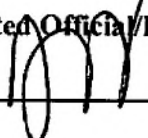


AGENDA PLACEMENT FORM

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

Date: November 14, 2024
Meeting Date: November 25, 2024
Submitted By: Julie Edmiston
Department: Public Works
Signature of Elected Official/Department Head:


Court Decision: <small>This section to be completed by County Judge's Office</small>
 <div style="color: red; font-weight: bold; margin-top: 10px;">11-25-2024</div>

Description:

Consideration of Variance to Allow Permitting on a Proposed Plat with 3 Lots having less than the required Road Frontage located in Precinct #1.

Motion: Approving Variance Only not Plat

(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 Alton A Harwell and Carolyn K Harwell Date 11/13/2024

Phone Number 817-790-1273 (Tracy Findley Heir)

Email Address nanatracyof810@gmail.com

Property Information for Variance Request:

Property 911 address 7670 County Road 1202 Cleburne, Tx 76031

Subdivision name _____ Block _____ Lot _____

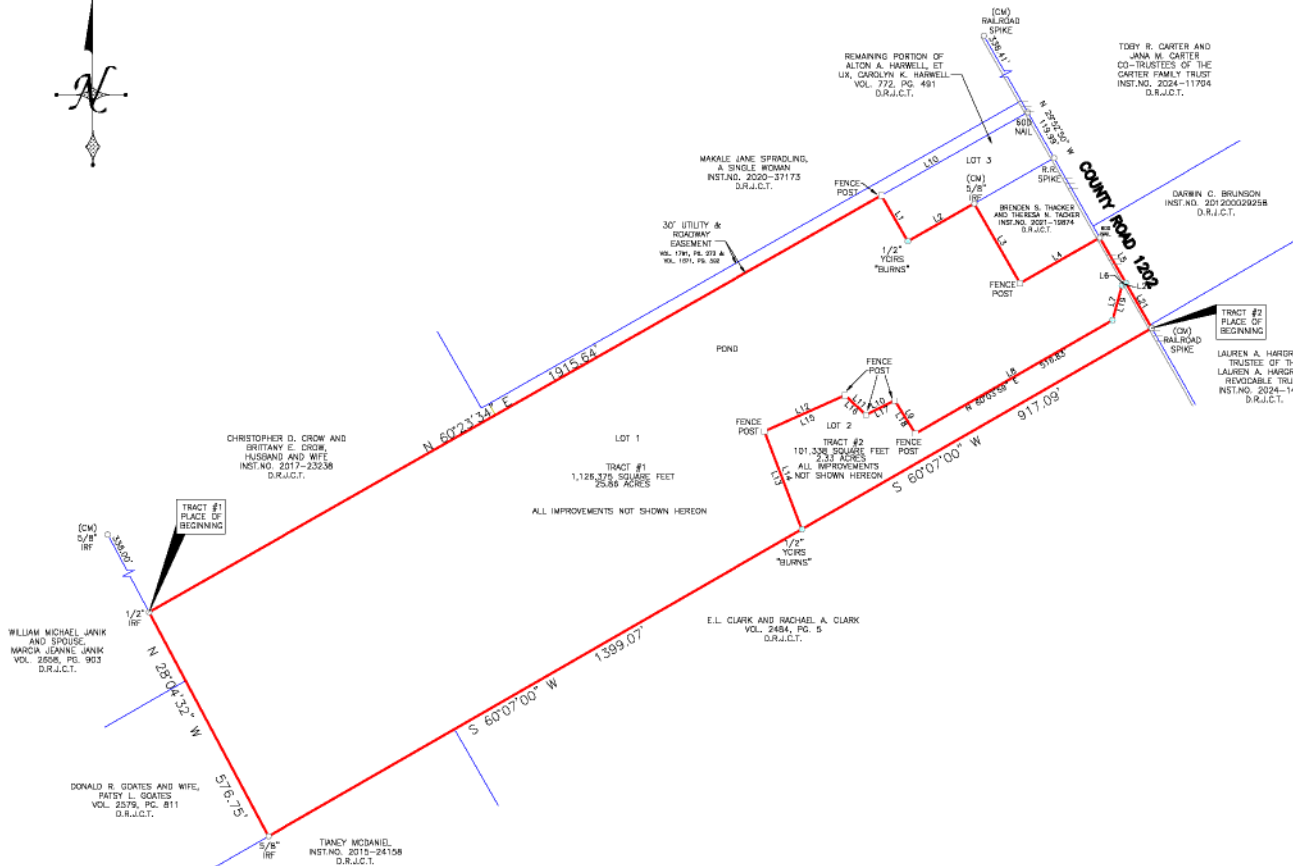
Survey I Batterson Tract 118 Abstract 21 Acreage 28.02

Request To split this property into 3 parcels with less than 150 Ft of road frontage

Reason for request Selling a portion of the 28.02 acres

Provide the following with this request:

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



LINE TABLE		
LINE	LENGTH	BEARING
L1	120.28	S28°52'50"E
L2	173.52	S80°21'10"W
L3	208.71	S28°53'50"E
L4	208.91	N80°21'10"E
L5	118.69	S28°52'50"E
L6	9.99	S80°07'00"W
L7	82.28	S15°18'41"W
L8	516.83	S80°03'59"W
L9	88.78	N31°57'35"W
L10	72.85	S83°31'48"W
L11	65.19	N47°05'31"W
L12	200.51	S85°58'27"W
L13	236.07	S28°53'03"E
L14	236.07	N27°53'03"E
L15	200.51	N85°58'27"E
L16	65.19	S47°05'31"E
L17	72.85	N83°31'48"E
L18	88.78	S31°57'35"E
L19	82.28	N15°18'41"E
L20	9.99	N80°07'00"E
L21	118.00	S28°52'50"E

Bearings shown herein are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based upon the North American Datum of 1983 (NAD 83), 2011 Adjustment, Epoch 2010.

PROPERTY SUBJECT TO EASEMENTS & RESTRICTIONS VOL. 984, PG. 401, VOL. 1537, PG. 245; VOL. 1537, PG. 247.

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR TRULY TITLE
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

ACCEPTED BY:

LEGEND

WOOD FENCE — IRON FENCE —
CHAIN LINK — WIRE FENCE —

EASEMENT SYMBOLS

CM — CONTROLLING MONUMENT
MND — MONUMENT OF RECORD DIGNITY
P — POINT FOR CORNER
1/2" YELLOW-CAPPED IRON ROD SET
STAMPED "BURNS SURVEYING"
X-CUT FOUND OR SET (AS NOTED)
FENCE POST FOR CORNER
MONUMENT FOUND CM — ELECTRIC METER
C — CABLE
C — CLEAN OUT
G — GAS METER
F — FIRE HYDRANT
L — LIGHT POLE
M — MANHOLE
W — WATER METER
W — WATER VALVE
(UNLESS OTHERWISE NOTED)

TRACT #1

BEING all that certain lot, tract or parcel of land situated in the same Johnson Survey, Abstract No. 1041, Johnson County, Texas, being a portion of a tract of land described in deed to Alton A. Harwell, et al., Carolyn K. Harwell, recorded in Volume 772, Page 491, Deed Records, Johnson County, Texas (D.R.J.C.T.), and being more particularly described by the following names and bounds description:

BEING also a 1/2 inch iron rod found at the Northwest corner of the Williams Michael Jank and Spouse, Merile Beane Jank, recorded in Volume 2458, Page 903 (D.R.J.C.T.), at the South corner of a tract of land described in deed to Christopher D. Crow and Britany E. Crow, husband and wife, recorded under Instrument No. 2017-23238 (D.R.J.C.T.), being the West corner of a tract of land described in deed to:

THENCE North 60 deg. 23 min. 34 sec. East, with the Southeast line of said Crow tract a distance of 1915.64 feet to a fence post for corner;

THENCE South 29 deg. 52 min. 30 sec. East, a distance of 120.28 feet to a 1/2 inch yellow-capped iron rod stamped "Burns Surveying" set for corner;

THENCE North 60 deg. 21 min. 10 sec. East, a distance of 173.52 feet to a 5/8 inch iron rod found for corner;

THENCE South 29 deg. 53 min. 50 sec. East, a distance of 208.71 feet to a fence post for corner;

THENCE North 60 deg. 21 min. 10 sec. East, a distance of 208.91 feet to a 5/8 inch iron rod found at the corner in County Road 1202, in the Southeast line of a tract of land described in deed to Darwin C. Brunson, recorded under Instrument No. 20120029258 (D.R.J.C.T.);

THENCE South 29 deg. 52 min. 30 sec. East, a distance of 118.69 feet to a point for corner;

THENCE South 60 deg. 07 min. 00 sec. West, a distance of 9.99 feet to a point for corner;

THENCE South 15 deg. 18 min. 41 sec. West, a distance of 82.28 feet to a point for corner;

THENCE South 60 deg. 03 min. 59 sec. West, a distance of 516.83 feet to a fence post for corner;

THENCE North 31 deg. 57 min. 35 sec. West, a distance of 88.78 feet to a fence post for corner;

THENCE North 60 deg. 31 min. 48 sec. West, a distance of 72.85 feet to a fence post for corner;

THENCE North 47 deg. 05 min. 31 sec. West, a distance of 65.19 feet to a fence post for corner;

THENCE South 65 deg. 55 min. 27 sec. West, a distance of 200.51 feet to a fence post for corner;

THENCE South 28 deg. 53 min. 03 sec. East, a distance of 236.07 feet to a 1/2 inch yellow-capped iron rod stamped "Burns Surveying" set for corner in the Northwest line of said Clark tract;

THENCE South 60 deg. 07 min. 00 sec. West, a distance of 199.07 feet to a 5/8 inch iron rod found for corner in the Northwest line of a tract of land described in deed to Thane McDaniel, recorded under Instrument No. 2015-24198 (D.R.J.C.T.), at the North corner of a tract of land described in deed to Donald R. Goyates and wife, Paty L. Goyates, recorded in Volume 2575, Page 811 (D.R.J.C.T.);

THENCE North 28 deg. 04 min. 32 sec. West, a distance of 576.75 feet to the PLACE OF BEGINNING and containing 1,126.375 square feet or 25.86 acres of land.

TRACT #2

BEING all that certain lot, tract or parcel of land situated in the same Johnson Survey, Abstract No. 1041, Johnson County, Texas, being a portion of a tract of land described in deed to Alton A. Harwell, et al., Carolyn K. Harwell, recorded in Volume 772, Page 491, Deed Records, Johnson County, Texas (D.R.J.C.T.), and being more particularly described by the following names and bounds description:

BEING also a railroad right of way for corner in County Road 1202, in the Northwest line of a tract of land described in deed to Lauren A. Hargrove, trustee of the Lauren A. Hargrove Revocable Trust, recorded in Volume 2454, Page 5 (D.R.J.C.T.), being the East corner of a tract of land described in deed to:

THENCE North 60 deg. 07 min. 00 sec. West, a distance of 917.09 feet to a 1/2 inch yellow-capped iron rod stamped "Burns Surveying" set for corner;

THENCE North 28 deg. 53 min. 03 sec. East, a distance of 236.07 feet to a fence post for corner;

THENCE North 65 deg. 55 min. 27 sec. East, a distance of 200.51 feet to a fence post for corner;

THENCE South 67 deg. 03 min. 31 sec. East, a distance of 65.19 feet to a fence post for corner;

THENCE North 60 deg. 31 min. 48 sec. East, a distance of 72.85 feet to a fence post for corner;

THENCE North 31 deg. 57 min. 35 sec. East, a distance of 88.78 feet to a fence post for corner;

THENCE North 60 deg. 03 min. 59 sec. East, a distance of 516.83 feet to a point for corner;

THENCE North 15 deg. 18 min. 41 sec. East, a distance of 82.28 feet to a point for corner;

THENCE North 60 deg. 07 min. 00 sec. West, a distance of 9.99 feet to a point for corner in County Road 1202, in the Northwest line of a tract of land described in deed to Darwin C. Brunson, recorded under Instrument No. 20120029258 (D.R.J.C.T.);

THENCE South 29 deg. 52 min. 30 sec. East, a distance of 118.00 feet to the PLACE OF BEGINNING and containing 101,338 square feet or 2.33 acres of land.



SURVEY PLAT



BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 7670 COUNTY ROAD 1202, in the city of CLEBURNE, Texas.

The plat herein is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plot size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 200'
Date: 09-27-2024
G. F. No.: 24006475-32
Job no.: 202407961
Drawn by: BM

EASEMENT UPDATE
REVISED 10-22-2024

2701 SUNSET RIDGE DRIVE, STE. 303
ROCKWALL, TEXAS 75082

FIRM REGISTRATION NO. 10194366



TITLE AND ABSTRACTING WORK FURNISHED BY TRULY TITLE

The State of Texas,

County of JOHNSON

491
Know All Men by These Presents:

That we, Alvin C. Pope, et ux, Maxine Pope

of the County of Johnson State of Texas for and in consideration

of the sum of FIFTY FIVE THOUSAND AND NO/100-----

-----(\$55,000.00)-----DOLLARS

to us paid, and secured to be paid, by Alton A. Harwell, et ux, Carolyn K. Harwell
as follows:

- (1) \$28,300.00 Cash, the receipt of which is hereby acknowledged;
- (2) The execution by the Grantees of their Note for \$26,700.00, of even date herewith, payable to the order of The Federal Land Bank of Houston, in monthly installments and bearing interest as therein provided, containing stipulations for the payment of attorney's fees and the acceleration of the maturity, said Note being made payable to The Federal Land Bank of Houston because it has advanced and paid to us, at the request of the Grantees, \$26,700.00 of the consideration for this conveyance, the receipt of which is hereby acknowledged, and the superior title and Vendor's Lien retained herein to secure the payment of the said Note is hereby transferred and conveyed unto The Federal Land Bank of Houston; and said Note is further secured by a Deed of Trust, of even date, to George W. Cunningham, Trustee, containing power of sale and other provisions;

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said

Alton A. Harwell, et ux, Carolyn K. Harwell

of the County of State of all that certain tract of land situated in the County of Johnson, State of Texas, being a part of the Isaac Batterson Survey, Patent No. 1041, and being a part of a 50 acre tract conveyed by L. J. Pipes, et ux to Frank Duval by warranty deed dated July 30, 1896, and recorded in Volume 66, page 512, Deed Records of Johnson County, Texas, and all of a 17.33 acre tract conveyed by E. E. Capps to W. E. Pipes by warranty deed dated March 4, 1879, and recorded in Volume N, page 636, Deed Records of Johnson County, Texas, being more particularly described as follows. All bearings being referred to True North. BEGINNING at an iron pin in the center-line of a 40 foot gravel road (County Road No. 1202) being the southeast corner of said 50 acre tract and the Southeast corner of Block No. 10 out of the Isaac Batterson Survey as described in a warranty deed conveyed by William T. Batterson to W. J. Capps, E. E. Capps, H. B. Capps and J. L. White, dated February 14, 1871 and recorded in Volume 30, page 275, Deed Records of Johnson County, Texas; THENCE -- South 60 deg. West with the south line of said 50 acre tract and Block No. 10, 833.4 varas (2315.0 feet) to the southeast corner of a 14.67 acre tract conveyed by W. E. Capps, et ux to J. R. Mayes, by warranty deed dated August 12, 1880, and recorded in Volume T,

492

page 377, Deed Records of Johnson County, Texas, an iron pin for a corner;
THENCE -- North 28 deg. West with the east line of said 14.67 acre tract at 213.0 varas (591.7 feet) pass the northeast corner of said 14.67 acre tract and the southwest corner of said 17.33 acre tract in the north line of said 50 acre tract, continuing with the west line of said 17.33 acre tract, in all 319.68 varas (888.0 feet) to the northwest corner of said 17.33 acre tract, an iron pin for a corner;
THENCE -- North 60 deg. East with the north line of said 17.33 acre tract 822.24 varas (2284.0 feet) to the northeast corner of said 17.33 acre tract in the center-line of said 40 foot gravel road being the east line of said Block No. 10, an iron pin for a corner;
THENCE -- South 30 deg. East with the east line of said 17.33 acre tract in the center-line of said 40 foot gravel road being the east line of said Block No. 10, at 106.5 varas (295.8 feet) pass the southeast corner of said 17.33 acre tract and the northeast corner of said 50 acre tract, continuing with the east line of said 50 acre tract in the center-line of said 40 foot gravel road being the east line of said Block No. 10, in all 319.5 varas (887.5 feet) to the point of beginning and containing 46.850 acres of land, more or less.✓

The conveyance by this Deed is made subject to any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part thereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

Alton A. Harwell, et ux, Carolyn K. Harwell, their

heirs and assigns forever and we do hereby bind ourselves, our

heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said Alton A. Harwell, et ux, Carolyn K. Harwell, their

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements, until the above described note, and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

WITNESS our hands at Cleburne, Texas

this 5th day of September

1978

Alvin C. Pope
Alvin C. Pope

Witness at request of Grantor:

Maxine Pope

Maxine Pope

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF Johnson

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared
Alvin C. Pope, et ux, Maxine Pope
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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the 8th day of September A. D. 19 78

(L. S.)

Notary Public in and for Johnson County, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared
known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the day of A. D. 19

(L. S.)

Notary Public in and for County, Texas

CORPORATION ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared
, known to me to be the person and officer
whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said
a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein
expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the day of A. D. 19

(L. S.)

Notary Public in and for County, Texas

THE STATE OF TEXAS,
COUNTY OF

I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication, was filed for
record in my office on the day of A. D. 19 at o'clock M.,
and was duly recorded by me on the day of A. D. 19
in Vol. , page , of the Records of said County.

WITNESS MY HAND and the Seal of the County Court of said County, at my office in
the day and year last above written.

(L. S.)

County Clerk County, Texas

By Deputy.

Warranty Deed

(WITH VENDOR'S LIEN)

FROM

Alvin C. Pope, et ux,

Maxine Pope

TO

Alton A. Harwell, et ux,

~~Carolyn K. Harwell~~

FILED FOR RECORD

This day of A. D. 19

at o'clock M.

By County Clerk
Deputy

RECORDED

In A. D. 19

In Book RECORD AT 453 County Records
M 2
SEP 8 1978 on Page 5

SEP 8 1978

BY COUNTY CLERK JOHNSON COUNTY CLERK
DEPUTY

Recording Fee \$

This instrument should be filed immediately with
the County Clerk for Record.

Alton A. Harwell

STEWART TITLE OF JOHNSON COUNTY, INC.

P. O. BOX 652

CLEBURNE, TEXAS, 75001

THE ODEI COMPANY, PUBLISHERS, DALLAS

GF 4196

RECORDED

SEP 11 1978

JOHNSON COUNTY
CLERK'S OFFICESTATE OF TEXAS
COUNTY OF JOHNSONI hereby certify that this instrument was FILED on the
date and at the time stamped herein by me and was duly
RECORDED in the Volume and Page of the PUBLIC RECORDS
of Johnson County, Texas, as stamped herein by me.Joe L. Tamm
County Clerk, Johnson County, Texas

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