

**AGENDA PLACEMENT FORM**

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

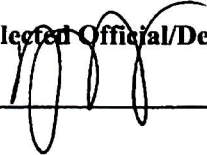
Date: December 4, 2023

Meeting Date: December 11, 2023

Submitted By: Julie Edmiston

Department: Public Works

Signature of Elected Official/Department Head:



<b>Court Decision:</b> <small>This section to be completed by County Judge's Office</small>
COMMISSIONERS COURT
DEC 11 2023
<b>No Action</b>

**Description:**

Consideration to Accept Emersyn Drive, Kenleigh Lane, and Westover Hills Drive (Westover Hills, Phase 2) into the County Road Maintenance System in Precinct 1

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(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**

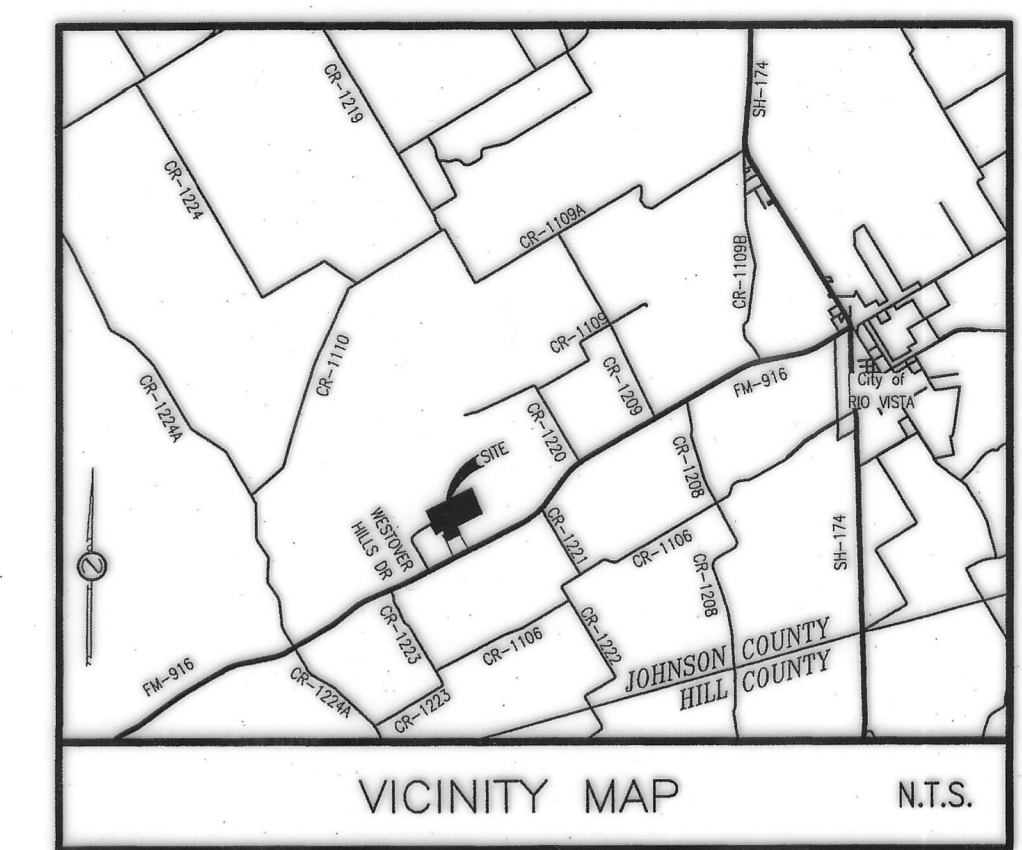


P:\WESTOVER HILLS PHASE 4 - JOHNSON COUNTY\FINAL PLAT\WESTOVER HILLS PHASE 2 - PLAT.dwg, 7/14/2022 9:16:02 AM, 11

CHRIS KNAPP  
DOC. NO. 2012-19790 DRJCT

(UNDEDICATED FUTURE ROADWAY)  
THIS FUTURE ROADWAY IS  
EXCLUDED FROM ALL PUBLIC USE  
DEDICATIONS

NAD83 GRID COORDINATES ~  
N 6,762,478.753'  
E 2,298,478.643'



DRAINAGE EASEMENT CURVE DATA

No.	Delta	Radius	Length	Tangent	Chord Bearing	Chord Length
A	42°08'35"	150.00'	110.33'	57.79'	S71°11'26"E	107.86'
B	41°38'44"	450.00'	327.08'	171.14'	S51°28'49"E	319.93'
C	89°39'06"	100.00'	156.47'	99.39'	S75°29'00"E	140.99'

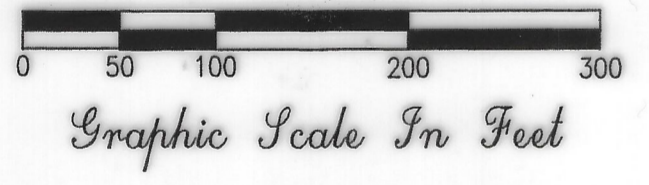
SMITH RANCH HOLDINGS LTD.  
DOC NO. 2002-36647, DRJCT  
(VOL 2949, PG 107, DRJCT)

LEGEND

- IRF IRON ROD FOUND
- CIRF CAPPED IRON ROD FOUND
- IPF IRON PIPE FOUND
- IRS 1/2" IRON ROD SET WITH ORANGE PLASTIC CAP STAMPED "DTS 8172753361"
- PRJCT PLAT RECORDS OF JOHNSON COUNTY, TEXAS
- DRJCT DEED RECORDS OF JOHNSON COUNTY, TEXAS
- TT TRANS TEXAS
- DTS DTS 8172753361
- UE UTILITY EASEMENT
- BL BUILDING LINE
- DE DRAINAGE EASEMENT

CENTERLINE RIGHT OF WAY CURVE DATA

No.	Delta	Radius	Length	Tangent	Chord Bearing	Chord Length
Cv1	90°00'00"	45.00'	70.69'	45.00'	N75°39'27"W	63.64'



H & TC RR CO SURVEY ~ ABSTRACT NO. 401

ROGER D CAMP & MERLYN E CAMP  
DOC NO. 1982-90030053, DRJCT  
(VOL 894, PG 536, DRJCT)

NAD83 GRID COORDINATES ~  
N 6,762,478.753'  
E 2,298,478.643'

29.293 ACRES REMAINDER  
OUT OF  
CALLED 81.124 ACRES  
BYRD HOMES, LLC  
DOC. NO. 2018-26877, DRJCT

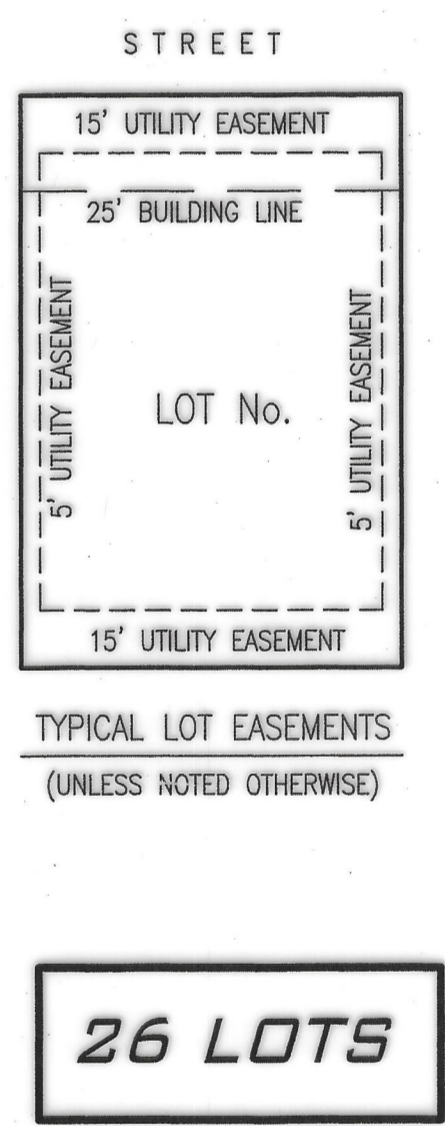
APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE 25<sup>th</sup> DAY OF January 20 23

*Cliff R. Bell*  
COUNTY JUDGE

PL PLAT FILED 1/25/2023  
INS INSTRUMENT: 2023-15  
DR DRAWER 11 SLIDE  
BE APRIL LONG, JOHNSON COUNTY CLERK  
BY *April Long* DEPUTY CLERK

WEST F.M. HIGHWAY NO. 916

SURVEYED ON THE GROUND DECEMBER 2021 & FEBRUARY 2022



PRELIMINARY! NOT TO BE FILED FOR ANY REASON  
RELEASED FOR REVIEW ONLY ON 6-30-2022

39.542 ACRE TRACT

**FINAL PLAT**  
**WESTOVER HILLS, PHASE 2**  
**LOTS 5 - 20, BLOCK 1**  
**LOTS 5 & 6, BLOCK 2**  
**LOTS 9 - 12, BLOCK 3**  
**LOTS 1 - 4, BLOCK 6**

BEING A 39.542 ACRES OUT OF THE H & TC RR CO SURVEY ~ ABSTRACT NO. 401

**JOHNSON COUNTY, TEXAS**

DATE: APRIL, 2022 SCALE: 1"=100' FILE: P:\WESTOVER HILLS JOHNSON  
DI SCIULLO-TERRY, STANTON & ASSOCIATES, INC.  
ENGINEERING AND SURVEYING  
908 WEST MAIN STREET • ARLINGTON, TEXAS 76013  
TELEPHONE: 817 - 275 - 3361  
ESTABLISHED 1953 • FIRM No. E-615 & S-100049-00  
EMAIL: jstanton@dttery.com

FP-1026  
Sheet 1 of 2



OWNER'S CERTIFICATE

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

WHEREAS, BYRD HOMES, LLC, acting by and through the undersigned, its duly authorized agent is the sole owner of a tract of land situated in the H & TC R.R. Co. Survey, Abstract No. 401, said tract being a portion of that called 81 acre tract conveyed to Byrd Homes LLC, according to the deed recorded in Document Number 2018-26877, Deed Records of Johnson County, Texas (DRJCT), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the northeast corner of Lot 8, Block 3, Westover Hills, Phase One, an addition to Johnson County, Texas as recorded in Volume 9, Page 109, Plat Records of Johnson County, Texas (PRJCT), said iron rod also being in the south right of way line of Westover Hills Drive, a called 60 foot right of way;

THENCE North 59° 20' 54" East, with the south right of way line of Westover Hills Drive, a distance of 69.55 feet, to a 1/2 inch iron rod found, for corner;

THENCE North 30° 39' 06" West, departing the south right of way line of Westover Hills Drive, at a distance of 60.00 feet passing a 1/2 inch iron rod with a plastic cap stamped "LANDCON" found at the southeast corner of Lot 16, Block 1, Westover Hills, Phase One, said iron rod also being in the north right of way line of Westover Hills Drive and then with the east line of said Lot 16, in all a distance of 315.21 feet to a 1/2 inch iron rod with a plastic cap stamped "LANDCON" found at the northeast corner of Lot 16 for corner;

THENCE North 59° 41' 27" East, a distance of 1221.53 feet, to a 1/2 inch iron rod found, for corner;

THENCE South 30° 39' 27" East, a distance of 1421.76 feet to a 1/2" iron rod with a plastic cap stamped "DTS 8172753361" set, at the northeast corner of Lot 4, Block 1, Westover Hills- Phase 4, an addition to Johnson County, Texas, according to the plat recorded in Document No. 2020-127, PRJCT, for corner;

THENCE South 59° 20' 33" West with the north line of said Lot 4, Block 1, at a distance of 291.04 feet, passing through a 1/2" iron rod found with a plastic cap stamped "TRANSTEXAS", in all a distance of 351.08 feet to a 1/2" iron rod found with a plastic cap stamped "TRANSTEXAS", in the east line Lot 4, Block 2, Westover Hills Phase 4, said iron rod being in the west right of way of Emersyn Drive, a 60 right of way for corner;

THENCE North 30° 39' 27" West with the east line of said Lot 4, Block 2, and the west right of way line of Emersyn Drive, a distance of 3.70 feet to a 1/2 inch iron rod with a plastic cap stamped "TRANSTEXAS" for corner;

THENCE South 59° 20' 33" West with the north line of said Lot 4, Block 2, a distance of 318.49 feet to a 1/2 inch iron rod with a plastic cap stamped "DTS 8172753361" set at the northwest corner of Lot 4, for corner;

THENCE South 30° 39' 27" East with the west line of said Block 2, a distance of 300.00 feet to a 1/2" inch iron rod with a plastic cap stamped "TRANSTEXAS" found at the southwest corner of Lot 3 for corner;

THENCE South 59° 20' 33" West, departing the west line of said Block 2, a distance of 316.05 feet to a 1/2" inch iron rod with a plastic cap stamped "DTS 8172753361" found for corner;

THENCE North 30° 39' 27" West, a distance of 333.50 feet to a 1/2" inch iron rod with a plastic cap stamped "DTS 8172753361" set for corner;

THENCE North 12° 48' 48" East, a distance of 119.97 feet to a 1/2" inch iron rod with a plastic cap stamped "DTS 8172753361" set for corner;

THENCE North 30° 39' 27" West, a distance of 379.46 feet to a 1/2" inch iron rod with a plastic cap stamped "DTS 8172753361" set for corner;

THENCE South 59° 20' 33" West, a distance of 388.06 feet to a 1/2" inch iron rod with a plastic cap stamped "DTS 8172753361" set for corner;

THENCE North 30° 39' 06" West, at a distance of 319.79 feet, passing the southeast corner of the aforementioned Lot 8, Block 3, Western Hills-Phase One, then with the east line of said Lot 8, in all a distance of 610.19 feet to the POINT OF BEGINNING, containing a calculated area of 39.542 acres (1,722,436 square feet) of land.

OWNER'S CERTIFICATE

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

WHEREAS, BYRD HOMES, LLC; acting by and through the undersigned, its duly authorized agent is the sole owner of a tract of land situated in the H & TC R.R. Co. Survey, Abstract No. 401, said tract being a portion of that called 81 acre tract conveyed to Byrd Homes LLC, according to the deed recorded in Document Number 2018-26877, Deed Records of Johnson County, Texas (DRJCT).

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, Byrd Homes, LLC, acting by and through Mickie Byrd, Manager, owner of above described tract of land, does hereby adopt this plat designating the herein described property as LOTS 5 THROUGH 20, BLOCK 1, LOTS 5 and 6, BLOCK 2, LOTS 9 THROUGH 12, BLOCK 3, AND LOTS 1 THROUGH 4, BLOCK 6, WESTOVER HILLS - PHASE 2, an addition to Johnson County, Texas, and does hereby dedicate to the public's use, without reservation, the streets, easements, right-of-ways and any other public area shown hereon.

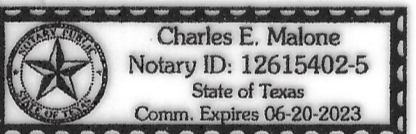
Mickie Byrd signature and date 7-14-2022. Mickie Byrd, Manager, BYRD HOMES, LLC.

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared Mickie Byrd, 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, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 14th day of July, 2022.

Charles E. Malone signature. Notary Public, for the State of Texas. My Commission Expires: 06-20-2023.



SURVEYOR'S CERTIFICATE

THIS is to certify that I, Joyce P. Stanton, a Registered Professional Land Surveyor, in the State of Texas, have plotted the above subdivision from an actual survey on the ground, and that this plat accurately represents that survey made by me or under my direction and supervision. All boundaries have been marked with an iron rod with a plastic cap stamped "DTS 8172753361".

Joyce P. Stanton signature. Registered Professional Land Surveyor, Texas Registration No. 6173.



26 LOTS

39.542 ACRE TRACT
FINAL PLAT

WESTOVER HILLS, PHASE 2
LOTS 5 - 20, BLOCK 1
LOTS 5 AND 6, BLOCK 2
LOTS 9 - 12, BLOCK 3
LOTS 1 - 4, BLOCK 6

BEING A 39.542 ACRES OUT OF THE H & TC RR CO SURVEY ~ ABSTRACT NO. 401
JOHNSON COUNTY, TEXAS
DATE: APRIL, 2022 SCALE: 1"=100' FILE: P:/WESTOVER HILLS JOHNSON
DI SCIULLO-TERRY, STANTON & ASSOCIATES, INC.
ENGINEERING AND SURVEYING



908 WEST MAIN STREET \* ARLINGTON, TEXAS 76013
TELEPHONE: 817-275-3361
ESTABLISHED 1953 \* FIRM NO. E-615 & S-100049-00
EMAIL: jstanton@dterry.com

OWNER:
BYRD HOMES, LLC
904 CONVEYOR DRIVE
JOSHUA, TEXAS 76058
CONTACT: MICKIE BYRD
817-253-4805

JOHNSON COUNTY NOTES:

STANDARD NOTES:

- This subdivision or any part thereof is not located within the ETJ of any city or town.
The designated and proposed usage of this subdivision is single family residential.
The developer shall complete all roads and drainage facilities in the subdivision within twelve (12) months after the date of final plat approval.
All building setbacks are subject to current Johnson County development regulations.
The required frontage is 150 feet and is met with a proposed frontage of a minimum of 150 feet.
The required front setback along a State Highway or Farm to Market Road is 50 feet and is not applicable on this tract.
The minimum required back yard setback is 15 feet and is shown as 15 feet on the Typical Easement Example on Sheet 1 of this plat.
The minimum required Utility Easement along the front and back is 15 feet is shown as 15 feet on the front and back yard on the Typical Easement Example on Sheet 1 of this plat.
The minimum required Utility Easement along the side yards is 5 feet, unless otherwise shown on the face of this plat.
The minimum required side yard set back is 10 feet and is shown as 10 feet included with the note about the 10 foot Utility Easement.
Finished floor shall be set 18" minimum above the proposed grade on the upstream side of the lot in order to prevent storm drainage water from damaging the proposed home or finished floor shall be set 1 foot above the adjacent street.
Utility Providers:
Water: Crest Water Company 817-645-5493
Electricity: Hilco Electric Cooperative, Inc. 800-338-6425 X-2215
Septic: Private onsite sewage

PRIVATE SEWAGE FACILITY

- On-site 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 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.

UTILITY EASEMENT:

- 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.

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 therewith.

FLOOD STATEMENT

- According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C0425J, effective date 12/04/2012, this property is located in zone "X", (Areas of Minimal Flood Hazard).
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.

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 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 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 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.

FILING A PLAT

- 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 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 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.

UTILITY EASEMENTS:

- 15' From Lot Line in Front & Back
5' From Lot Line on the sides

RIGHT OF WAY DEDICATION:

- 40' ROW from the center of road on F.M. or State
30' ROW from center of County Roads or Roads in a subdivision

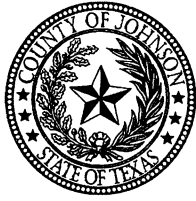
BUILDING LINES:

- 50' From Lot Line (State HWY & F.M.)
25' From Lot Line (County Road or Subdivision Roads)

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE 23rd DAY OF January, 2023. County Judge signature.

PLAT FILED 1/25/2023
INSTRUMENT: 2023-15
DRAWER 11 SLIDE
APRIL LONG, JOHNSON COUNTY CLERK
BY [Signature] DEPUTY CLERK





# JOHNSON COUNTY COMMISSIONERS COURT

**Christopher Boedeker**  
County Judge

**Rick Bailey**  
Commissioner  
Precinct 1

**Kenny Howell**  
Commissioner  
Precinct 2

**Mike White**  
Commissioner  
Precinct 3

**Larry Woolley**  
Commissioner  
Precinct 4

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THE STATE OF TEXAS

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ORDER 2023-107

COUNTY OF JOHNSON

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**ORDER ADOPTING EMERSYN DRIVE, KENLEIGH LANE, AND WESTOVER HILLS DRIVE LOCATED IN WESTOVER HILLS, PHASE 2 IN PRECINCT 1 INTO THE COUNTY ROAD SYSTEM FOR COUNTY MAINTENANCE**

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**WHEREAS**, Johnson County maintains county roads that the Johnson County Commissioners Court has approved to be included in the county road system for county maintenance; and

**WHEREAS**, a public road is not a part of the county road system for county maintenance until adopted into the county road system for county maintenance by the Johnson County Commissioners Court; and

**WHEREAS**, an existing public road may be adopted into the county road system for county maintenance if the road meets or exceeds county road standards, the adoption of the public road into the county road system for county maintenance would serve a public purpose, and the Commissioners Court desires to add the roads into the county road system for county maintenance.

**NOW THEREFORD BE IT RESOLVED AND ORDERED**, that Johnson County hereby adopts Emersyn Drive, Kenleigh Lane, and Westover Hills Drive Located in Westover Hills, Phase 2 in Precinct 1 into the Johnson County Road System for County Maintenance.



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

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**Christopher Boedeker, Johnson County Judge**

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

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

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

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

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

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

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

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

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

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**ATTEST: April Long, County Clerk**