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Filed For Record



# JOHNSON COUNTY COMMISSIONERS COURT

MAR 26 2024

April Long  
County Clerk, Johnson County Texas

BY [Signature] DEPUTY

Christopher Boedecker  
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 2024-22

COUNTY OF JOHNSON

## 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 White, Pct. 3 and seconded by Commissioner Howell, Pct. 2 that stated: "I make the motion to approve for filing purposes only, a Plat of **Y & M Addition**, Lots 1 & 2, 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 25<sup>th</sup> day of March 2024.

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

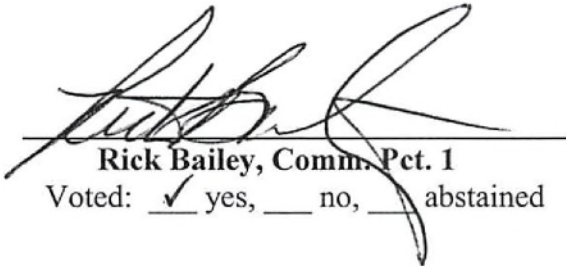
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Y & M Addition**, Lots 1 & 2, Block 1, in Precinct 4 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

**WITNESS OUR HAND THIS, THE 25<sup>TH</sup> DAY OF MARCH 2024.**



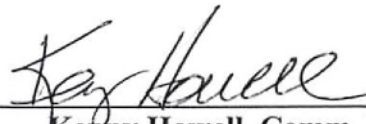
**Christopher Boedeker, Johnson County Judge**

Voted:  yes,  no,  abstained



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

Voted:  yes,  no,  abstained



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

Voted:  yes,  no,  abstained



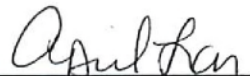
**Mike White, Comm. Pct. 3**

Voted:  yes,  no,  abstained



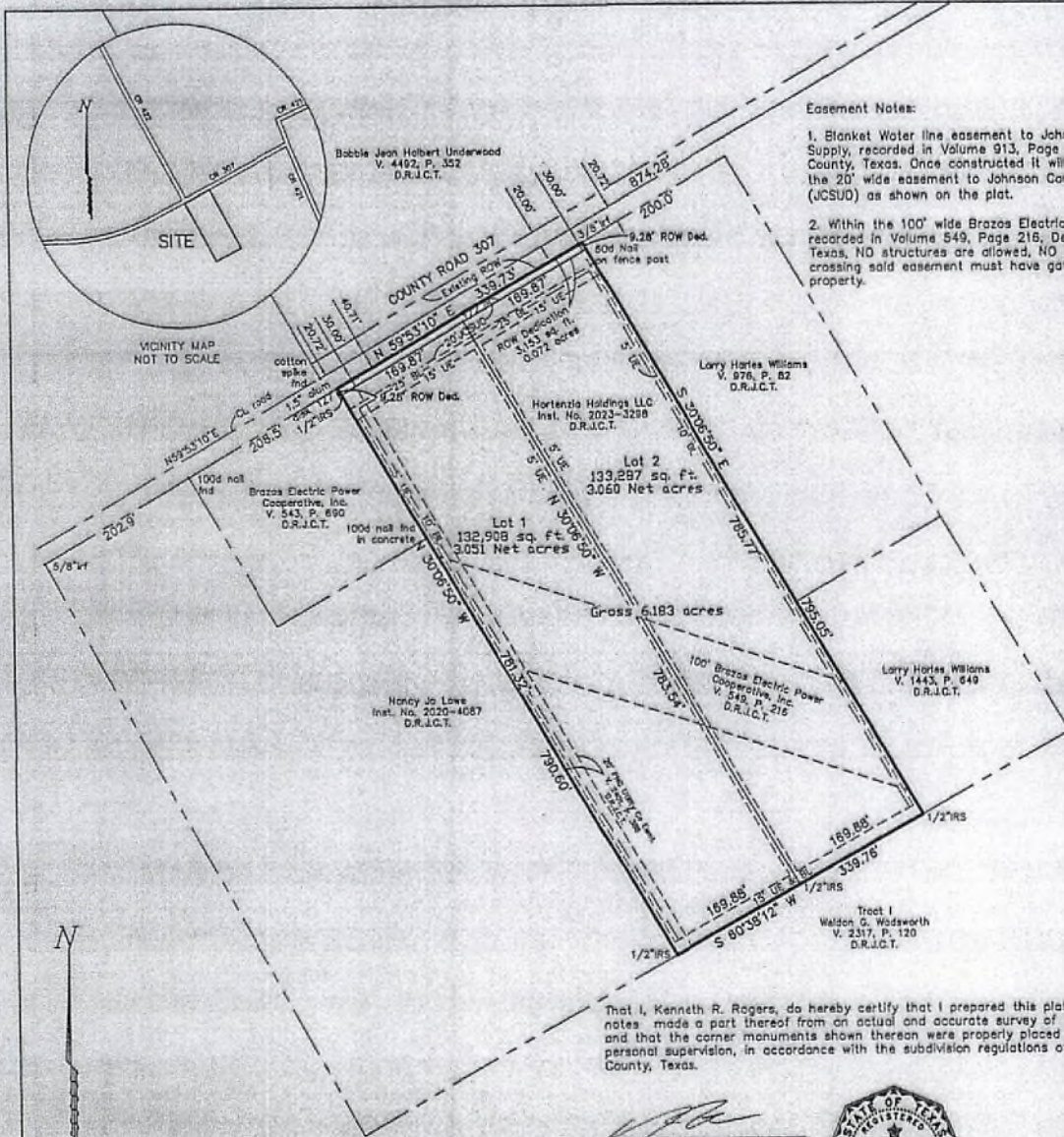
**Larry Woolley, Comm. Pct. 4**

Voted:  yes,  no,  abstained



**ATTEST: April Long, County Clerk**





**Easement Notes:**

- Blanket Water line easement to Johnson County Rural Water Supply, recorded in Volume 913, Page 35, Deed Records, Johnson County, Texas. Once constructed it will be limited in location by the 20' wide easement to Johnson County Special Utility District (JCSUD) as shown on the plat.
- Within the 100' wide Brazos Electric Power Cooperative easement, recorded in Volume 549, Page 216, Deed Records, Johnson County, Texas, NO structures are allowed, NO planting of trees and ALL fences crossing said easement must have gates for easy access across property.

That I, Kenneth R. Rogers, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of Johnson County, Texas.

*Kenneth R. Rogers*  
 Kenneth R. Rogers, R.P.L.S.  
 Texas Registration No. 6088



**HERBERT S. BEASLEY**  
 REGISTERED PROFESSIONAL SURVEYORS  
 LAND SURVEYORS L.P.  
 • LAND • TOPOGRAPHIC  
 • CONSTRUCTION SURVEYING  
 FIRM NO. 10094900  
 METRO 817-429-0184  
 FAX 817-446-5488  
 hbeasley@msn.com

**Surveyors:**  
 Herbert S. Beasley Land Surveyors, L.P.  
 P.O. Box 8873  
 Fort Worth, Texas 76124  
 (817) 429-0184  
 EMAIL: hbeasley@msn.com

**Owner/Developer:**  
 Hortenzia Holdings, LLC  
 909 Kings Ct.  
 Burleson, TX 75028  
 (817) 975-7159  
 EMAIL: hortenziaholdings@gmail.com

STATE OF TEXAS §  
 COUNTY OF JOHNSON §

WHEREAS, Hortenzia Holdings, LLC, acting by and through the undersigned its duly authorized agent is the sole owner of all that certain tract, parcel, or lot of land located in the J. Adam Walton Survey, Abstract No. 887, County of Johnson, State of Texas, according to the deed recorded in Instrument No. 2023-3298, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1.5" aluminum disk stamped "127" found at the northwest corner of said Hortenzia tract, being the northeast corner of a tract of land described in the deed to Brazos Electric Power Cooperative, Inc., recorded in Volume 543, Page 690, Deed Records, Johnson County, Texas;

THENCE N89°33'10"E, along the north line of said Hortenzia tract, a distance of 339.73 feet to a 3/8" iron rod found at the northeast corner of said Hortenzia tract, being the northwest corner of a tract of land described in the deed to Larry Harles Williams, recorded in Volume 976, Page 82, Deed Records, Johnson County, Texas;

THENCE S30°06'50"E, along the east line of said Hortenzia tract and the west line of said Williams tract, a distance of 795.05 feet to a 1/2" iron rod stamped "Beasley RPLS 8086" set at the southeast corner of said Hortenzia tract, being the southwest corner of a tract of land described in the deed to Larry Harles Williams, recorded in Volume 1443, Page 849, Deed Records, Johnson County, Texas and in the north line of a tract of land described in the deed to Waldon G. Wadsworth, recorded in Volume 2317, Page 120, Deed Records, Johnson County, Texas;

THENCE S80°38'12"W, along the south line of said Hortenzia tract and the north line of said Wadsworth tract, a distance of 339.76 feet to a 1/2" iron rod stamped "Beasley RPLS 6065" set at the southwest corner of said Hortenzia tract, being the southeast corner of a tract of land described in the deed to Nancy Jo Lowe, recorded in Instrument No. 2020-4087, Deed Records, Johnson County, Texas;

THENCE N30°06'50"W, along the west line of said Hortenzia tract and the east line of said Lowe tract, at a distance of 581.92 feet passing a 100d nail found in concrete at the most westerly northeast corner of said Lowe tract, being the southeast corner of a tract of land described in the deed to Nancy Jo Lowe, recorded in Instrument No. 2020-4087, Deed Records, Johnson County, Texas, continuing in all a distance of 790.60 feet to the point of beginning, containing 6.183 acres of land.

The bearings recited hereon are oriented to NAD83 Texas North Central Zone.  
 NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, Hortenzia Holdings, LLC, acting by and through the undersigned, its duly authorized agent, do hereby adopt this plat designating the herein above described real property as LOTS 1 and 2, BLOCK 1, Hortenzia ADDITION, an addition to Johnson County, Texas and does hereby dedicate to the public use, without reservation the streets, easements, rights-of-way and other Public Area shown thereon.

WITNESS MY HAND AT Fort Worth, Tarrant County, Texas, this the 23 day of January, 2024.  
 Hortenzia Holdings, LLC

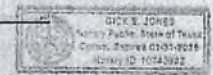
*Yolanda Hernandez*  
 By: Yolanda Hernandez, Managing Member

STATE OF TEXAS §  
 COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Yolanda Hernandez, Managing Member, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the 23 day of January, 2024.

*Notary Signature*  
 NOTARY PUBLIC, STATE OF TEXAS



JOHNSON COUNTY COMMISSIONERS COURT  
 Approved by the County Commissioners Court  
 on this \_\_\_ day of \_\_\_\_\_, 202\_\_.  
 \_\_\_\_\_  
 County Judge, Johnson County, Texas

SHEET 1 OF 2

Plat Filed \_\_\_\_\_ 202\_\_  
 Slide \_\_\_\_\_ Inst # \_\_\_\_\_ Year 202\_\_  
 Johnson County, Plat Records.  
 By: \_\_\_\_\_  
 Deputy County Clerk, Johnson County  
 By: \_\_\_\_\_  
 County Clerk, Johnson County

**Final Plat**  
 of  
**Lots 1 & 2, Block 1,**  
**Y & M ADDITION**  
**Johnson County, Texas**  
 Being a 6.183 acre tract  
 of land located in the J. Adam Walton Survey,  
 Abstract No. 887, Johnson County, Texas.

2 Lot (Single Family Residential)  
 Prepared September 2023

CM - Control Monument  
 IRF - Iron Rod Found  
 IRS - Iron Rod Set Stamp  
 Beasley RPLS 6065

Basis of Bearing - NAD 83 (2011) (Epoch 2010.0000)  
 Geoid 18, Texas North Central Zone. Grid bearings  
 & Surface distances.  
 Grid Scale Factor = 0.99992859360

SCALE 1"=100'

**FLOOD STATEMENT:**

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C03251, effective date December 4, 2012, this property is located in zone "X", (Areas determined to be coastal 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 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 floodplain 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 a 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.

**STANDARD NOTES**

The designation of the proposed usage of the area shown on plot will be 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.

**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.

This subdivision or any part thereof is not located within the ETJ of any city or town.

**UTILITY EASEMENTS:**

15' FROM THE LOT LINE IN FRONT & BACK  
5' FROM THE LOT LINE ON THE SIDES

**RIGHT OF WAY DEDICATIONS:**

40' ROW FROM THE CENTER OF ROAD ON F.M. OR STATE  
30' ROW FROM THE CENTER OF COUNTY ROADS OR ROADS  
IN A SUBDIVISION.

**BUILDING LINES:**

50' FROM LOT LINE (STATE & F.M.).  
25' FROM LOT LINE (COUNTY ROAD OR SUBDIVISION  
ROADS).  
15' FROM LOT LINE ON REAR PER DEVELOPER.  
10' FROM LOT LINE ON SIDES PER DEVELOPER.

**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 herein 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 hereto to make accurate and truthful representations upon which Johnson County can make determinations regarding the approval or disapproval of this plat.

**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.

**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 of any time of procuring the permission of anyone.

**FILED 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 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.

Notice: Selling a portion of any lot in this addition by metes and bounds is a violation of state law and is subject to penalties imposed by law.

**WATER PROVIDER:**  
JOHNSON COUNTY SPECIAL UTILITY DISTRICT  
(817) 760-5200

**ELECTRIC PROVIDER:**  
UNITED COOPERATIVE ELECTRIC SERVICE  
(817) 556-4070

**SEPTIC:**  
PRIVATE INDIVIDUAL SEPTIC SYSTEM.

Surveyor:  
Herbert S. Benstley Land Surveyors, L.P.  
P.O. Box 8873  
Fort Worth, Texas 76124  
(817) 429-0194  
EMAIL: hsbstley@msn.com

Owner/Developer:  
Hortenzia Holdings, LLC  
909 Kings Ct  
Burleson, TX 78028  
(817) 975-7158  
EMAIL: hortenziaholdings@gmail.com

SHEET 2 OF 2

**Final Plat**  
of  
**Lots 1 & 2, Block 1,**  
**Y & M ADDITION**  
**Johnson County, Texas**  
Being a 6.183 acre tract  
of land located in the J. Adam Walton Survey,  
Abstract No. 887, Johnson County, Texas.

2 Lot (Single Family Residential)  
Prepared September 2023

**AGENDA PLACEMENT FORM**

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

**Date:** March 13, 2024

**Meeting Date:** March 25, 2024

**Submitted By:** Julie Edmiston

**Department:** Public Works

**Signature of Elected Official/Department Head:**

Jennifer VanderLaan

<b>Court Decision:</b> <small>This section to be completed by County Judge's Office</small>
 <b>March 25, 2024</b>

**Description:**

Consideration of Order 2024-22, Order Approving the Final Plat of Y & M Addition, Lots 1 & 2, Block 1 in Precinct 4.

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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**