE ACCOMPANYING PROPERTY DESCRIPTION, WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAY BE CASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.
4. SEE THE ACCOMPANYING PROPERTY DESCRIPTION ATTACHED HERETO AND MAKE A PART HEREOF.
5. BASED ON THE OVERLAYING OF THE FEMA FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, TEXAS, COUNTY PANEL NO. 4829100222A DATED DECEMBER 04, 2012, A PORTION OF THIS PROPERTY IS LOCATED WITHIN ZONE "A". TWO BASE FLOOD ELEVATIONS DETERMINED. THIS SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SAID FEMA FLOOD INSURANCE RATE MAP.
6. () DENOTES RECORDED DATA.
7. THIS SURVEY MAP WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER THE SUPERVISION OF ROBERT L. YOUNG R.L.S. 3402, ON JULY 17, 2013 AND SHOWS THE SIGNIFICANT VISIBLE IMPROVEMENTS OBSERVED AT THE TIME OF THE SURVEY.



07-16-2015

Robert L. Young

SURVEY MAP SHOWING
5.00 ACRES OF LAND LOCATED IN THE
W. HICKMAN SURVEY, ABSTRACT NO. 327
JOHNSON COUNTY, TEXAS.

TRANS TEXAS SURVEYING & MAPPING
401 N. NOLAN RIVER ROAD
CLEBURNE, TEXAS 76033
OFFICE: 817-556-3440
FAX: 817-556-3545
www.trans-texas-surveying.com

TDEALS NO. 1022700
Scale: 1"=200' Date: 07/18/23 DWG: 20210037-SURVEY-004
Drawn: GWB Checked: RLY Job: 20210037

WARRANTY DEED WITH VENDOR'S LIEN

05667

STATE OF TEXAS §
COUNTY OF JOHNSON §

KNOW ALL MEN BY THESE PRESENTS:

That we, WILLIAM THOMAS CROUCH, JR. and FRANCES GAYLE CROUCH, herein called Grantors, of the County of Johnson, State of Texas, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned paid by Grantee herein named, the receipt and sufficiency of which is hereby acknowledged, and for the further consideration of the following: .

(1) The execution and delivery by grantees of their one certain promissory note of even date herewith, in the principal sum of TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00), payable to the order of WILLIAM THOMAS CROUCH, JR. and FRANCES GAYLE CROUCH, as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in event of default and for attorney's fees, the payment of which note is secured by the vendor's lien, to the extent of \$10,000.00, herein retained, and is additionally secured by a Deed of Trust of even date herewith to CURTIS PRITCHARD, Trustee; and

(2) The execution and delivery by grantees of their one certain promissory note of even date herewith, in the principal sum of TWENTY-TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$22,500.00), payable to the order of WILLIAM THOMAS CROUCH, JR. and FRANCES GAYLE CROUCH, as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in event of default and for attorney's fees, the payment of which note is secured by the vendor's lien, to the extent of \$22,500.00, herein retained, and is additionally secured by a Deed of Trust of even date herewith to CURTIS PRITCHARD, Trustee;

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto CYNTHIA MARTINEZ, herein called Grantee, of

3K2159PG0790

the County of Johnson, State of Texas, all of the following described real property in Johnson County, Texas, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

- (1) Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part thereof.
- (2) Any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
- (3) Visible and apparent easements over and across said property.
- (4) Right of Way to Texas Power and Light Company from C. F. Goldsmith, in instrument dated October 9, 1951, recorded in Volume 382, Page 327, of the Deed Records of Johnson County, Texas.
- (5) Right of Way to The State of Texas from Roy Cathey and wife, in instrument dated January 28, 1964, recorded in Volume 466, Page 491, of the Deed Records of Johnson County, Texas.
- (6) Right of Way to Mountain Peak Water Supply Corporation from W. T. Crouch and wife, Mamie Ruth Crouch, in instrument dated January 27, 1970, recorded in Volume 544, Page 759, of the Deed Records of Johnson County, Texas.
- (7) Right of Way to Texas Power and Light Company from W. T. Crouch and wife, Mamie Ruth Crouch, in instrument dated September 18, 1973, recorded in Volume 620, Page 465, of the Deed Records of Johnson County, Texas.
- (8) Right of Way to Johnson County Rural Water Supply Corporation from W. T. Crouch and wife, Mamie Ruth Crouch, in instrument dated May 23, 1977, recorded in Volume 723, Page 224, of the Deed Records of Johnson County, Texas.
- (9) Mineral and/or Royalty interest, the royalties, bonuses, rentals, and all other rights in connection with said mineral and/ or royalty rights, bonuses, and rentals, described in instrument from the Travelers Insurance Company to The Prospect Company, dated July 10, 1942, recorded in Volume 326, Page 215 of the Deed Records of Johnson County, Texas.
- (10) Estate created by oil, gas and mineral lease granted to James Worsham in instrument dated April 16, 1980, recorded in Volume

3K2159PG0791

22, Page 438, of the Oil and Gas Lease Records of Johnson County, Texas, and all terms, conditions, and stipulations contained therein.

- (11) The following covenants, conditions and restrictions are to run with the land from date hereof and shall be binding upon the Grantees, their heirs, executors, administrators and/or assigns:
- (a) No commercial swine or poultry operations on property;
 - (b) No automobile junk yards or salvage operations shall be placed on the property;
 - (c) No more than three (3) dwellings per 10 acres of land;
 - (d) Any mobile homes on property must be skirted within 90 days of setup;
 - (e) No gun ranges on property.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging to the said Grantee, her heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, her heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

The said Vendor's Lien and Superior Title herein retained, to the extent of \$32,500.00, are hereby transferred, assigned, sold and conveyed to WILLIAM THOMAS CROUCH, JR. and

BK2159PG0792

FRANCES GAYLE CROUCH, their successors and assigns, the payee named in said note.

EXECUTED this 17 day of March, 1998.

William Thomas Crouch, Jr.
WILLIAM THOMAS CROUCH, JR.

Frances Gayle Crouch
FRANCES GAYLE CROUCH

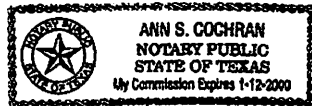
STATE OF TEXAS §

COUNTY OF JOHNSON §

This instrument was acknowledged before me on this the 17 day of March, 1998, by WILLIAM THOMAS CROUCH, JR. and FRANCES GAYLE CROUCH.

(SEAL)

Ann S. Cochran
NOTARY PUBLIC, STATE OF TEXAS



Return:

GRANTEES' MAILING ADDRESS:

CYNTHIA MARTINEZ
P.O. Box 1524
ALVARADO, TX 76009

JK2159PG0793

A survey of all that certain 10.0 acre tract or parcel of land out of the William Hickman Survey, Abst. No. 327, Johnson County, Texas, being a portion of that 301.21 acre tract conveyed by deed to W.T. Crouch, Jr., et ux, as recorded in Volume 752, Page 769, Deed Records of Johnson County, Texas, and being more particularly described as follows:

BEGINNING at a nail found in place in County Road No. 509 and in the NORTH line of said Crouch 301.21 acre tract, for a corner, said corner being 200.0 feet N 60°00'E of the Northwest corner of said 301.21 acre tract;

THENCE -- N 60°00'E 210.02 feet with said road and the NORTH line of said 301.21 acre tract to a nail set, for a corner;

THENCE -- S 30°17'E, at 20.0 feet pass a steel rod set for a reference, in all 2073.98 feet to a steel rod set in a fence line and in a NORTH line of that 65.477 acre tract conveyed by deed to C. Martinez, et ux, as recorded in Book 1976, Page 442, Official Public Records of Johnson County, Texas, for a corner;

THENCE -- S 59°57'58"W 210.02 feet with a fence line and a NORTH line of said 65.477 acre tract to a steel rod found in place, for a corner;

THENCE -- N 30°17'W with an EAST line of said 65.477 acre tract, at 2054.1 feet pass a steel rod found in place for a reference, in all 2074.1 feet to the place of BEGINNING, containing 10.0 acres of land, of which approximately 0.96 acre lies within the county road.

EXHIBIT "A"

EK2159PG0794

WARNING -- THIS IS PART OF THE OFFICIAL RECORD -- DO NOT DESTROY

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW

FILED FOR RECORD 211 M

MAR 18 1998
COUNTY CLERK JOHNSON COUNTY
BY [Signature] DEPUTY

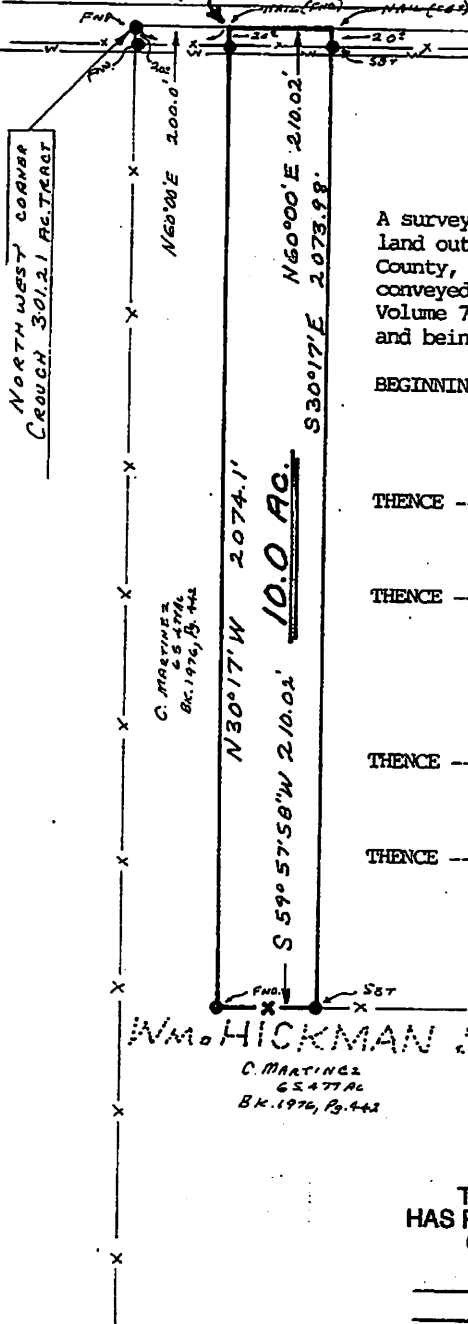
STATE OF TEXAS
COUNTY OF JOHNSON
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS in the Volume and Page as shown herein.



[Signature]
CURTIS H DOUGLAS
COUNTY CLERK
JOHNSON COUNTY, TEXAS

P.O.B.

COUNTY ROAD No. 509



JOHNSON Co. Rural Water Sup. Co. of
EASEMENT PER VOL. 723, Pg. 224

301.21 Ac

FIELD NOTES

A survey of all that certain 10.0 acre tract or parcel of land out of the William Hickman Survey, Abst. No. 327, Johnson County, Texas, being a portion of that 301.21 acre tract conveyed by deed to W.T. Crouch, Jr., et ux, as recorded in Volume 752, Page 769, Deed Records of Johnson County, Texas, and being more particularly described as follows:

BEGINNING at a nail found in place in County Road No. 509 and in the NORTH line of said Crouch 301.21 acre tract, for a corner, said corner being 200.0 feet N 60°00'E of the Northwest corner of said 301.21 acre tract;

THENCE -- N 60°00'E 210.02 feet with said road and the NORTH line of said 301.21 acre tract to a nail set, for a corner;

THENCE -- S 30°17"E, at 20.0 feet pass a steel rod set for a reference, in all 2073.98 feet to a steel rod set in a fence line and in a NORTH line of that 65.477 acre tract conveyed by deed to C. Martinez, et ux, as recorded in Book 1976, Page 442, Official Public Records of Johnson County, Texas, for a corner;

THENCE -- S 59°57'58"W 210.02 feet with a fence line and a NORTH line of said 65.477 acre tract to a steel rod found in place, for a corner;

THENCE -- N 30°17'W with an EAST line of said 65.477 acre tract, at 2054.1 feet pass a steel rod found in place for a reference, in all 2074.1 feet to the place of BEGINNING, containing 10.0 acres of land, of which approximately 0.96 acre lies within the county road.

Wm. HICKMAN SURV.

C. MARTINEZ
65.477 AC
BK. 1976, Pg. 442

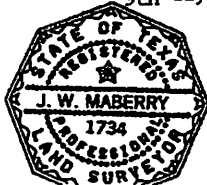
THE UNDERSIGNED
HAS REVIEWED & RECEIVED
COPY OF SURVEY

DATE: _____

I do hereby certify that this represents the results of a survey made on the ground by me and that there are no encroachments, conflicts or protrusions apparent on the ground except as shown hereon.

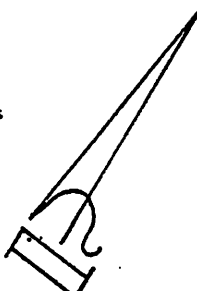
Witness my hand and seal of office this 9th day of March 1998.

J. W. Maberry
J.W. Maberry
Registered Professional
Land Surveyor No. 1734



LEGEND

- Steel Rod
- ⊙ Steel Post
- Iron Pipe
- Conc. Mon.



SCALE: 1" = 300'

J.W. MABERRY
REGISTERED PROFESSIONAL LAND SURVEYOR
5900 Pecan Circle Alvarado, Texas 76009
Phone No. 817-790-8534 Job No. 98087