

**JOHNSON COUNTY
COMMISSIONERS COURT**

OCT 23 2023

April Long
County Clerk, Johnson County Texas

BY April Long 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 2023-86

COUNTY OF JOHNSON

§

**ORDER APPROVING REVISION OF PLAT PURSUANT TO
SECTION 232.009 (c) 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, written notice of the application to revise the subdivision plat has been published in a newspaper of general circulation in Johnson County at least three (3) times during the period that begins on the 30th day and ends on the seventh day before the date of the Commissioners Court meeting; and

WHEREAS, written notice of the application to revise the subdivision plat has been provided to each of the non-developer owners of the lots of the subdivision; 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 **The Retreat, Phase 1**, Lots 14 and 15, Block 15, to create Lot 14-R, Block 15, in Precinct 1."

Said motion was approved by a vote of the Commissioners Court on the 23rd day of October 2023.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

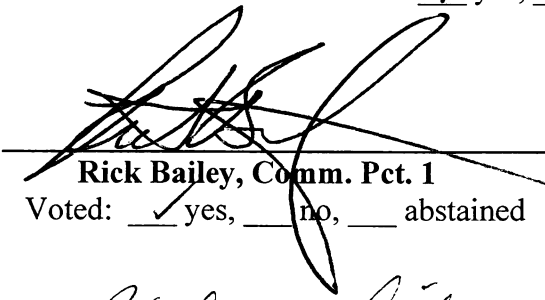
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the revision of the plat of **The Retreat, Phase 1**, Lots 14 and 15, Block 15, to create Lot 14-R, Block 15, in Precinct 1.

WITNESS OUR HAND THIS, THE 23RD DAY OF OCTOBER 2023.



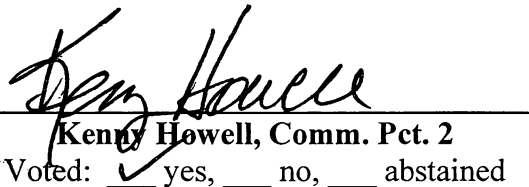
Christopher Boedeker, Johnson County Judge

Voted: yes, no, abstained



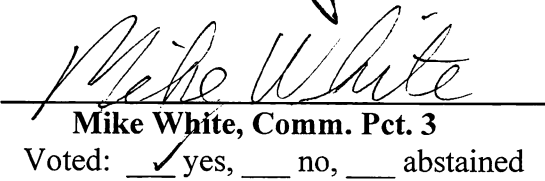
Rick Bailey, Comm. Pct. 1

Voted: yes, no, abstained



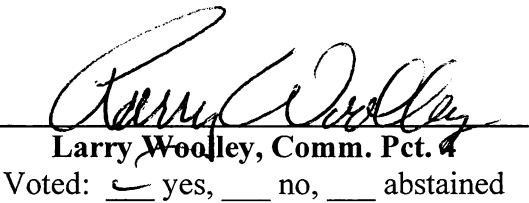
Kenny Howell, Comm. Pct. 2

Voted: yes, no, abstained



Mike White, Comm. Pct. 3

Voted: yes, no, abstained



Larry Woolley, Comm. Pct. 4

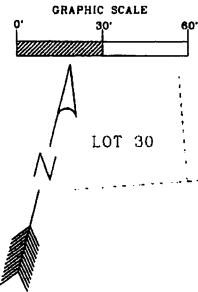
Voted: yes, no, abstained


ATTEST: April Long, County Clerk



JOHNSON COUNTY, TEXAS NOTES:

- 1 THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN THE ET OF ANY CITY OR TOWN.
2 THE PROPOSED USAGE FOR THIS PLAT IS SINGLE FAMILY RESIDENTIAL.
3 THE DEVELOPER SHALL COMPLETE ALL ROADS AND DRAINAGE FACILITIES IN A SUBDIVISION WITHIN TWELVE (12) MONTHS AFTER THE DATE OF FINAL PLAT APPROVAL.
4 UTILITY PROVIDERS:
WATER SERVICE PROVIDED BY MIDWAY WATER UTILITIES, INC. PHONE (800) 854 7986
ELECTRIC SERVICE IS TO BE PROVIDED BY SERVICES PHONE (817) 566-4800.
CENTRAL SEWER COLLECTION AND TREATMENT IS PROVIDED BY MIDWAY WATER UTILITIES, INC. PHONE (800) 854-7982.
5 FLOOD STATEMENT:



LOT 29 LOT 28
BLOCK 11
THE RETREAT,
PHASE 1 SUBDIVISION
SLIDE B-581
V. P. R. 930 ET SEQ.
O.P.R.I.C.T

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS:
THAT GRAEME PIRIE AND PAMELA PIRIE, OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY APPROVE THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 14-R, BLOCK 15, THE RETREAT, PHASE 1, AN ADDITION TO JOHNSON COUNTY, TEXAS AND HEREBY DEDICATE FOR THE USE OF THE PROPERTY OWNERS OF THE DEVELOPMENT, WITHOUT RESERVATION, THE EASEMENTS, RIGHTS-OF-WAY AND ANY OTHER PUBLIC AREA SHOWN HEREOF.
DATE: 9/11/23
PAMELA PIRIE DATE: 9/11/23

ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS COMMUNITY PANEL NO. 48551C0400, EFFECTIVE DATE DECEMBER 04, 2015 THIS PROPERTY IS IN ZONE X (AREAS DETERMINED TO BE OUT OF THE FLOOD PLAIN).
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 SHOWN OR ADDRESSED ON PART OF THE "NFIP".

BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODPLAIN IS PROHIBITED.
THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVELING ALONG OR ACROSS THIS ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOTS OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE CHANNELS ALONG OR ACROSS SAID LOTS.
JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGEWAYS 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.

6. UTILITY EASEMENTS
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 EFFICIACY OF ITS RESPECTIVE SYSTEMS IN ANY OF THE EASEMENTS SHOWN ON THIS PLAT. ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT AT ALL TIMES TO INCREASE AND REDUCE TO AND FROM SAID EASEMENTS FOR THE PURPOSES OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PULLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF FURNISHING THE PERMISSION OF ANYONE.

7. UTILITY EASEMENTS
REMOVED UTILITY EASEMENTS FROM 15' TO 10' ON FRONT AND REAR OF ALL LOTS WERE APPROVED FOR THE RETREAT, PHASE 1 IN COMMISSIONER'S COURT ON MAY 13, 2002.
10' UTILITY AND DRAINAGE EASEMENT SHALL BE RETAINED ALONG THE FRONT AND REAR OF ALL LOTS.
UTILITY AND DRAINAGE EASEMENT SHALL BE RETAINED ALONG THE SIDES OF ALL LOTS.
WATER DISTRIBUTION AND SEWER MAINS WILL BE LOCATED WITHIN STREET RIGHT-OF-WAYS.
THE EXISTING 10' UTILITY AND DRAINAGE EASEMENTS BETWEEN LOTS 14 AND 15 SHALL BE REMOVED WITH THE FILING OF THIS PLAT.

8. RIGHT-OF-WAY DEDICATION
NONE BY THIS PLAT.

9. BUILDING LINES:
10' FRONT
10' REAR OR 40' WHEN ADJOINING A GOLF COURSE.
15' SIDES

10. FILING A PLAT:
IF IN A CRIMINAL OFFENSE PUNISHABLE BY A FINE UP TO \$1000.00, CONFINEMENT IN THE COUNTY JAIL FOR UP TO 90 DAYS OR BOTH AND AN INDIVIDUAL FOR A PERSON WHO SUBDIVIDES REAL PROPERTY TO USE THE SUBDIVISION'S DESCRIPTION IN A DEED OF CONVEYANCE, A CONTRACT FOR A DEED OR CONTRACT OF SALE OR OTHER EXECUTOR CONTRACT TO CONVEY THAT IS BELIEVED TO BE A PURCHASER UNLESS THE PLAT OR REPLY 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 THIS FINAL PLAT AND THE PURCHASER IS NOT GIVEN USE OR OCCUPANCY OF THE REAL PROPERTY CONVEYED BEFORE THE RECORDING OF THIS PLAT.

11. A PURCHASER MAY NOT USE OR OCCUPY PROPERTY DESCRIBED IN A PLAT OR REPLY 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. 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 THIS 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 IMPROVE, IMPUTE OR TRANSFER ANY DUTY OR LIABILITY TO JOHNSON COUNTY, THE COMMISSIONERS, OFFICIALS OR EMPLOYEES OF JOHNSON COUNTY.

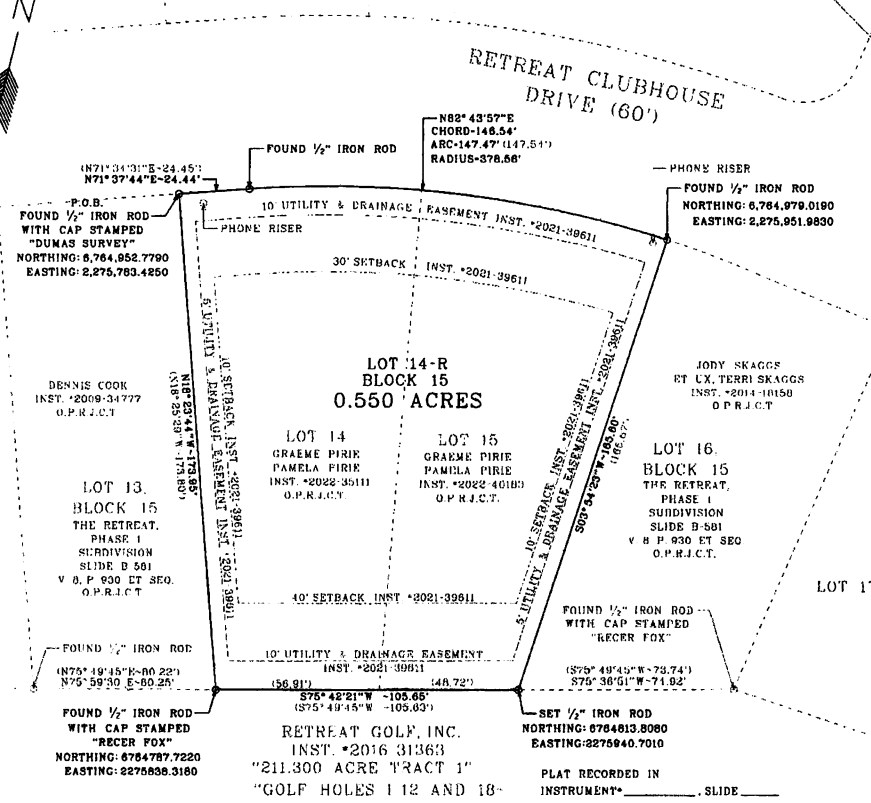
JOHNSON COUNTY MAKES NO REPRESENTATION THAT THE CREEKS, STREAMS, RIVERS, DRAINAGE CHANNELS OR OTHER DRAINAGE STRUCTURES, DEVICES OR FEATURES PORTRAYED HEREON ARE ACTUALLY EXISTING ON THE PROPERTY PORTRAYED BY THIS PLAT DO NOT VIOLATE THE STATUTES OR COMMON LAW OF AN INCORPORATED CITY, JOHNSON COUNTY, THE STATE OF TEXAS OR THE UNITED STATES.

JOHNSON COUNTY IS RELYING UPON THE SURVEYOR WHOSE NAME IS AFFIXED HEREOF TO MAKE ACCURATE AND TRUTHFUL REPRESENTATIONS UPON WHICH JOHNSON COUNTY CAN MAKE DETERMINATIONS REGARDING THE APPROVAL OR DISAPPROVAL OF THIS PLAT.

13. 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 OF DAMAGES RESULTING FROM OR ALLEGEDLY ARISING FROM JOHNSON COUNTY'S APPROVAL OR FILING OF THIS PLAT OR CONSTRUCTION DOCUMENTS ASSOCIATED THEREWITH.

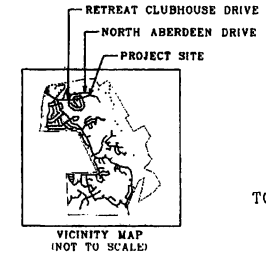
14. FILING A PLAT IS NOT ACCEPTANCE OF ROADS FOR COUNTY MAINTENANCE:
THE APPROVAL AND FILING OF A PLAT WHICH DEDICATES ROADS AND STREETS DOES NOT MAKE THE ROADS AND STREETS JOHNSON COUNTY SUBJECT TO COUNTY MAINTENANCE. NO ROAD, STREET OR PASSAGEWAY SET ASIDE IN THIS PLAT SHALL BE MAINTAINED BY JOHNSON COUNTY, TEXAS IN THE ABSENCE OF AN EXPRESS ORDER OF THE COMMISSIONERS COURTS ENTERED WITHIN THE 60-DAY PERIOD OF THE COMMISSIONERS COURTS OF JOHNSON COUNTY, TEXAS SPECIFICALLY IDENTIFYING ANY SUCH ROAD, STREET OR PASSAGEWAY AND SPECIFICALLY ACCEPTING SUCH ROAD, STREET OR PASSAGEWAY FOR COUNTY MAINTENANCE.

15. 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 JOHNSON COUNTY 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 COURTS ENTERED WITHIN THE 60-DAY PERIOD OF THE COMMISSIONERS COURTS OF JOHNSON COUNTY, TEXAS SPECIFICALLY IDENTIFYING ANY SUCH ROAD, STREET OR PASSAGEWAY AND SPECIFICALLY ACCEPTING SUCH ROAD, STREET OR PASSAGEWAY FOR COUNTY MAINTENANCE.



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

OWNERS: GRAEME & PAMELA PIRIE 10111 TERRANCE SPRINGS LANE KATY, TEXAS 77494 PHONE: (713) 951-0569
RETRAIT GOLF, INC. INST. *2016 31163
"211.300 ACRE TRACT 1"
"GOLF HOLES 112 AND 18- AND CLUB HOUSE AREA"
PLAT RECORDED IN INSTRUMENT# SLIDE DATE COUNTY CLERK, JOHNSON COUNTY, TEXAS DEPUTY



REVISED PLAT SHOWING LOT 14-R, BLOCK 15 THE RETREAT, PHASE 1, SUBDIVISION IN JOHNSON COUNTY, TEXAS BEING A REVISION OF LOTS 14 AND 15, BLOCK 15, THE RETREAT, PHASE 1, ACCORDING TO THE PLAT RECORDED IN SLIDE B-581, AND IN VOLUME 8, PAGE 930, ET SEQ. OF THE OFFICIAL PLAT RECORDS OF JOHNSON COUNTY, TEXAS

STATE OF TEXAS COUNTY OF JOHNSON
BEFORE ME, UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED GRAEME PIRIE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 11 DAY OF September, 2023.
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES August 26, 2026

STATE OF TEXAS COUNTY OF JOHNSON
BEFORE ME, UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED PAMELA PIRIE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 11 DAY OF September, 2023.
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES August 26, 2026

PROPERTY DESCRIPTION
Field notes for the survey of all that certain lot, tract or parcel of land being all of Lots 14 and 15, Block 15, Phase 1 of The Retreat Subdivision in Johnson County, Texas, according to plat recorded in Slide B-581 and in Volume 8, Page 930, et seq. of the Official Plat Records of Johnson County, Said land in all these certain tracts described in deeds from Todd Alan McCall to Graeme Pirie and Pamela Pirie recorded as Instrument *2002-35111 and from Janet S. Wallace to Graeme Pirie et al., Pamela Pirie recorded as Instrument *0202-40103 of the Official Public Records of Johnson County, more particularly described as follows:
BEGINNING at a 1/2" iron rod with cap stamped "DUMAS SURVEY" found in the south line of Retreat Clubhouse Drive for the northeast corner of said Lot 14 and for the northeast corner of this;
THENCE with the south line of Retreat Clubhouse Drive, N71°37'44"E 24.44 feet to a 1/2" iron rod found for the beginning of a curve to the right;
THENCE continuing with the south line of Retreat Clubhouse Drive and along said curve having a radius of 378.66 feet, N62°43'57"E for a chord distance of 146.84 feet, an arc distance of 147.47 feet, to a 1/2" iron rod found for the northeast corner of said Lot 15 and for the northeast corner of this;
THENCE N07°54'23"W 185.60 feet to a 1/2" iron rod set for the southeast corner of said Lot 15 and for the southeast corner of this;
THENCE S78°42'21"W 105.85 feet to a 1/2" iron rod with cap stamped "REGER FOX" found for the southeast corner of said Lot 14 and for the southeast corner of this;
THENCE N18°32'44"W 178.95 feet to the place of beginning, containing 0.550 acres of land.

SURVEYOR'S NOTES
1. ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4208, FAD 83, AS ESTABLISHED USING TRIMBLE V.L.S. NETWORK.
2. THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DETENTION OF THIS 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.

SURVEYOR'S CERTIFICATION
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED BY AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION.
REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 8175



Table with 2 columns: Field information and Firm information. Firm: INCE SURVEYING & ENGINEERING, 104 THOUSAND OAKS DRIVE WHITNEY, TEXAS 76802. Phone: 254-694-7708, Fax: 254-694-7230. Scale: 1"=30', Date: August 29, 2023, Survey No: SN230403.1

AGENDA PLACEMENT FORM

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

Date: October 11, 2023

Meeting Date: October 23, 2023

Submitted By: Julie Edmiston

Department: Public Works

Signature of Elected Official/Department Head:

Jennifer VanderLaan

Court Decision: <small>This section to be completed by County Judge's Office</small>
COMMISSIONERS COURT
OCT 23 2023
Approved

Description:

Public Hearing to Revise the Plat of The Retreat , Phase 1, Lots 14 and 15, Block 15 to Form Lot 14-R, Block 15.

Consideration of order 2023-86, Order Approving The Revised Plat of The Retreat , Phase 1, Lots 14 and 15, Block 15 to Form Lot 14-R, Block 15 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: (check one)

Action Item Consent Workshop Executive Other _____

Check All Departments That Have Been Notified:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) _____

**Please List All External Persons Who Need a Copy of Signed Documents
In Your Submission Email**

Approved in CC on 9/11/2023

NOTICE OF PUBLIC HEARING

Pursuant to Section 232.009 of the Texas Local Government Code, the Johnson County Commissioners Court will consider an application and hear protests to the revision of the recorded subdivision plat of The Retreat, Phase 1, Block 15, Lots 14 and 15 recorded in slide B-581, and in Volume 8, Page 930, Et Seq., of the Official Plat Records of Johnson County, Texas:

**Lots 14 and 15, Block 15
to be combined to Form
Lot 14-R, Block 15**

At: **9:00 o'clock a.m.** on: October 23, 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:

October 5,7, and 10th