

# **JOHNSON COUNTY**

SEP 25 2023

## **COMMISSIONERS COURT**

April Long Johnson County Texas DEPUTY

Christopher Boedeker
County Judge

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		§ 8		ORDER 2023-80
COUNTY OF JOHNSON	N	\$ §		

### 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 Circle F Esta-	tes, Lots 1 and 2,
Block 1, in Precinct 1 and clarify that the filing of the plat which dedicates roads	s and streets to the
public does not make those roads and streets county roads subject to county ma	intenance."

Said motion was approved by a vote of the Commissioners Court on the 25<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 Plat of **Circle F Estates**, Lots 1 and 2, Block 1, in Precinct 1 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 25<sup>TH</sup> DAY OF SEPTEMBER 2023.

Christopher Boedeker, J Voted:yes,	Johnson County Judge no, abstained
	La House
Rick Bailey, Comm. Pct. 1  Voted: no, abstained	Kendy Howell, Comm. Pct. 2 Voted: yes, no, abstained
Mike White, Comm. Pct. 3 Voted: yes, no, abstained	Larry Woodley, Comm. Pct. 4 Voted: yes, no, abstained
ATTEST: April Long, County Clerk	SSONERS COLUMN SYS

Approving Plat Page 2

### JOHNSON COUNTY, TEXAS NOTES:

- THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN THE ETJ OF ANY CITY OR TOWN. THE PROPOSED USAGE FOR THIS PLAT IS SINGLE-FAMILY RESIDENTIAL.
- THE DEVELOPER SHALL COMPLETE ALL ROADS AND DRAINAGE FACILITIES IN A SUBDIVISION WITHIN TWELVE (12) MONTHS AFTER THE DATE OF FINAL PLAT APPROVAL.
- - WATER SERVICE TO BE PROVIDED BY PARKER WSC PHONE 817-313-2495 ELECTRIC SERVICE IS TO BE PROVIDED BY UNITED COOPERATIVE SERVICES. PHONE 817-556-4000. SEPTIC: PRIVATE INDIVIDUAL SEPTIC SYSTEMS.

- ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE
- 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. 48251C0325J, EFFECTIVE DATE DECEMBER 4, 2012, THIS PROPERTY IS LOCATED IN ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE
- 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 FLOODWAY 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

- 15. 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. UTILITY EASEMENT:
  - 15' FROM LOT LINE IN FRONT & BACK
  - 5' FROM LOT LINE ON THE SIDES
  - 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.
  - 50' FROM LOT LINE (STATE HWY & F.M.).
  - 25' FROM LOT LINE (COUNTY ROAD OR SUBDIVISION ROADS).

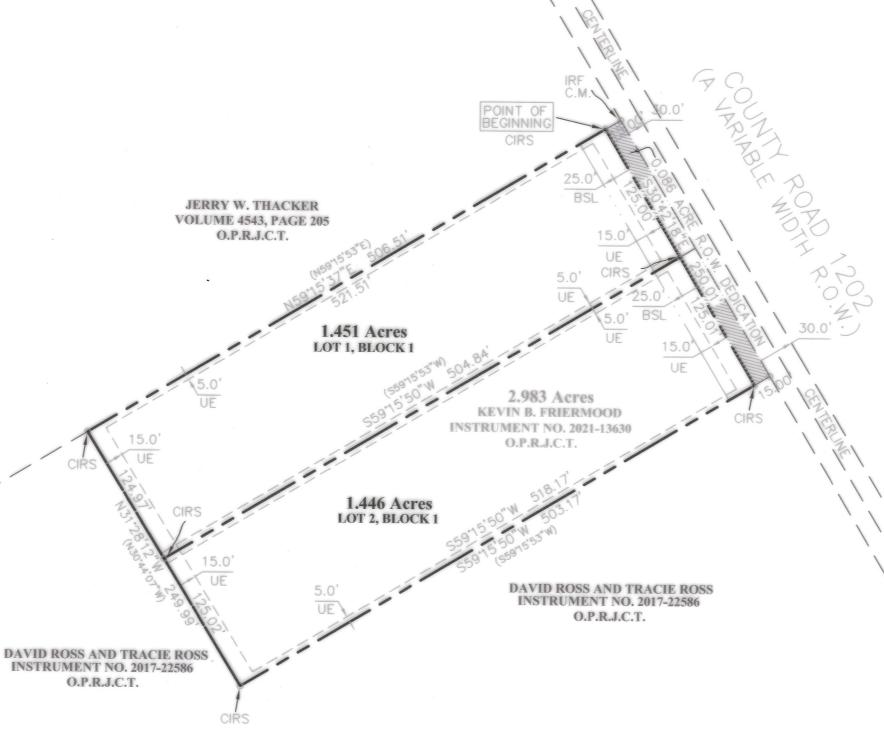
## **DUTIES OF DEVELOPER/PROPERTY OWNER:**

- 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
- 17. 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
- 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.

PLAT RECORDED:

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.

## 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. 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 DEVELOPER NOTE: A VARIANCE OF 125' ROAD FRONTAGE FOR EACH LOT WAS APPROVED IN COURT ON JUNE 26, 2023.



IRON ROD FOUND

UTILITY EASEMENT

VICINITY MAP

(NOT TO SCALE)

CAPPED IRON ROD SET

STAMPED "GSI SURVEYING"

CONTROLLING MONUMENT

BUILDING SETBACK LINE

CIRS

UE

BSL

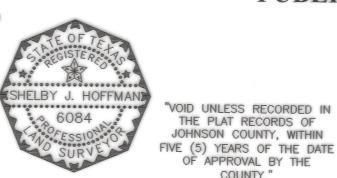
DATE	_
INSTRUMENT #	,SLIDE,
COUNTY CLERK, JOH	INSON COUNTY, TEXAS
DEPUTY	
APPROVED BY JO COMMISSIONER'S DAY OF	COURT ON THE
COUNTY JUDGE	

OWNER: KEVIN B. FRIERMOOD PO BOX 601 RIO VISTA TEXAS 76093 PHONE NO. 817-240-4255 SURVEYOR'S CERTIFICATION

I, SHELBY J. HOFFMAN, DO CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND ON MAY 17, 2021 AND THAT THE MONUMENTS SHOWN HEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

9/14/23

REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 6084



THE PLAT RECORDS OF

OF APPROVAL BY THE

COUNTY."

PROPERTY DESCRIPTION

BEING A 2.897 ACRE TRACT OF LAND, IN THE ISAAC BATTERSON SURVEY, ABSTRACT NO. 21, JOHNSON COUNTY, TEXAS, CONVEYED TO KEVIN B. FRIERMOOD, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 2021-13630, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS, (O.P.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING", FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING S 59°15'37" W, A DISTANCE OF 15.00 FEET, FROM AN IRON ROD FOUND, AT THE NORTHEAST CORNER OF SAID FRIERMOOD TRACT, IN THE SOUTH LINE OF A TRACT OF LAND, CONVEYED TO JERRY W. THACKER, AS DESCRIBED IN A DEED, RECORDED IN VOLUME 4543, PAGE 205, O.P.R.J.C.T., IN THE NEW WESTERLY LINE OF COUNTY

THENCE, WITH THE NEW WESTERLY LINE OF SAID COUNTY ROAD NO. 1202, S 30°42'18" E, A DISTANCE OF 250.01 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING", FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, IN THE NORTH LINE OF A TRACT OF LAND, CONVEYED TO DAVID AND TRACIE ROSS, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 2017-22586, O.P.R.J.C.T.:

THENCE, WITH THE COMMON LINE BETWEEN SAID FRIERMOOD TRACT AND WITH SAID ROSS TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1. S 59°15'50" W, A DISTANCE OF 503.17 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI
- 2. N 31°28'12" W, A DISTANCE OF 249.99 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING", FOR THE NORTHWEST CORNER OF SAID FRIERMOOD TRACT;

THENCE, WITH THE COMMON LINE BETWEEN SAID FRIERMOOD TRACT AND WITH SAID THACKER TRACT, N 59°15'37" E, A DISTANCE OF 506.51 FEET, TO THE POINT OF BEGINNING AND CONTAINING 2.897 ACRES OF LAND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF SHELBY J. HOFFMAN, R.P.L.S. NO. 6084, ON MAY 17, 2021.

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS: THAT KEVIN B. FRIERMOOD, OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOTS 1 AND 2, BLOCK 1, CIRCLE F ESTATES, 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.

STATE OF TEXAS COUNTY OF JOHNSON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC II STATE, ON THIS DAY PERSONALLY APPEARED KEVIN THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAM CONSIDERATION THEREIN EXPRESSED AND IN THE CA

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

FILING A PLAT IS NOT ACCEPTANCE OF ROADS FOR CO

THE APPROVAL AND FILING OF A PLAT WHICH DEDICATES RUADO AND STREETS DUES 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.

1. ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA 2011). THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COPY OF A COMMITMENT FOR TITLE

3. THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS SURVEY EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAY BE EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.

4. ( ) DENOTES RECORD DATA.

FINAL PLAT **SHOWING** LOTS 1 AND 2, BLOCK 1 CIRCLE F ESTATES

A 2.897 ACRE TRACT OF LAND, IN THE ISAAC **BATTERSON SURVEY, ABSTRACT NO. 21, OFFICIAL** PUBLIC RECORDS, JOHNSON COUNTY, TEXAS

GEOMATIC SOLUTIONS, INC.

3000 S. HULEN ST., SUITE 124-236, FORT WORTH, TEXAS 76109 OFFICE: 817-487-8916

PELS FIRM NO. 10184400, SHELBY@GSISURVEY.COM

Scale: 1"=80' | Date: 09/14/23 | DWG: 2021-367-FINAL PLAT Drawn: OF Checked: SJH |Job: 2021-367



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

Date: September 18, 2023	COMMISSIONERS COURT
Meeting Date: September 25, 2023	SEP 2 5 2023
Submitted By: Julie Edmiston  Department/Office: Public Works  Signature of Director/Official:	Approved
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 2023-80, Order Approving the Final Plat of Ci Estates, Lots 1 and 2, Block 1 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 A	genda)
Supporting Documentation: (check one) PUBLIC  CONFIDENT  (PUBLIC documentation may be made available to the public prior to the M	
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)	i.

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