

**AGENDA PLACEMENT FORM**

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

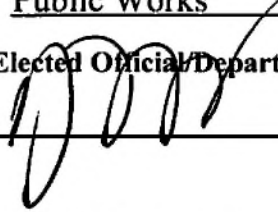
Date: October 11, 2024

Meeting Date: October 28, 2024

Submitted By: Julie Edmiston

Department: Public Works

Signature of Elected Official/Department Head:



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| <b>Court Decision:</b><br><small>This section to be completed by County Judge's Office</small>   |
| <br>10-28-2024 |

Description: Consideration of Variance to Lift Requirement of Credible Evidence of Groundwater Availability for a proposed subdivision of 3 lots, to be served by private water wells, located in the Roland Hare Survey, Abstract Number 338, 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**



## Johnson County Public Works Department

Jennifer VanderLaan / Director of Public Works

2 North Mill Street, Suite 305

Cleburne, Texas 76033

817-556-6380

### VARIANCE REQUEST

Johnson County Subdivision Rules and Regulations outline what is required under the adopted Rules and Regulations. To request a variance for a deviation or exception to those Rules and Regulations for a lot or tract (ex: road frontage, etc.) please provide the following information.

Variance fee is \$120 per request. This request will be presented to the Commissioner's Court for their decision.

Name Jim M. Malone and Mary R. Malone Date 8-30-2024

Phone Number 817-994-2094

Email Address mmalene409@gmail.com

#### Property Information for Variance Request:

Property 911 address 11725 FM 914 Grandview TX, 76050

Subdivision name Malone Meadows Block \_\_\_\_\_ Lot \_\_\_\_\_

Survey Roland Hare Abstract No. 338 Acreage 9+-

Request 2 lots for resale approx 4.50 acres each

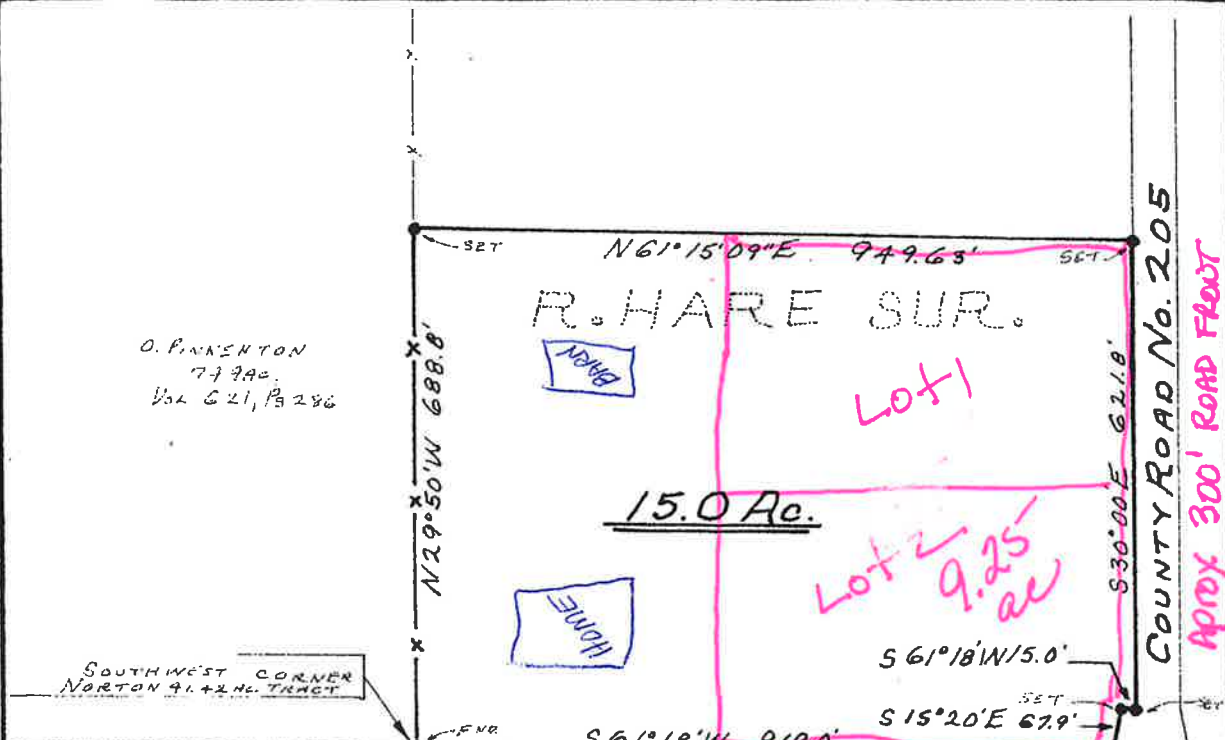
Reason for request for resale - elderly, need income

no coop water is available in area - request variance from

expensive tests to drill water wells to subdivide for sale

Provide the following with this request:

- Copy of plat (if property has been platted)
- Copy of property deed
- Survey or drawing showing existing structures



O. PINNENTON  
779 AC.  
Vol 621, Pg 286

SOUTHWEST CORNER  
NORTON 41.42 AC. TRACT

P.O.B.V. FARM MARKET ROAD No. 916

COUNTY ROAD No. 205  
Approx 300' ROAD FRONT  
EAKH LOT ON 205

FIELD NOTES

Approx 600' front on 916

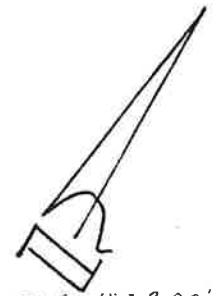
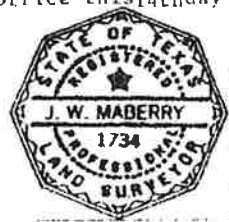
A survey of all that certain 15.0 acre tract or parcel of land out of the Roland Hare Survey, Abst. No. 338, Johnson County, Texas, being a portion of that called 41.42 acres described in Volume 798, Page 92, Deed Records of Johnson County, Texas, and being more particularly described as follows:

- BEGINNING at a steel rod found in place in the NORTH right-of-way line of Farm Market Road No. 916, for a corner, said corner being the Southwest corner of said 41.42 acre tract;
- THENCE -- N 29°50'W 688.8 feet with a fence line and the WEST line of said 41.42 acre tract to a steel rod set, for a corner;
- THENCE -- N 61°15'09"E 949.63 feet to a steel rod set in the EAST line of said 41.42 acre tract and in the WEST line of County Road No. 205, for a corner;
- THENCE -- S 30°00'E 621.8 feet with the EAST line of said 41.42 acre tract to a steel rod set, for a corner;
- THENCE -- S 61°18'W 15.0 feet to a steel rod set, for a corner;
- THENCE -- S 15°20'E (deed call S 15°20'W) 67.9 feet to a steel rod set in the NORTH line of said Farm Road No. 916, for a corner;
- THENCE -- S 61°18'W 919.0 feet with the SOUTH line of said 41.42 acre tract and the NORTH line of said road to the place of BEGINNING, containing 15.0 acres of land.

I do hereby certify that this represents the results of a survey made on the ground by me and that there are no encroachments, conflicts or protrusions apparent on the ground except as shown hereon.

Witness my hand and seal of office this 14th day of May 2002.

*J. W. Maberry*  
J.W. Maberry  
Registered Professional  
Land Surveyor No. 1734



SCALE: 1" = 200'

LEGEND

- Steel Rod
- ⊙ Steel Post
- Iron Pipe
- Conc. Mon.

J.W. MABERRY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
5900 Pecan Circle Alvarado, Texas 76009  
Phone No. 817-790-8534 Job No 2002-096



● Jim & Mary Malone-9.25 acres

LOT 1

Lot 2

FM 916

see also

205

916

# WARRANTY DEED

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

Date: JULY 21, 2017

GF# 18998DFW

Grantor: SCOTTY H. TEKELL AND SPOUSE, KELLY TEKELL

Grantor's Mailing Address:

Grantee: JIM W. MALONE AND SPOUSE, MARY R. MALONE

Grantee's Mailing Address: 11725 FM 916, GRANDVIEW, TEXAS 76050

**Consideration:** TEN AND NO/100-----(\$10.00)-----DOLLARS and other good and valuable consideration, the receipt of which is hereby acknowledged and confessed;

**Property (including any improvements):**

BEING THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN JOHNSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

**Reservations from Conveyance:**

THIS CONVEYANCE IS MADE SUBJECT TO AND THERE IS EXCEPTED HEREFROM, ALL OIL, GAS AND OTHER MINERALS AND ROYALTIES HERETOFORE RESERVED OR CONVEYED TO OTHERS AND GRANTOR HEREBY EXCEPTS AND RESERVES UNTO GRANTOR, GRANTOR'S HEIRS SUCCESSORS AND ASSIGNS FOREVER, ALL REMAINING OIL, GAS AND OTHER MINERALS IN AND UNDER AND THAT MAY BE PRODUCED FROM THE LANDS DESCRIBED HEREIN. IF THE MINERAL ESTATE IS SUBJECT TO EXISTING PRODUCTION OR AN EXISTING LEASE, THIS RESERVATION INCLUDES THE PRODUCTION, THE LEASE AND ALL BENEFITS FROM IT.

GRANTOR DOES HEREBY EXPRESSLY RELEASE AND WAIVE, ON BEHALF OF THE GRANTOR AND THE GRANTOR'S HEIRS, SUCCESSORS, AND ASSIGNS, ALL RIGHTS OF INGRESS AND EGRESS, AND ANY AND ALL OTHER RIGHTS OF EVERY KIND AND CHARACTER WHATSOEVER, TO ENTER UPON AND USE ANY PART OF THE SURFACE OF THE SUBJECT PROPERTY, INCLUDING, WITHOUT LIMITATION, THE RIGHT TO ENTER UPON AND USE ANY PART OF THE SURFACE OF THE SUBJECT PROPERTY FOR ANY PURPOSE INCIDENT TO EXPLORING FOR, DEVELOPING, DRILLING FOR, PRODUCING, TRANSPORTING, MINING, TREATING, OR STORING THE OIL, GAS AND OTHER MINERALS IN, ON, AND UNDER THE SUBJECT PROPERTY.

NOTHING HEREIN CONTAINED SHALL EVER BE CONSTRUED TO PREVENT THE GRANTOR, OR THE GRANTOR'S HEIRS, SUCCESSORS, OR ASSIGNS, FROM DEVELOPING OR PRODUCING THE OIL, GAS AND OTHER MINERALS IN AND UNDER THE SUBJECT PROPERTY BY POOLING OR BY DIRECTIONAL DRILLING UNDER THE SUBJECT PROPERTY FROM WELL SITES LOCATED ON TRACTS OUTSIDE THE SUBJECT PROPERTY.

**Exceptions to Conveyance and Warranty:**

THIS CONVEYANCE IS EXECUTED, DELIVERED AND ACCEPTED SUBJECT TO AD VALOREM TAXES FOR THE CURRENT YEAR, ROLLBACK TAXES DUE TO THIS CONVEYANCE OR GRANTEE'S USE OF THE SUBJECT PROPERTY, MAINTENANCE FUND LIENS, ZONING ORDINANCES, UTILITY DISTRICT ASSESSMENTS AND STANDBY FEES, IF ANY, ANY AND ALL VALID UTILITY EASEMENTS CREATED BY THE DEDICATION DEED OR PLAT OF THE SUBDIVISION IN WHICH SAID REAL PROPERTY IS LOCATED, RECORDED EASEMENTS, MINERAL RESERVATIONS AND LEASES, RESTRICTIONS, COVENANTS, CONDITIONS, RIGHTS OF WAY EASEMENTS, IF ANY, AFFECTING THE HEREIN DESCRIBED PROPERTY BUT ONLY TO THE EXTENT THE SAME ARE VALID AND SUBSISTING.

Grantor, for the consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property

to Grantee and Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

\_\_\_\_\_  
SCOTTY H. TEKELL

\_\_\_\_\_  
KELLY TEKELL

**ACCEPTED AND AGREED TO:**

  
\_\_\_\_\_  
JIM W. MALONE

  
\_\_\_\_\_  
MARY R. MALONE

**(Acknowledgment)**

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by  
**SCOTTY H. TEKELL AND SPOUSE, KELLY TEKELL.**

\_\_\_\_\_  
Notary Public, State of Texas  
Notary's Name (printed):  
Notary's commission expires:

**NOTICE:** This document affects your legal rights. Read it carefully before signing.

**AFTER RECORDING RETURN TO:**  
JIM W. MALONE AND SPOUSE, MARY R. MALONE  
11725 FM 916  
GRANDVIEW, TEXAS 76050

PREPARED IN THE LAW OFFICE OF:  
NEWMAN & LAWLER  
A PROFESSIONAL LIMITED LIABILITY COMPANY  
ATTORNEYS AT LAW  
200 BAILEY AVE., SUITE 100  
FORT WORTH, TEXAS 76107