



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 2024-95

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.

NOW THEREFORE BE IT ORDERED:

The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Hidden Oaks Ranch Estates**, Lot 3, Block 1 in Precinct 3 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.

Filed For Record 1:26PM

SEP 09 2024

April Long
County Clerk, Johnson County Texas

BY AK DEPUTY

WITNESS OUR HAND THIS, THE 9TH DAY OF SEPTEMBER 2024.

Christopher Boedeker

Christopher Boedeker, Johnson County Judge

Voted: yes, no, abstained

Rick Bailey

Rick Bailey, Comm. Pct. 1

Voted: yes, no, abstained

Kenny Howell

Kenny Howell, Comm. Pct. 2

Voted: yes, no, abstained

Mike White

Mike White, Comm. Pct. 3

Voted: yes, no, abstained

Larry Woolley

Larry Woolley, Comm. Pct. 4

Voted: yes, no, abstained

April Long

ATTEST: April Long, County Clerk



LEGAL LAND DESCRIPTION:

WHEREAS, SHELBY FANNING, is the owner of that certain 5.010 acres (218,246 square feet) of land in the John Ellis Survey, Abstract Number 256, Johnson County, Texas, said 5.010 acres (218,246 square feet) of land described in a General Warranty Deed to Shelby Fanning (hereinafter referred to as Fanning tract), as recorded in Instrument Number 2022-24659, Official Public Records, Johnson County, Texas (O.P.A.J.C.T.), said 5.010 acres (218,246 square feet) of land being more particularly described, by metes and bounds, as follows:

BEGINNING at a one-half inch iron rod with plastic cap stamped "BARTON CHAFF" found at the Northeastly corner of said Fanning tract, same being the Eastern corner of that certain tract of land described in a General Warranty Deed with Vondora Linn to Bradley Eugene Franklin and Crystal Lynn Franklin (hereinafter referred to as Franklin tract), as recorded in Instrument Number 2020-26328, O.P.A.J.C.T., same being the Southwestly line of that certain tract of land described as Barton Estates (hereinafter referred to as Barton Estates), an addition in Johnson County, Texas, according to the plat recorded in Volume 11, Page 748, Plat Records, Johnson County, Texas, same also being in Oak County Lane;

THENCE South 30 degrees 19 minutes 01 second East with the common line between said Fanning tract and said Barton Estates, with said Oak County Lane, pass at a distance of 144.99 feet, the Southwesterly corner of said Barton Estates, same being the Westerly corner of that certain tract of land described in a Warranty Deed to Jony A. Sewer (hereinafter referred to as Sewer tract), as recorded in Volume 1963, Page 314, Deed Records, Johnson County, Texas, continue with said course and the common line between said Fanning tract and said Sewer tract and continue with said Oak County Lane for a total distance of 464.47 feet to a five-eighths inch iron rod with plastic cap stamped "BANNISTER ENG." set for the Southwestly corner of said Fanning tract, same being the Northeastly corner of that certain tract of land described in a Warranty Deed with Vondora Linn to Matthew Drexler Dyer (hereinafter referred to as Dyer tract), as recorded in Instrument Number 2021-18943, O.P.A.J.C.T.;

THENCE South 77 degrees 33 minutes 28 seconds West, departing the Southwestly line of said Sewer tract, and departing said Oak County Lane, with the common line between said Fanning tract and said Dyer tract, pass at a distance of 602.54 feet, the Northeastly line of a 60' Access Easement, known as Hidden Oaks Ranch Drive, as recorded in Instrument Number 2021-18527, O.P.A.J.C.T., continue with said course, continue with the common line between said Fanning tract and said Dyer tract for a total distance of 632.75 feet to a mag nail found for the Southwestly corner of said Fanning tract, same being the Northwestly corner of said Dyer tract, same being the Northwestly line of that certain tract of land described in a General Warranty Deed to The Joseph Chad Brown Irrevocable Asset Trust (hereinafter referred to as The Joseph Chad Brown Irrevocable Asset Trust tract), as recorded in Instrument Number 2020-33203, O.P.A.J.C.T., same being in the center of said Access Easement, same also being the beginning of a new bearing, to the left, whose long chord bears North 27 degrees 15 minutes 15 seconds West, a distance of 274.36 feet;

THENCE Northwestly with the common line between said Fanning tract and said The Joseph Chad Brown Irrevocable Asset Trust tract and with the centerline of said Access Easement, with said line longer curve to the left, having a radius of 1154.15 feet, through a central angle of 13 degrees 32 minutes 04 seconds, for an arc distance of 275.00 feet to a mag nail found for the Northwestly corner of said Fanning tract, same also being the Southwestly corner of said Franklin tract;

THENCE North 60 degrees 02 minutes 51 seconds East, departing the Northeastly line of said The Joseph Chad Brown Irrevocable Asset Trust tract, with the common line between said Fanning tract and said Franklin tract, pass at a distance of 23.67 feet, a one-half inch iron rod with plastic cap stamped "BARTON CHAFF" found for the Northeastly line of said 60' Access Easement, continue with said course, continue with the common line between said Fanning tract and said Franklin tract for a total distance of 594.85 feet to the PLACE OF BEGINNING, and containing a collocated area of 5.010 acres (218,246 square feet) of land, leaving a net area of 4.894 acres (204,433 square feet) out of Oak County Lane.

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS

That, SHELBY FANNING, of the above described tract of land, do hereby adopt this plat designating the herein described property as HIDDEN OAKS RANCH ESTATES, LOT 3, BLOCK 1, an addition to Johnson County, Texas, and hereby dedicate to the public use, without reservation, the streets, easements, right-of-way and any other public use shown hereon, unless otherwise designated on this plat.

[Signature] 8/23/24
NAME: SHELBY FANNING DATE

STATE OF TEXAS 1
COUNTY OF JOHNSON 1

BEFORE ME, the undersigned authority, a Notary Public, in and to said county and state, on this day personally appeared SHELBY FANNING, 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 purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 23rd DAY OF August 2024.

[Signature]
NOTARY PUBLIC in and for the STATE OF TEXAS



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.

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.

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 approved 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.

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.

Flood Statement:

- According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 482510090K, effective date September 21, 2023, this property is located in zone "X". (Areas determined to be outside the 0.2% annual chance flood plain).
- The above referenced FEMA "FIRM" 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 a part of the "NFIP".

Flood Notes:

- Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the roadway is prohibited.
- The existing creeks or drainage channels traversing along or across the 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.

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 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.

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

Right of Way Dedication:

50' from lot line (State Hwy. & F.M.).

Right of Way:

25' from lot line (County Road or Subdivision Roads).

GENERAL NOTES:

- All bearings shown herein are Texas State Plane Coordinate System, NAD83 (COORD), Texas North Central Zone (4202). All distances shown herein are surface distances.
- According to surveyor's interpretation of information shown on the National Flood Insurance Program (NFIP) "Flood Insurance Rate Map" (FIRM), Community Panel No. 482510090K, dated September 21, 2023, the property appears to be within Zone "X" and the entire property lies within a "Area determined to be outside the 0.2% annual chance floodplain" zone as defined by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, or the Federal Emergency Management Agency.
- The above referenced "FIRM" 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 surface or subsurface conditions existing on or near the subject property which are not studied or addressed as a part of the "NFIP".
- All iron rods set (IRS) are 5/8-inch with a plastic cap stamped "BANNISTER ENGINEERING".
- This subdivision or any part thereof is not located within the E.T.J. of any city or town.
- The designation of the proposed usage of this will be single family residential.
- Hidden Oaks Ranch Drive is a Private Road and will be maintained by the private land owners per covenants contained within a Non-Exclusive Roadway and Maintenance Agreement, recorded in Instrument Number 2021-18927, Official Public Records, Johnson County, Texas.
- The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.

FINAL PLAT
OF
**HIDDEN OAKS
RANCH ESTATES**
LOT 3, BLOCK 1
BEING 5.010 ACRES OUT OF THE
JOHN ELLIS SURVEY, ABSTRACT NO. 256
JOHNSON COUNTY, TEXAS
Preparation Date: August 2024
Revision Date: August 19, 2024
SHEET 2 OF 2
PROJECT NO. 497-24-001



ENGINEER / SURVEYOR:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
CONTACT: MICHAEL B. SZURGOT, RPLS
PHONE: 817-842-2094
mszurgot@bannistereng.com

OWNER:
SHELBY FANNING
1038 FALCON NEST DRIVE
KENNEDEALE, TEXAS 76060

This plat filed in Volume _____ Page _____ Slit _____
Date: _____
County Clerk, Johnson County, Texas
Deputy Clerk

AGENDA PLACEMENT FORM

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

Date: August 27, 2024

Meeting Date: September 9, 2024

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>
 September 9, 2024

Description:

Consideration of Order 2024-95, Order Approving the Final Plat of Hidden Oaks Ranch Estates, Lot 3, Block 1 in Precinct 3.

(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**