

### **AGENDA PLACEMENT FORM**

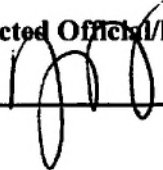
(Submission Deadline – Monday, 5:00 PM before Regular Court Meetings)

**Date:** February 13, 2024

**Meeting Date:** February 26, 2024

**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>
 <b>February 26, 2024</b>

**Description:**  
Consideration of Order 2024-05, Order Approving the Final Plat of Elrod  
Addition, Lot 1, Block 1 in Precinct 4.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(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**



# 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

THE STATE OF TEXAS  
COUNTY OF JOHNSON

§  
§  
§

ORDER 2024-05

## 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 Howell, Pct. 2 and seconded by Commissioner White, Pct. 3 that stated: "I make the motion to approve for filing purposes only, a Plat of **Elrod Addition**, Lot 1, Block 1, in Precinct 4 and clarify 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."

Said motion was approved by a vote of the Commissioners Court on the 26<sup>th</sup> day of February 2024.

Filed For Record 10:29

FEB 27 2024

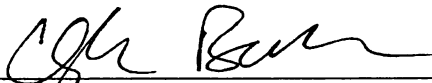
April Long  
County Clerk, Johnson County Texas

BY April Long DEPUTY

**NOW THEREFORE BE IT RESOLVED AND ORDERED:**

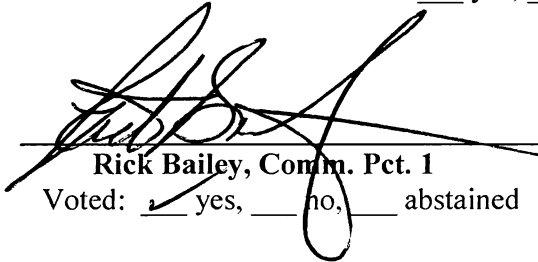
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Elrod Addition**, Lot 1, Block 1, in Precinct 4 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

**WITNESS OUR HAND THIS, THE 26<sup>TH</sup> DAY OF FEBRUARY 2024.**



**Christopher Boedeker, Johnson County Judge**

Voted:  yes,  no,  abstained



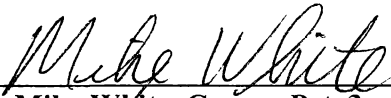
**Rick Bailey, Comm. Pct. 1**

Voted:  yes,  no,  abstained



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

Voted:  yes,  no,  abstained




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

Voted:  yes,  no,  abstained

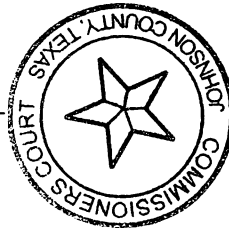


**Larry Woolley, Comm. Pct. 4**

Voted:  yes,  no,  abstained



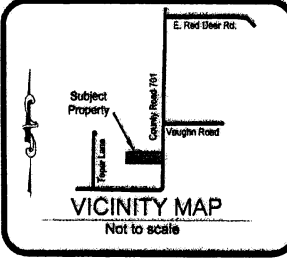
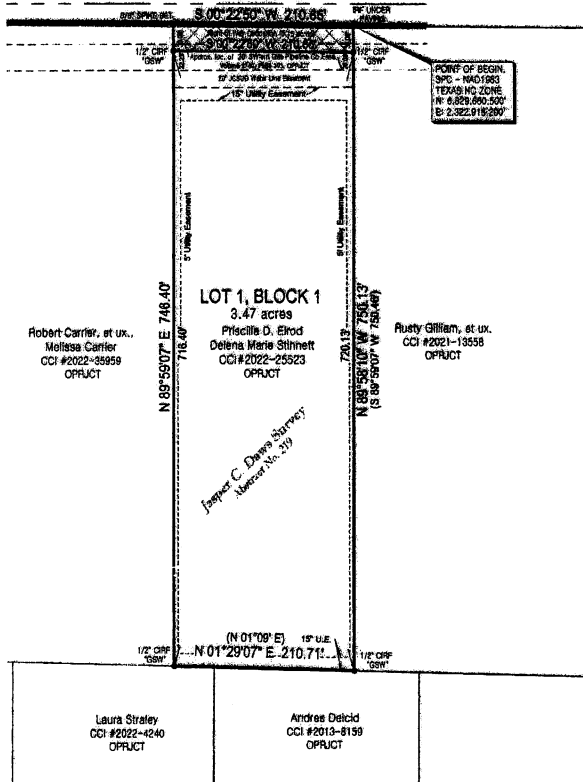
**ATTEST: April Long, County Clerk**



Jasper Survey  
Abstract No. 219

Carl E. Low, et ux., Joyce E. Low  
CCI #2021-30499  
OPRUCT

County Road 701  
Narrowly within right-of-way



**GENERAL NOTES**

- BASIS OF BEARINGS:** The bearings and coordinates shown hereon are grid bearings and coordinates based upon an actual field survey and are related to the Texas Coordinate System of 1983, North Central Zone (NAD 1983, Epoch 2011). The combined grid factor is 0.999936434, and the Angle of Convergence is 0° 37' 30.3".
- The distances shown hereon are Surface distances.
- Land areas shown are within the tolerances stated in the Professional and Technical Standards of the agency that governs professional land surveying in the State of Texas.
- FLOOD STATEMENT:** Apparently, the tract shown hereon is located in Zone "X" according to the Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map, Panel No. 4825-00193A, the effective date of which is December 4, 2012. The undersigned surveyor is not responsible for the contents of said map, nor the interpretation thereof, nor any drainage or flooding that may occur.
- Developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final approval of the plat.
- Utility Providers**  
Water: Johnson County SUD 617-760-5200  
Electricity: United Cooperative Service 817-447-9292  
Septic: Private
- Proposed usage: single family residential
- 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.  
Inspection and/or acceptance of a private
- The width of the county road right-of-way is a prescriptive right-of-way of indeterminate width. It is variable in width.
- General Notes are continued on Sheet 2 of 2.

**OWNER'S DEDICATION**

State of Texas )  
County of Johnson )

Whereas PRISCILLA D. EIROD, is the fee owner, and Delena Marie Stinnett retains a life estate in and of that certain tract or parcel of land lying and being situated in the Jasper C. Dawes Survey, Abstract No. 219, Johnson County, Texas, and being all that certain tract of land conveyed to Priscilla D. Elrod according to the deed filed of record as County Clerk Instrument #2022-25523, Official Public Records of Johnson County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at an iron rod found under pavement in the approximate center of County Road 701, and in or near the east line of said survey, the state plane coordinate value of said point being Northing: 6,829,660,500 feet, and Easting: 2,322,916,200 feet, as correlated to the Texas Coordinate System of 1983, North Central Zone, based upon the North American Datum of 1983 (2011) [Epoch: 2010.00001], said point being the southeast corner of that certain tract of land conveyed to Martin G. Honeycutt according to the deed filed of record in Volume 3737, Page 804, Official Public Records of Johnson County, Texas, and being the northeast corner of that certain tract of land conveyed to Rusty Gilliam, et ux., according to the deed filed of record as County Clerk Instrument #2021-13558, Official Public Records of Johnson County, Texas, for the southeast corner of this tract:

**THENCE** N 89° 50' 10" W, along the south line of said Honeycutt tract and said Elrod tract, and along the north line of said Gilliam tract, a distance of 730.18 feet to a 3/8 inch iron rod with a yellow plastic cap marked "GWSW Surveyors" set, the southwest corner of said Honeycutt tract and Elrod tract, and the northwest corner of said Gilliam tract, for the southwest corner of this tract:

**THENCE** N 01° 29' 07" E, along the west line of said Honeycutt tract and said Elrod tract, a distance of 210.71 feet to a 3/8 inch iron rod with a yellow plastic cap marked "GWSW Surveyors" set in the west line of said Honeycutt tract, said point also being the southwest corner of that certain tract of land conveyed to Robert Carrier, et ux. Melissa Carrier, according to the deed filed of record as County Clerk Instrument #2022-39699, Official Public Records of Johnson County, Texas, said point being the northwest corner of this tract:

**THENCE** N 89° 50' 07" E, along the north line of the said Elrod tract and along the south line of said Carrier tract, a distance of 746.40 feet to a 3/8 inch spike set in the approximate center of said County Road said point being in the east line of said Honeycutt tract, and being in the east line of said Dawes Survey, said point being the southeast corner of said Carrier tract and the northeast corner of said Elrod tract, for the northeast corner of this tract:

**THENCE** S 00° 22' 50" W, along the east line of said survey and along the east line of said Honeycutt tract and along the east line of said Elrod tract, a distance of 210.65 feet to the PLACE OF BEGINNING, and containing 3.62 acres of land, more or less.

**HOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

That, PRISCILLA D. EIROD and DELENA MARIE STINNETT do hereby adopt this plat designating the herein above described property as Lots 1, Block 1, Elrod Addition, an addition to the Extraterritorial Jurisdiction of the City of Keene, Johnson County, Texas, and does hereby dedicate to the public's use forever, without reservation, the streets, easements, and rights - of - way and any other public area shown hereon unless otherwise designated on this plat.

WITNESS our hand at Tarrant, Texas,

This the 6th day of February, 2024  
Priscilla D. Elrod Delena Marie Stinnett  
Priscilla D. Elrod Delena Marie Stinnett



STATE OF TEXAS )  
COUNTY OF JOHNSON )

This instrument was acknowledged before me on the 6th day of February, 2024 by Priscilla D. Elrod, for the purposes and considerations therein expressed.

Lauren Derden My Commission Expires: 10/21/2025  
Notary Public My Commission Expires:

This instrument was acknowledged before me on the 6th day of February, 2024 by Delena Marie Stinnett, for the purposes and considerations therein expressed.

Lauren Derden My Commission Expires: 10/21/2025  
Notary Public My Commission Expires:

Printed Name: Lauren Derden Printed Name: Lauren Derden

APPROVED BY the Johnson County Commissioners' Court on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

County Judge \_\_\_\_\_

Plat Recorded in Instrument # \_\_\_\_\_ Year \_\_\_\_\_

Slide \_\_\_\_\_

Date \_\_\_\_\_

County Clerk, Johnson County, Texas \_\_\_\_\_

Deputy Clerk \_\_\_\_\_

**OWNER/DEVELOPER:**

Priscilla D. Elrod  
Delena Marie Stinnett  
4206 CR 801  
Joshua, Texas 76058  
(817) 889-3838  
priscillaelrod@yahoo.com

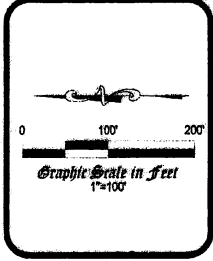
SHEET 1 OF 2

**SURVEYOR'S STATEMENT:**

This is to affirm that I, W. Michael Evans, a Registered Professional Land Surveyor of the State of Texas, have plotted the subdivision shown hereon from an actual survey on the ground, and that all lot corners, and angle points shall be properly marked on the ground, and that this plat represents that survey made by me.

Dated this the 27th day of June, 2022.

W. Michael Evans  
W. Michael Evans  
Registered Professional Land Surveyor No. 4715



- LEGEND**
- IRF = IRON ROD FOUND
  - CIRS = CAPPED IRON ROD SET (YELLOW PLASTIC CAP MARKED "GWSW LAND SURVEYORS")
  - SPC = STATE PLANE COORDINATES (TEXAS COORDINATE SYSTEM)
  - NA083 = NORTH AMERICAN DATUM OF 1983 (EPOCH 2010)
  - TXNC ZONE = TEXAS NORTH CENTRAL ZONE
  - P.O.B. = PLACE OF BEGINNING



**FINAL PLAT**  
LOT 1, BLOCK 1  
**Elrod Addition**  
an addition to the Extraterritorial Jurisdiction of the  
CITY OF KEENE  
IN THE  
JASPER C. DAWES SURVEY  
ABSTRACT NO. 219  
JOHNSON COUNTY  
TEXAS  
3.62 acres

## GENERAL NOTES (CONT.)

### 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 cap 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 owners 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 it is not controlled. It will be the responsibility of the lot owner to maintain and operate private sewage facility in a satisfactory manner.

### Flood Statement Notes:

- See General Note #4 on Sheet 1 of 2.
- 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 services or subsurface conditions existing on or near the subject property which are not studied or addressed as a part of the "NFIP". Blocking the flow of water or constructing improvements in the drainage easement, and filling or obstruction of the floodway is prohibited.
- The existing creeks were drainage channels traversing a longer process addition will remain as open channels and will be maintained by the individual lot or lots that are traversed by or adjacent to the 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 and the undersigned surveyor 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 the duty to enter onto property and clear any obstruction including but not limited to trees, plants, dirt, or buildings, which obstructs 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 downstream property owners 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 for trade hereon are actually existing on the property portrayed by this plat do not violate the statutes or common law of any incorporated city, Johnson County, the state of Texas, or the United States.

Johnson County is relying upon the surveyor whose name is fixed hereon to make accurate and truthful representations upon which Johnson County can make determinations regarding the approval or disapproval of this plat.

### Indemnity:

The property developers 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.

### 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.

### 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\*  
\*Unless otherwise required by Master Thoroughfare Plan

### Building Lines

50' from Lot Line (State Highway & F.M.).  
25' from lot line (County Road or Subdivision Roads).

### Filing statements:

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 subdivisions 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 re-plat 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 the subdivision until such time as the plat is filed of record with the county clerk's office of the Johnson County Clerk.

### Filing a Plat is Not Acceptance of Roads for County Maintenance.

The approval and filing of the 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.

SHEET 2 OF 2



**Michael Evans**  
Registered Professional Land Surveyor  
Licensed State Land Surveyor  
1305 Brook Arbor Drive  
Marshall, Texas 79063  
(817) 822-3581  
mevans@gswland.com

**FINAL PLAT**  
**LOT 1, BLOCK 1**  
**Elrod Addition**  
*an addition to the Extrajurisdictional Jurisdiction of the*  
**CITY OF KEENE**  
IN THE  
**JASPER C. DAWS SURVEY**  
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**JOHNSON COUNTY**  
**TEXAS**  
3.62 acres