



# JOHNSON COUNTY COMMISSIONERS COURT

SEP 11 2023

April Long  
County Clerk, Johnson County Texas

BY [Signature] 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 2023-73

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 Bailey, Pct. 1 and seconded by Commissioner Howell, Pct. 2 that stated: "I make the motion to approve the revision of the plat of **Hills of Home, Section 10**, Lot 4, Block 1, to create Lots 4R-1 and 4R-2, Block 1, in Precinct 1."

Said motion was approved by a vote of the Commissioners Court on the 11<sup>th</sup> day of September 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 **Hills of Home, Section 10**, Lot 4, Block 1, to create Lots 4R-1 and 4R-2, Block 1, in Precinct 1.

**WITNESS OUR HAND THIS, THE 11<sup>TH</sup> DAY OF SEPTEMBER 2023.**

*Christopher Boedeker*

**Christopher Boedeker, Johnson County Judge**

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

*Rick Bailey*

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

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

*Kenny Howell*

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

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

*Mike White*

**Mike White, Comm. Pct. 3**

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

*Larry Woolley*

**Larry Woolley, Comm. Pct. 4**

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

*April Long*

**ATTEST: April Long, County Clerk**



Surveyor's Note
This abstract of title or this certificate was provided to this surveyor. Recipient represents and warrants that this survey was made only for the purpose of preparing the abstract of title property and of the adjoining parcels. Recipient agrees not to rely on this survey for any other purpose.

1) Currently this tract appears to be located within one or more of the following areas:
Other Areas of Flood Hazard, Zone "X" - Areas of Potential Flood Hazard
According to the F.I.R.M. Community Flood Map for 48740242974, dated April 5, 2009, for an area flood hazard information survey visit the official FEMA website at FEMA.gov.

The referenced FEMA Flood Hazard Zone map is not to be used in establishing the natural flood drainage system (NFDS) or in any and all other matters relating to floodplain, particularly flood loss claims or other matters, which would be handled by a licensed professional engineer or other qualified professional. These matters shall be handled by a licensed professional engineer or other qualified professional. These matters shall be handled by a licensed professional engineer or other qualified professional.

2) Bearings, Distances, and/or Areas derived from GPS observations and Texas State Plane Coordinate System, North Central Zone (NAD 83) and TxDOT State Plane (1000000) ground conversion is needed.
3) Unrecorded utilities shown or not shown during this survey. Call 811 or Utility Providers before excavation or construction.

4) Please check all applicable governing entities regarding rules & regulations, that may affect construction on this property.
5) Elevation data shown herein represents North American Vertical Datum of 1988 (NAVD 88), as computed using the current national geoid, survey point number.

6) C.I.R.S. - 3rd EDITION - has not with public cap stamped "TEXAS SURVEYING INC"
7) This subdivision or any part thereof is not located within the ELY of any city or town.
8) This plat does not enclose the previous "As Found" governing the common or the subdivision, nor does it amend or remove any deed covenants or restrictions.

9) Water: setting a portion of any lot in this addition by means and means is a violation of state law and City ordinances and is subject to penalties imposed by law.
10) Water Service to be provided by private water utility.
Service to be provided by United Gasification Services - 877-966-4000.
11) All building setbacks are subject to current Johnson County development regulations.

12) Lot 4R-2 & Lot 4R-1 as shown herein, are intended for single family residential use.
13) The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months of the date of final plat approval.
County (State) Notes:

1) Blocking the flow of water or conducting improvements in the drainage easements, and filling or obstructing of the easements by construction.
2) The existing creek or drainage easement (including stream or across this addition and easement on open channels and will be maintained by the highest owner of the lot or lots that are bounded by or adjacent to the drainage easement stream or across said lot.

3) Johnson County will not be responsible for the maintenance and operation of said drainage easement or for the maintenance of said easement.
4) Johnson County will not be responsible for any damage, personal injury or loss of life or property sustained by flooding or flood resulting.
5) Johnson County has the right but not a duty to enter onto property and clear any obstructions including but not limited to trees, plants, dirt, or buildings, which obstruct the flow of water through drainage easements.

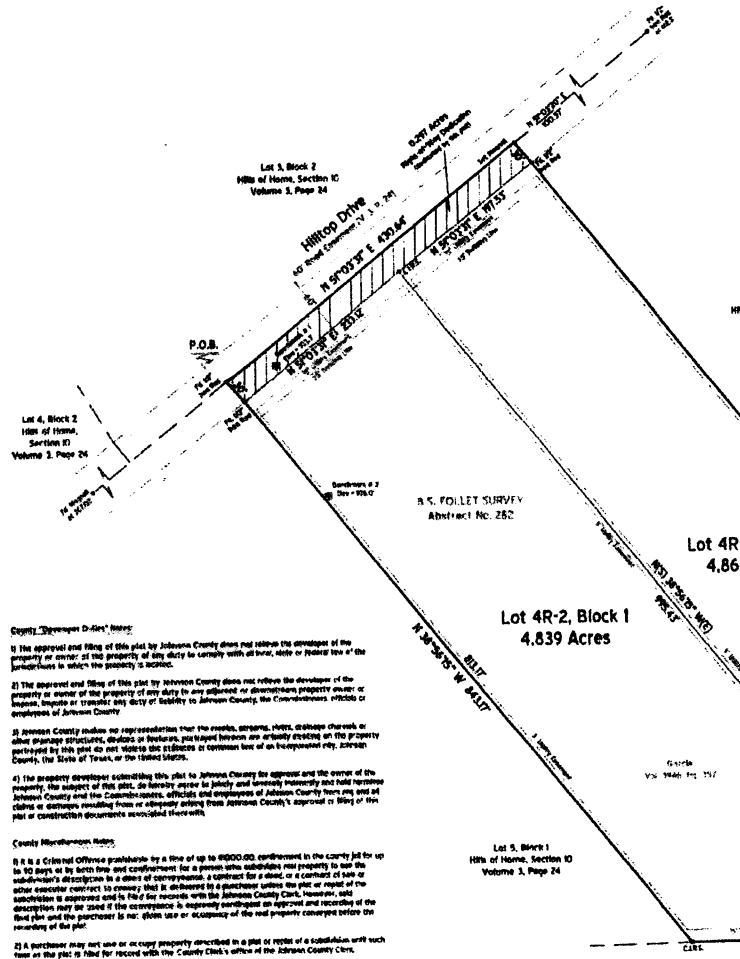
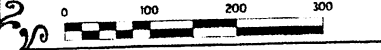
6) On-site sewage facility performance cannot be guaranteed per 80% of provisions of the Rules of Johnson County, Texas for Private Sewerage Facilities are complied with.
County (Utility) Notes:

1) Inspection and/or acceptance of a private sewage facility by the public health department shall include only that the facility meets minimum requirements and does not violate the terms of the plat. The public health department shall not be responsible for the maintenance, performance or any other aspect of the facility.
2) Any public utility, including Johnson County, shall have the right to locate and keep in place all or part of any drainage, electric, water, sewer, other gas or communication lines in any easement or in connection with the construction or maintenance, or either of its respective systems in any of the easements shown on this plat, and any public utility including Johnson County shall have the right to dig up and repair and replace any and all lines and conduits for the purpose of construction, maintenance, inspection, operation and testing or repairing of or part of its respective system without the necessity of any time of providing the permission of anyone.

3) Utility Easement:
15' from 80' line to front & back
5' from lot line on the sides

Table with 2 columns: Benchmark #1 (C.I.R.S. Elevation = 111.7, N: 478705.03, E: 235313.94) and Benchmark #2 (C.I.R.S. Elevation = 93', N: 4787984.00, E: 234977.79)

Surveyor: Zachariah R. Savory, R.P.L.S.
208 S. Front St.
Aledo TX, 76608
817-441-5263
Owner: Esperanza Garcia
3721 N. Elm St.
Fort Worth, TX 76106
817-269-9123



County (Department Director) Notes:
1) The approval and filing of this plat by Johnson County does not release the developer of the property or owner of the property of any duty to any adjacent or abutting property owner or employee of Johnson County.
2) Johnson County makes no representation that the results, contents, plans, distance checks or other planning structures, studies or features, included herein are actually existing on the property.
3) 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 Johnson County and the Commissioners, officials and employees of Johnson County harmless and defend and indemnify Johnson County from and against all claims or damages resulting from or arising from Johnson County's approval or filing of this plat or construction documents associated therewith.

County (Municipal) Notes:
1) It is a Criminal Offense punishable by a fine of up to \$5000.00 confinement in the county jail for up to 90 days or by both fine and confinement for a person who subdivides real property to sell the property in violation of the provisions of the Texas Subdivision Act.
2) A purchase may not use or occupy property described in a plat or report of a subdivision until such time as the plat is filed for record with the County Clerk's office of the Johnson County Clerk.
3) The approval and filing of a plat which delineates roads and streets does not make the roads and streets shown thereon subject to county maintenance. The roads, streets or easements are not shown on this plat and are maintained by Johnson County, Texas in the absence of an express Order of the Commissioners Court except of record in the minutes of the Commissioners Court of Johnson County, Texas specifically identifying any such road, street or easement and specifically accepting such road, street or easement for county maintenance.

4) Johnson County is relying upon the surveyor whose name is affixed hereto to make accurate and truthful representations upon which Johnson County can make determinations regarding the approval or disapproval of this plat.
5) Block of Water Dedication:
40' ROW from center of road on EAL or State
30' ROW from center of County road or Road in a subdivision.

Administrative stamp area containing: 'FILED FOR RECORD' (2023), 'PLAT RECORDED IN: INSTRUMENT # SLIDE', 'AUTHORIZED BY ORDER OF COMMISSIONERS COURT OF JOHNSON COUNTY, TEXAS', 'THIS THE \_\_\_ DAY OF \_\_\_ 2023', and 'BY: COUNTY JUDGE'.

State of Texas
County of Johnson
Whereas, Esperanza Garcia, being the owner of that certain 10,000 acre tract in B. 3rd Survey Abstract Number 782, Johnson County, Texas, being all of Lot 4, Block 1 HILLS OF HOME, SECTION 10, an addition to Johnson County, Texas, according to the plat as recorded in Volume 3, Page 24, Plat Records, Johnson County, Texas, being that certain tract conveyed by Esperanza Garcia in Volume 294, Page 120, Plat Property Record, Johnson County, Texas; and having further described by notes and bounds as follows:

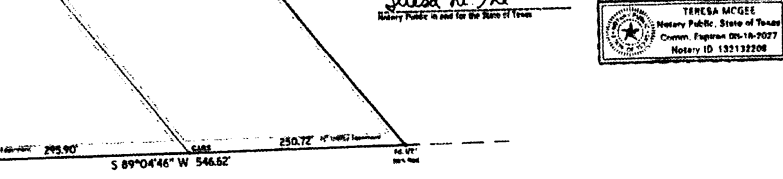
The following Bearings, Distances, and/or Areas derived from GPS observations performed by Texas Surveying, Inc. and reflect R.A.D. 1983, Texas State Plane Coordinate System, North Central Zone 4242 (GND) and TxDOT State Plane (1000000) ground conversion is needed.
THENCE S 89°04'46" E, 546.62 feet, to a net magnetic in the approximate center of said Hilltop Drive, for the northern corner of Lot 4, of said 1000 acres, being the northern corner of said Lot 4 and this tract;
THENCE S 28°54'30" E, 302.64 feet, to a net magnetic in the approximate center of said Hilltop Drive, for the northern corner of Lot 1 of said 1000 acres, being the northern corner of said Lot 1 and this tract;
THENCE S 28°54'30" E, 302.64 feet, to a net magnetic in the approximate center of said Hilltop Drive, for the northern corner of Lot 2 of said 1000 acres, being the northern corner of said Lot 2 and this tract;
THENCE S 89°04'46" E, 546.62 feet, to a net magnetic in the approximate center of said Hilltop Drive, for the northern corner of Lot 3 of said 1000 acres, being the northern corner of said Lot 3 and this tract;
THENCE S 89°04'46" E, 546.62 feet, to a net magnetic in the approximate center of said Hilltop Drive, for the northern corner of Lot 4 of said 1000 acres, being the northern corner of said Lot 4 and this tract.

Surveyor's Certificate
I, Zachariah R. Savory, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the correct measurements thereon are as set out upon this property record under my personal supervision.
Zachariah R. Savory, Registered Professional Surveyor No. 5944
Texas Surveying, Inc.
10000 Hilltop Drive, Suite 100
Aledo, Texas 76608
Phone: 817-441-5263
Field Date: October 10, 2023 - 800518-89

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That Esperanza Garcia, being the sole owner of the above described parcel, do hereby agree to jointly and severally indemnify and hold Johnson County and the Commissioners, officials and employees of Johnson County harmless and defend and indemnify Johnson County from and against all claims or damages resulting from or arising from Johnson County's approval or filing of this plat or construction documents associated therewith.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF JOHNSON COUNTY, TEXAS.
BY: Esperanza Garcia, 8-3-2023

State of Texas
County of Johnson
Notary Public in and for the State of Texas
Teresa McGee
Notary Public in and for the State of Texas
Notary ID 152122208



Texas LTR Co.
Vol. 84, Pg. 30

The purpose of this replat is to divide Lot 4, Block 1 Hills of Home, Section 10, into two lots.

AUTHORIZED BY ORDER OF COMMISSIONERS COURT OF JOHNSON COUNTY, TEXAS
THIS THE \_\_\_ DAY OF \_\_\_ 2023
BY: COUNTY JUDGE

Replat title block: 'Replat Lots 4R-1 and 4R-2, Block 1 Hills of Home, Section 10 an addition to Johnson County, Texas. Being a 10,000 acre replat of Lot 4, Block 1, Hills of Home, Section 10, according to the plat as recorded in Volume 3, Page 24, Plat Records, Johnson County, Texas. July 2023. TEXAS SURVEYING'.



SEP 11 2023

**AGENDA PLACEMENT FORM**

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

Date: September 1, 2023

**Approved**

Meeting Date: September 11, 2023

Submitted By: Jennifer VanderLaan

Department/Office: Public Works

Signature of Director/Official: *J VanderLaan*

Agenda Title:  
Public Hearing and Re-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 Hills of Home, Section 10, Lot 4, Block 1 to Creates Lots 4R-1 and 4R-2.

Consideration of Order 2023-73, Order Approving the Revised Plat of Hills of Home, Section 10, Lot 4, Block 1 to Create Lots 4R-1 and 4R-2 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: 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**

SEP 11 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 Hills of Home, Section 10, Lot 4, Block 1, recorded in Volume 3, Page 24, Plat Records of Johnson County, Texas:

**Lot 4, Block 1  
to be revised  
to Create Lots 4R-1 and 4R-2, Block 1**

At: **9:00 o'clock a.m.** on: September 11<sup>th</sup>, 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:

August 22/24/26, 2023

Posted on the Johnson County Website starting August 10, 2023