AGENDA ITEM
A 7

# AGENDA PLACEMENT FORM

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

**Date:** August 13,2026

**Meeting Date:** August 24, 2026

**Submitted By:** Julie Edmiston

**Department:** Development Services

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

**Court Decision:**
This section to be completed by County Judge's Office

Johnson County ★ APPROVED ★ Commissioners Court
8.24.2026

**Description:**
Consider Multiple Variance Requests for Proposed Subdivision River Hills, Located in Precinct 1.

(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:** _____ minutes

**Session Requested:** (check one)

☑ Action Item ☐ Consent ☐ Workshop ☐ Executive ☐ Other _____

**Check All Departments That Have Been Notified:**

☐ County Attorney ☐ IT ☐ Purchasing ☐ Auditor

☐ Personnel ☑ Development Services ☐ Facilities Management

Other Department/Official (list) _____

**Please List All External Persons Who Need a Copy of Signed Documents In Your Submission Email**

**Approved in CC on 9/11/2023**

# 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 Will Watson Date 07/07/2026

Phone Number 817 727 7769

Email Address will@novapont.com

Property Information for Variance Request:

Property 911 address River Hills: Latitude: 32.442144° Longitude: -97.497275°

Subdivision name River Hills Subdivision Block N/A Lot N/A

Survey _____ Abstract _____ Acreage _____

Request Storm Drain System, Setbacks

Reason for request Please see attached Memo and Site Plan for reference.

Provide the following with this request:

n/a ☐ Copy of plat (if property has been platted)

☒ Copy of property deed

☒ Survey or drawing showing existing structures

| Drover Ridge and River Hills | | |
|---|---|---|
| **Variance Request** | **Johnson County Current Regulations** | |
| Storm drain pipe size; allow a closed pipe system beyond the 48" threshold. | Storm drain systems capable or conveying the 5-yr frequency flood are required when water spread limits are exceeded. Closed pipe systems shall be required for discharges up to and including the equivalent flow of a 48-inch pipe, unless the grade of the natural ground is less than 0.5%, then an enclosed pipe system shall be required for discharges up to and included 100 c.f.s. (cubic feet per second). | *Appendix A.D.4(a) pg. 71* |
| Storm drain manhole placement; not installing manholes at all alignment changes. | Manholes shall be placed at the connection of two (2) or more laterals, at pipe junctions having pipe sizes greater than twenty-four (24") inches, at alignment changes and at the beginning of the storm drain system. | *Appendix A.D.4(g) pg. 71* |
| Building setback; 20-foot setback instead of a 25-foot setback. | Minimum set-back distance of at least twenty-five (25) feet on roads located within the subdivision and fifty (50) feet on any lots bordering on an existing Farm-to-Market road or State highway. | Section IV.C.12 pg. 26 |

TOPOGRAPHIC
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# Memorandum

**To**: Jennifer Vanderlann

**From**: Rob Foster

**Date**: July 7, 2026

**Re**: Variance Requests on the River Hills Subdivision

This memorandum is to inform you about the variance requests related to all future phases of the River Hills Subdivision (Development). Our team has been actively reviewing the Subdivision Rules and Regulations of Johnson County, TX (SRR) dated March 24, 2025. The variance requests are essential to accommodate the unique aspects of the project and to align with the community's needs and expectations.

Developer submits this variance application separately solely at the administrative direction of Johnson County and not as an acknowledgment or agreement that the subject property constitutes a separate project for any purpose. Developer maintains that the subject property and the related tract(s) are part of a single project under Chapter 245 of the Texas Local Government Code and that any vested rights arise from the conceptual site plans submitted to the County on June 12, 2023, together with the related series of permits for that project. Nothing in this submission is intended to, nor shall it be deemed to, modify, limit, release, reduce, waive, or otherwise prejudice any of Developer's rights, remedies, privileges, claims, defenses, or legal positions at law or in equity, including any vested rights under Chapter 245. Developer expressly reserves the right to pursue any and all causes of action and remedies available under Texas or federal law arising from or relating to this project or the County's actions.


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## REQUESTED VARIANCES

1. **Storm Drain Pipe Size**

   Unnecessary Burden Justification:

   The applicant requests a variance from the requirement under Appendix A, Section D.4.a of the Johnson County Subdivision Rules and Regulations that limits closed pipe storm drain systems to discharges up to and including the equivalent flow of a 48-inch pipe. This subdivision incorporates curb and gutter roadway construction with underground storm drainage collecting runoff via curb inlets — a fully enclosed system by design — making the imposition of an open channel unnecessary and burdensome. The engineering calculations for this project demonstrate that a closed pipe system of sufficient diameter can adequately convey the required storm flows, and requiring a transition to an open channel solely because the discharge exceeds the 48-inch equivalent flow threshold would impose a significant footprint burden on the site with no corresponding public safety benefit, given that the curb and gutter system is already designed to capture and convey stormwater underground. The applicant requests that the closed pipe system be permitted to continue beyond the 48-inch threshold provided the engineer of record demonstrates through hydraulic calculations that the proposed pipe system adequately conveys the design storm, consistent with the drainage design intent of the subdivision.

2. **Storm Drain Manholes**

   Unnecessary Burden Justification:

   The applicant requests a variance from the requirement under Appendix A, Section D.4.g of the Johnson County Subdivision Rules and Regulations that mandates manholes at all alignment changes in the storm drain system. While the applicant will fully comply with the maximum manhole spacing requirements established in the rules — 600 feet for 18- to 36-inch pipe and 1,000 feet for 42- to 60-inch pipe — requiring a manhole at every horizontal bend creates an unnecessary burden inconsistent with standard industry practice. Modern storm drain construction routinely accommodates gradual deflections and bends through the use of


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manufactured fittings, beveled pipe joints, and curved pipe installations without the need for a manhole structure, which adds significant cost and surface infrastructure with no meaningful benefit to system maintenance or performance where the deflection angle is minor. The applicant proposes that manholes at alignment changes be required only where the deflection exceeds a threshold to be agreed upon with the Public Works Director, with all other alignment changes accommodated through engineered fittings, maintaining full compliance with spacing requirements and the overall intent of the drainage standards.

3. **Setbacks**

   Unnecessary Burden Justification:

   The applicant requests a variance from the 25-foot building setback requirement under SRR Sections II and IV.C.12 to allow a 20-foot setback along internal subdivision roads. Per the SRR, Section II, Definitions, p. 9, a setback line is established specifically to reserve area for the future widening or construction of improvements to a road. The setback requirement exists not as an arbitrary buffer, but as a protective mechanism tied directly to anticipated right-of-way needs.

   Furthermore, Section IX.B.3, p. 45 establishes that roads within a subdivision shall carry a right-of-way of not less than sixty (60) feet nor more than one hundred (100) feet. It follows logically that a 20-foot setback along internal subdivision roads is consistent with the standard's underlying purpose, as the 60-foot ROW already dedicated under Section IX.B.3 (p. 45) represents the baseline requirement — 20-foot setbacks would allow for a fully widened 100’ Right of Way. Applying a 25-foot setback beyond a fully-dedicated 60-foot ROW would impose an unnecessary burden on property owners without providing any additional practical benefit toward future road improvements. See Setback Variance Exhibit attached.

4. **Master Thoroughfare Plan**

   Unnecessary Burden Justification:

   The applicant submitted development plans to Johnson County in June 2023 — more than five months before the Johnson County Major Thoroughfare Plan (MTP) process even began, which per page 19 of the MTP was "a 16-month process starting in November 2023 and

ending in March 2025," and nearly eight months before the first public Town Hall meetings and Steering Committee workshops were held in January 2024, as documented in Figure 31 on page 51 of the MTP. Despite this prior knowledge of the applicant's development layout, the MTP schematically depicts road alignments crossing the subject property that were drawn without regard to existing site easements or the already-submitted development plan. These alignments are not funded projects and fall into the medium-term (10–20 year) or long-term (20+ year) categories, and the MTP itself acknowledges on page 11 that proposed alignments "may be revised several times before a final alignment is approved, designed and implemented." Requiring the applicant to reserve right-of-way or alter the development to accommodate schematic road alignments that the County's own plan concedes are aspirational, unfunded, and subject to substantial revision — for roads that are a decade or more away from construction — imposes an unreasonable and unnecessary hardship on a project that predates the plan itself.

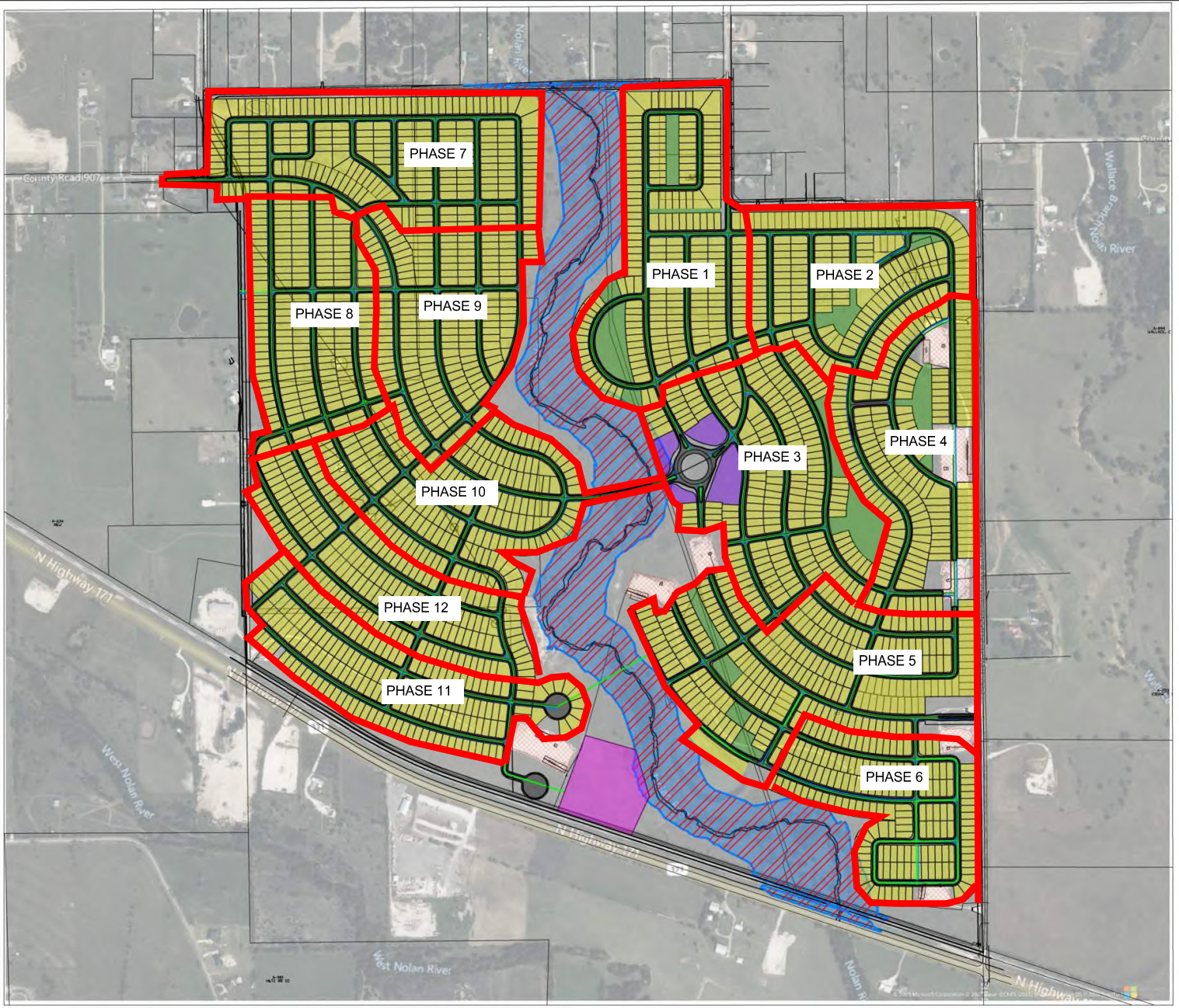
## CONCLUSION

The variance requests for the Development are essential to accommodate the previously seen and unique aspects of this project and align with the future community's needs and expectations. By addressing these variances, we can ensure that the project proceeds smoothly and meets the standards set forth by Johnson County's SSR. We appreciate your consideration of these requests and look forward to your feedback.

Thanks,

Rob Foster, P.E.


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| LAND USE | ACREAGE | |
|---|---|---|
| COMMERCIAL | 4.00 | AC |
| RESIDENTIAL | 446.00 | AC |
| ROAD | 63.86 | AC |
| WWTP | 7.20 | AC |
| OPEN SPACE | 15.37 | AC |
| FLOODPLAIN | 74.89 | AC |
| EXISTING GAS WELL | 9.86 | AC |

TOTAL LOT COUNT = 2,291

NOTE:
APPROXIMATELY 190
LOTS PER PHASE.

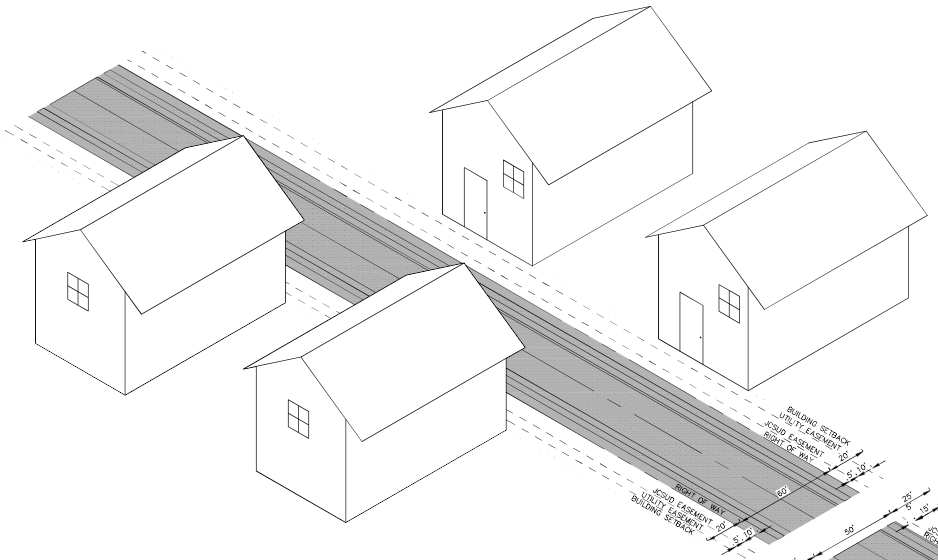
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TELEPHONE: (817) 744-7512 • FAX (817) 744-7554
TEXAS FIRM REGISTRATION NO. 10042504
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GODLEY EAST
JOHNSON COUNTY, TX

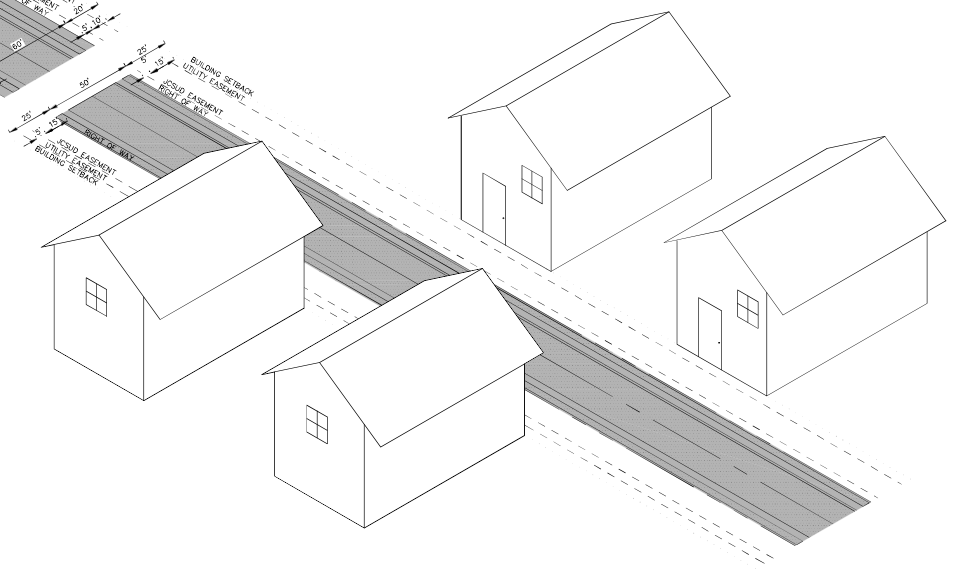
PRELIMINARY LAND USE

SHEET NO.
EX-1

S:\CIVIL\NOVAPONT\GODLEY_CONCEPTUAL_PLANNING\CIVIL\PLAN SHEETS\MUD & PRELIMINARY SHEETS\GE-MUD-PRELIM_LANDUSE.DWG 9/11/2025 4:10 PM leandro.gallardo




60' RIGHT OF WAY WITH 20' SETBACK VARIANCE




ORIGINAL DESIGN OF 50' RIGHT OF WAY WITH 25' SETBACK

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DFW HERITAGE
JOHNSON COUNTY, TX

| NO. | DATE | REVISION DESCRIPTION |
|---|---|---|

SHEET TITLE:
SETBACK VARIANCE EXHIBIT

DATE: 06/29/2026
DRAWN BY: RDF

SHEET NO.:
EXHB

DFW HERITAGE

S:\2026\JOVAR\CIVIL\DFW_HERITAGE_WEST_PHASE_1\COM\EXHIBIT\VARIANCE REQUEST_EXHIBIT.DWG 6/29/2026 3:03 PM rdeel ANSI FULL BLEED D (22.00 X 34.00 INCHES)




**Johnson County**
**Becky Ivey**
**County Clerk**
**Cleburne 76033**

**Instrument Number: 2017-32146**

As

**Recorded On: December 28, 2017** **Warranty Deed**

**Parties:** **Billable Pages: 8**

**To** **Number of Pages: 9**

**Comment:**

( Parties listed above are for Clerks reference only )

**** Examined and Charged as Follows: ****

| | |
|---|---|
| Warranty Deed | 54.00 |
| **Total Recording:** | **54.00** |

************** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **************

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2017-32146
Receipt Number: 116126
Recorded Date/Time: December 28, 2017 02:34:27P

User / Station: M Davis - CCL42

**Record and Return To:**

MCCLURE & CROSS *CL
4200 S. HULEN, STE 319
FT WORTH TX 76109

COUNTY COURT
JOHNSON COUNTY, TEXAS

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records In Johnson County, Texas.

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color race is invalid and unenforceable under Federal law.

BECKY IVEY, COUNTY CLERK
JOHNSON COUNTY, TEXAS

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

# SPECIAL WARRANTY DEED
## (Surface Estate Only)

**STATE OF TEXAS**

**COUNTY OF JOHNSON**

**Effective Date:** December 21, 2017

**Grantors:** Richard P. Watson, Trustee of the Watson Living Trust Dated July 2, 1997, as amended
3789 Arroyo Rd
Fort Worth Texas 76109

Rob A. Watson and Valerie W. Watson, Trustees under the Watson Living Trust dated July 4, 1995, as amended
640 Quail Ridge Rd.
Aledo, Texas, 76008

**Grantee:** River Hills Real Estate, LLC
640 Quail Ridge Rd.
Aledo, Texas, 76008

**Consideration:** TEN DOLLARS and other good and valuable consideration.

**Property:** The **SURFACE ESTATE ONLY** of the property described on Exhibit "A" attached hereto, including (i) all easements appurtenant to the Property; (ii) all improvements located thereon and all appurtenances thereto; and (iii) all rights to use any part of the surface estate of the Property in connection with the exploration for, development and production of oil, gas, casinghead gas, condensate, associated hydrocarbons and other minerals in and under, and which may be produced from the Lands, including without limitation surface locations for wells, tank batteries, compressor sites and other surface facilities, pipelines gathering lines, flow lines, and roads.

**Exceptions to Conveyance and Reservation to Grantors:**

Each Grantor reserves to itself, and excepts from the conveyance, all of such Grantor's interest in the oil, gas, and other minerals in, and under, and that may be produced, saved, sold, and/or marketed from the Property, including but not limited to all fee mineral interests, royalty interests, overriding royalty interests, working interests, production payment interests, and oil, gas, and mineral leasehold estate interests, including without limitation, all of the working interest owned or acquired by Grantors under and pursuant to the terms of any presently existing oil and gas leases (the "Leases") covering the Property and granting working interest to the lessor, or the right to acquire working interest, in oil and

gas wells drilled on land covered by the Leases or other lands, and (ii) the right to acquire any additional working interest under and pursuant to the terms of the Leases.

**Exceptions to Warranty**:

Each Grantor excepts the following from his/her warranty of title to the Property and Grantee takes the Property subject to the following:

(a) The Leases, validly existing surface leases, easements, rights-of-way, and prescriptive rights, whether of record or not; and all presently recorded and validly existing instruments that affect the Property.

(b) All ad valorem taxes due or to become due on the Property for 2018 and all subsequent years, and if Grantee's use of the Property after the effective date hereof result in the assessment of additional taxes, penalties or interest (Assessments) for periods to prior to the effective date hereof, the Assessments will be the obligation of Grantee.

**NOW THEREFORE**, for the Consideration and subject to the **Exceptions to Conveyance and Reservation to Grantors and the Exceptions to Warranty**, Grantors hereby grant, sell, and convey all of their interest in and to the Property to Grantee, together with all and singular the rights and appurtenances thereto in any way belonging.

**TO HAVE AND TO HOLD** the Property unto the Grantee and Grantee's heirs, successors, and assigns forever, and each Grantor, for itself only, binds itself and its successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, and except as to **Exceptions to Conveyance and Reservation to Grantors and the Exceptions to Warranty**.

Notwithstanding that this conveyance does not set forth within itself the precise extent of the interests being hereby conveyed, it is not intended, and shall not be construed, as a mere quitclaim, reference being made to the public records of the county in which the Property is located for a full and complete description of Grantors' interests.

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

EXECUTED AS OF THE DATE FIRST ABOVE STATED.

GRANTORS

Richard P. Watson, Trustee of the Watson Living Trust Dated July 2, 1997, as amended

Rob A. Watson, Trustee under the Watson Living Trust dated July 4, 1995, as amended

Valerie W. Watson, Trustee

Valerie W. Watson, Trustee under the Watson Living Trust dated July 4, 1995, as amended

**STATE OF TEXAS**

**COUNTY OF TARRANT**

This instrument was acknowledged before me on the 21st day of December, 2017, by Richard P. Watson, Trustee of the Watson Living Trust Dated July 2, 1997, as amended, for the purposes and considerations herein expressed and in the capacity therein stated.

NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 02/17/2020

DANIEL H MCCARTHY
Notary Public, State of Texas
Comm. Expires 02-17-2020
Notary ID 124795631

**STATE OF TEXAS**

**COUNTY OF TARRANT**

This instrument was acknowledged before me on the 21st day of December, 2017, by Rob A. Watson, Trustee under Watson Living Trust dated July 4, 1995, as amended, for the purposes and considerations herein expressed and in the capacity therein stated.

NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 2-17-2020

DANIEL H MCCARTHY
Notary Public, State of Texas
Comm. Expires 02-17-2020
Notary ID 124795631

**STATE OF TEXAS**

**COUNTY OF TARRANT**

This instrument was acknowledged before me on the 21st day of December, 2017, by Valerie W. Watson, Trustee under the Watson Living Trust dated July 4, 1995, as amended, for the purposes and considerations herein expressed and in the capacity therein stated.

NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 09-22-2020

BETTY G HARRIS
Notary Public
STATE OF TEXAS
My Comm. Exp. 09/22/2020
ID# 125062778

Exhibit "A"
DESCRIPTION OF THE PROPERTY

**TRACT 1**

All that certain lot, tract or parcel of land situated in Johnson County, Texas, being 515.945 acres of land , more or less, out of the John W. Hayden Survey, Abstract No. 360, the J. W. Haynes Survey, Abstract No. 415, the Nathan Glenn Survey, Abstract No. 310, and the H. F. Long Survey, Abstract No. 1243; described in deed dated July 2, 1997 from Thomas E. Daniel and Vivian C. Daniel, Co-Trustees of the Daniel Family Trust, *et al*, as Grantors, to Richard P. Watson, Trustee of the Watson Living Trust Dated July 2, 1997, and Rob A. Watson and Valerie W. Watson, Trustees under the Watson Living Trust dated July 4, 1995, recorded at volume 2084, page 847, Official Public Records, Johnson County, Texas; and more fully described as follows:

BEING a tract of land in the John W. Hayden Survey, Abstract No. 360, the J.W. Haynes Survey, Abstract No. 415, the Nathan Glenn Survey, Abstract No. 310, and the H.F. Long Survey, Abstract No. 1243, Johnson County, Texas.

BEGINNING at a 2 inch steel pipe fence corner being in the East line of the McKinney & Williams Survey Abstract No. 634 and the West line of the J.W. Haynes Survey, Abstract No. 415, being South, 1236.00 feet from the Northeast corner of said McKinney & Williams Survey,

THENCE North 89 degrees 57 minutes 28 seconds East, generally along a fence, 1283.16 feet to a l/2 inch steel pin set for a corner;

THENCE North 00 degrees 0l minutes 23 seconds West, generally along a fence, at 2085.78 feet passing a 1/2 inch steel reference pin found in the South line of County Road No. 907, in all, 2105.66 feet to a 1/2 inch steel pin found for a corner;

THENCE, North 89 degrees 38 minutes 33 seconds East, along said County Road, 2254.46 feet to a 1/2 inch steel pin found for a corner in the intersection of County Road No. 1006;

THENCE, South 00 degrees 30 minutes 13 seconds West, along County Road No. 1006, 888.10 feet to a l/2 inch steel pin set for a corner;

THENCE, North 89 degrees 57 minutes 00 seconds East, continuing along County Road No. 1006, 1814. 75 feet to a 1/2 inch steel pin found for a corner;

THENCE, South 00 degrees 05 minutes 50 seconds West, continuing along County Road No. 1006, 5409.17 feet to a 1/2 inch steel pin set for a corner in the North line of the A.T. & S.F. Railway right-of-way;

THENCE, North 70 degrees 57 minutes 07 seconds West, along said A.T. & S.F. Railway Right-of-Way 3609.90 feet to a 1/2 inch steel pin found for a corner;

THENCE, North 00 degrees 37 minutes 08 seconds West, generally along a fence, 1321.30 feet to a 1/2 inch steel pin found for a corner;

THENCE, South 89 degrees 51 minutes 02 seconds West, generally along a fence, 1907.99 feet to a 1/2 inch steel pin found for a corner in the East line of said McKinney & Williams Survey;

THENCE, North, along the East line of said McKinney & Williams Survey, 1680.59 feet to the PLACE OF BEGINNING and CONTAINING 515.945 acres of land.

**TRACT 2**

Being a tract or parcel of land in the John W. Hoyden Survey, Abstract No. 360, Johnson County, Texas, and being all of a 15.00 acre tract conveyed to Charles Briggs by deed recorded in Volume 834, Page 526, Deed Records, Johnson County. Texas and all of a 23.78 acre tract conveyed to Charles Briggs by deed recorded in Volume 954, Page 140, Deed Records, Johnson County, Texas; described in deed dated April 14, 1998 from Edward Jefferson and Ramona Jefferson, as Grantors, to Richard P. Watson, Trustee of the Watson Living Trust Dated July 2, 1997, and Rob A. Watson and Valerie W. Watson, Trustees under the Watson Living Trust dated July 4, 1995, recorded at volume 2174, page 97, Official Public Records, Johnson County, Texas; and more fully described as follows:

**BEGINNING** at a ½ inch iron rod. set for corner in the north line of said John W. Hayden Survey. being the northwest corner of said 23.78 acre tract and from which a ½ inch iron rod found bears North 89 degrees 44 minutes 30 seconds East, 30 feet and being in the south line of the tract conveyed to Charles Briggs by deed recorded in Volume 852, Page 684, Deed Records, Johnson County, Texas;

**THENCE** North 89 degrees 44 minutes 30 seconds East with the common line between said tracts and generally along a barb wire fence a distance of 1878.30 feet to a ½ inch iron rod found for corner being the northeast corner of said 23.78 tract and ell corner of said tract recorded in volume 834, page 526;

**THENCE** South 00 degrees 44 minutes 04' seconds East with the common line between said tracts and generally along a barb wire fence a distance of 1321.37 feel to a 1/2" iron rod found for corner in the northerly line of the A.T. & S.F. Railway Right-of-Way (100 foot right way);

**THENCE** North 71 degrees 08 minutes 57 seconds West with the northerly line of said Railroad and generally along a barb wire fence a distance of 356.78 feet to a ½ inch iron rod found for corner in the northerly line of said A.T. & S.F. Railway Right-of-Way and be the beginning of a curve to the left;

**THENCE** in a northwesterly direction with the northerly line of said Railroad and with said curve to the left having a central angle of 13 degrees 00 minutes 55 seconds, a radius of 3769.83 feet, an arc length 856.34 feet and a chord bearing North 64 degrees 31 minutes 45 seconds West a chord distance of 854.50 feet to a ½ inch rod set for corner in the northerly line of said A.T. & S. F. Railway Company Right-of-Way and being in the end of said curve to the left

**THENCE** North 58 degrees 04 minutes 51 seconds West with the northerly line the A.T. & S.F. Railway Right-of-Way a distance of 925.14 feet to a ½ inch rod found for corner, being the southeast corner of said 15.00 acre tract;

**THENCE** North 00 degrees 08 minutes 47 seconds West with the west line of said 15 acre tract and generally along a barb wire fence a distance of 340.89 feet to the point of beginning and containing 38.489 acres of land, more or less.

**TRACT 3**

A Tract of land located in the Joseph Bayliss Survey, Abstract No. 76, Johnson County, Texas, being a portion of the 160-acre tract described in the deed to Nettye Freeman Engler recorded in Volume 1523, Page 550, of the Real Property Records of Johnson County, Texas; described in deed dated August 23, 2000 from Nettye Freeman Engler, as Grantor, to Richard P. Watson, Trustee of the Watson Living Trust Dated July 2, 1997, and Rob A. Watson and Valerie W. Watson, Trustees under the Watson Living Trust dated July 4, 1995, recorded at volume 2518, page 246, Official Public Records, Johnson County, Texas, and more fully described as follows:

**BEGINNING** at a 1/2-inch iron found for the Northeast corner of the 34-405/1000-acre tract described in the deed to Travis Eugene Jernigan and Margaret Jane Jernigan recorded in Volume 2214, Page 738, of the said Real Property Records being in the South line of County Road No. 1128, and being South 00 degrees, 12 minutes, 02 seconds East, 7-40/100 feet from the Northwest corner of said 160-acre tract.

**THENCE** North 89 degrees, 47 minutes, 58 seconds East, along the South fine of said County Road No. 1128 generally along a fence, 312-72/100 feet to a 5/8" iron set for the Northwest corner of the 1-acre tract described in the deed to Johnson County Rural Water Supply Corporation recorded in Volume 2284, Page 665, of the said Real Property Records;

**THENCE** South 00 degrees, 16 minutes, 11 seconds East, along the West line of said 1-acre tract, 181-48/100 feet to a 5/8-inch iron set for the Southwest corner of said 1-acre tract;

**THENCE** North 89 degrees, 43 minutes, 49 seconds East, along the South line of said 1-acre tract, 240-00/100 feet to a 5/8-inch iron set for the Southeast corner of said 1-acre tract;

**THENCE** North 00 degrees, 16 minutes, 11 seconds West, along the East line of said 1-acre tract, 181-48/1 00 feet to a 5/8-inch iron set for the Northeast corner of said 1-acre tract in the South line of said County Road 1128.

**THENCE** North 89 degrees, 59 minutes, 54 seconds East, along the South line of said County Road No. 1128 generally along a fence, 1290-13/100 feet to a 5/8-inch iron set in the East line of said 160-acre tract and in the West line of the 80-acre tract described in the deed to Andrew C. Churman and Louise Churman recorded in Volume 570, Page 491, of the Real Property Records of Johnson County, Texas;

**THENCE** South 00 degrees, 07 minutes, 11 seconds West, along the East line of said 160-acre tract and the West line of said 80-acre tract, 1818-93/100 feet to a 1/2-inch iron found for the Southwest corner of said 80-acre tract and the Northwest corner of the 4-017/1000-acre tract described in the deed to John Mower recorded in Volume 2251, Page 676, of the said Real Property Records;

**THENCE** South 00 degrees, 23 minutes, 22 seconds West, along the West line of said 4-017/100-acre tract, 722-97/100 feet to a 1/2-inch iron found for the Southwest corner of said 4-017/1000-acre tract and the Northwest corner of the 22-05/100-acre tract described in the deed to Antionio Carrizalez and Mary P. Carrizalez recorded in Volume 1369, Page 454, of said Real Property Records;

**THENCE** South 00 degrees, 22 minutes, 09 seconds West, along the West line of said 22-05/100-acre tract, 1207-30/100 feet to a 1/2-inch iron found for the Southwest corner of said 20-05/100-acre tract and the Southeast corner of said 160-acre tract;

**THENCE** North 89 degrees, 50 minutes, 51 seconds West, along the South line of said 160-acre tract and the North line of the tract described in the deed to S. G. Knapp recorded in Volume 1441, Page 606, of the said Real Property Records, 1820-56/100 feet to a 5/8-inch capped iron set for the Southwest corner of said 160-acre tract;

**THENCE** North 00 degrees, 05 minutes, 20 seconds West, along the West line of said 160-acre tract and an easterly line of said Knapp tract to and along the East line of said 34-405/1000-acre tract 3742-05/100 feet to the Place of Beginning and containing 156-711/1000 acres of land, more or less.

**TRACT 4**

BEING a 258.461 acre tract of land out of the I.&G.N. R.R. COMPANY SURVEY, ABSTRACT NO. 1003, the WILSON WEST SURVEY, ABSTRACT NO. 907, the JOHNSON COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 439 and the T. TOBY SURVEY, ABSTRACT NO. 845, Johnson County, Texas, the remainder of the S. G. Knapp Tract described in Volume 1441, Page 606 of the Deed Records of Johnson County, Texas; described in deed dated March 15, 2001 from Clemma Littlefield, Independent Executrix of the Estate of mildred Knapp, as Grantor, to Richard P. Watson, Trustee of the Watson Living Trust Dated July 2, 1997, and Rob A. Watson and Valerie W. Watson, Trustees under the Watson Living Trust dated July 4, 1995, recorded in the Official Public Records, Johnson County, Texas, and more fully described as follows:

**BEGINNING** at a 5/8 inch iron rod found at a fence corner in the South line of said Knapp Tract, said point being the Southeast corner of the 158.476 acre Willis Tract described in Volume 2158 , Page 450 of the Official Records of Johnson County, Texas;

**THENCE** North 00 degrees 13 minutes 12 seconds East with the East line of said tract and the general line of a fence 3,299.90 feet to a steel pipe fence post in an East -West fence (deed calls for iron rod in fence) for the Northeast corner said 158.476 acre tract;

**THENCE** North 89 degrees 05 minutes 42 seconds East with the South line of the Willis Tract described in the deed recorded in Volume 2512, Page 396 of the Official Public Records of Johnson County, Texas and with the general line of a fence 2144.15 feet to a 1/2 inch iron rod found at the Southeast corner of the 40 acre Travis E. Jernigan Tract described in Volume 1429, Page 545 of said records, said point also being the Southwest corner of the 34.405 acre Jernigan Tract described in Volume 2214, Page 738 of said records for corner;

**THENCE** North 89 degrees 08 minutes 55 seconds East with the South line of said 34.405 acre tract 694.39 feet to a 1/2 inch iron rod found at a fence corner and in the West line of the 160 acre tract described in the deed to Nettye Freeman Engler recorded in Volume 1523, Page 550 of the Official Records of Johnson County, Texas for corner;

**THENCE** South 00 degrees 37 minutes 46 seconds West with said West line and the general line of a fence 1243.59 feet to a 5/8 inch iron rod with a plastic cap stamped Brooks-Baker Surveyors found 3.6 feet South of a fence running to the East and 2.5 feet West of a North-South Fence for the Southwest corner of said Engler Tract;

**THENCE** South 00 degrees 50 minutes 00 seconds East 603.03 feet to a 1/2 inch iron rod found at a fence corner and the Southwest corner of the B.J. Seiber Tract in Volume 950, Page 261 of the Deed Records of Johnson County, Texas for corner;

**THENCE** South 88 degrees 39 minutes 50 seconds East with the general line of a fence, passing the Southeast corner of said tract and the Southeast corner of the B.J. Seiber 18.40 acre tract described in Volume 950, Page 240 of the Deed Records of Johnson County, Texas, a distance of 2173.47 feet to an inner corner of said Seiber Tract for corner;

**THENCE** South 00 degrees 27 minutes 48 seconds West 78.10 feet to a 5/8 inch iron rod found in the Northerly Right of Way line of F.M. Highway No. 2331 and in a curve for corner;

**THENCE** Southwesterly with the Northerly line of said highway and a curve to the left whose radius is 1959.86 feet and whose long chord bears South 63 degrees 10 minutes 15 seconds West 488.85 feet, an arc distance of 490.13 feet to a wooden right of way marker post at the end of said curve;

**THENCE** South 56 degrees 00 minutes 23 seconds West with the Northwesterly line of said highway 1273.90 feet to a wooden right of way marker post at the beginning of a curve to the left;

**THENCE** Southwesterly with said curve to the left whose radius is 1959.86 feet and whose long chord bears South 34 degrees 43 minutes 06 seconds West 1423.08 feet, an arc distance of 1456.36 feet to a 5/8 inch iron rod with an aluminum cap stamped E.H. CARRUTH RPLS 1829 set to replace bent 1/2 inch iron rod found for corner;

**THENCE** North 88 degrees 23 minutes 58 seconds West 50.66 feet to a 5/8 inch iron rod found in a fence line for corner;

**THENCE** North 00 degrees 08 minutes 48 seconds East with the general line of a fence and the East line of the 155.20 acre Mary Eastman Smelly Tract described in Volume 2127, Page 451 of the Official Public Records of Johnson County, Texas, a distance of 737.65 feet to a 1/2 inch iron rod with an aluminum cap stamped K.R. CLARK JR. RPLS 4668 found at a fence corner for corner;

**THENCE** South 89 degrees 53 minutes 14 seconds West with the North line of said tract and the general line of a fence, passing the Northwest corner of said tract at 2513.08 feet, in all 2666.56 feet to the POINT OF BEGINNING and containing 258.461 acres of land, more or less.

----------[Space Above This Line for Recording Data] ----------

RTC GF# 20-0369 WP/MMorris;mkh

**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.**

**Warranty Deed with Vendor's Lien**

**Date:** March 25, 2021

**Grantor:** RANDY K. PRESS and wife, JOY A. PRESS

**Grantor's Mailing Address:** 6045 CR 907
Godley, Texas 76044
Johnson County

**Grantee:** LIONWOOD GODLEY, LLC, a Texas limited liability company

**Grantee's Mailing Address:** 640 Quail Rider Rd
Aledo TX 76008
Parker County

**Consideration:**

TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and a note of even date executed by Grantee and payable to the order of RANDY K. PRESS and wife, JOY A. PRESS, in the principal amount of FIVE HUNDRED NINETY-NINE THOUSAND ONE HUNDRED NINETY-FIVE AND NO/100 DOLLARS ($599,195.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of RANDY K. PRESS and wife, JOY A. PRESS and by a first-lien deed of trust of even date from Grantee to JEFFREY A. RATTIKIN, Trustee.

**Property (including any improvements):**

Tract 1:

BEING a 66.67 acre tract of land situated in the Nathan Glenn Survey, Abstract No. 310, the John W. Hayden Survey, Abstract No. 360, and the J.W. Haynes

Survey, Abstract No. 415, and being a tract of land described in deed to Randy K. Press, et ux, Joy A. Press, as recorded in Volume 1682, Page 145, Deed Records, Johnson County, Texas, (DRJCT) and being more particularly described by metes and bounds as follows: (Bearings referenced to U.S. State Plane Grid 1983 - Texas North Central Zone (4202) NAD83 as established using GPS Technology in conjunction with the AllTerra RTK Cooperative Network, all distances at ground)

BEGINNING at a 4-inch steel fence post for an interior corner of said Press tract, same being the northeast corner of a tract of land described in deed to Randy K. Press and Joy A. Press, as recorded in Instrument No. 2010-29280, Official Public Records, Johnson County, Texas (OPRJCT);

THENCE South 88° 14' 26" West, with the common line of said Press tract(s), a distance of 239.75 feet to a 4-inch steel fence corner, being the common corner of said Press tract(s), same being the southeast corner of a tract of land described to Ann Jackson, as recorded in Instrument No. 2017-17085 (OPRJCT);

THENCE North 00° 32' 08" West, with the common line of said Press and said Jackson tract, passing the common corner of said Jackson tract at a distance of 237.10 feet, and continuing for a total distance of 866.57 feet to pk nail set for the northwest corner of the herein described tract and being in County Road 907;

THENCE North 88° 57' 56" East, a distance of 1,520.00 feet to a pk nail set for the northeast corner of the herein described tract, same being the most northerly northwest corner of a tract of land described in deed to River Hills Real Estate, LLC, as recorded in Instrument No. 2017-32146 (OPRJCT);

THENCE South 00° 42' 29" East, with the common line of said Press tract and said River Hills Real Estate tract, a distance of 2,105.66 feet to a 3-inch steel fence post for the southeast corner of the herein described tract, same being an interior corner of said River Hills Real Estate tract;

THENCE South 89° 13' 19" West, with the common line of said Press tract and said River Hills Real Estate tract, a distance of 1,283.11 feet to a 4-inch steel fence post for the southwest corner of the herein described tract, same being the northwest corner of said River Hills Real Estate tract and being on the east line of a tract of land described to Robert R. Harry, as recorded in Volume 615, Page 1680, (DRJCT);

THENCE North 00° 41' 49" West, with the common line of said Harry tract and said Press tract(s), a distance of 1,236.41 feet to the POINT OF BEGINNING, containing 2,903,977 square feet or 66.67 acres of land.

Tract 2:

Non-Exclusive Easement Estate for ingress, egress and utilities as created in that certain Warranty Deed dated April 25, 1991, by and between JAMES B. WALLACE and SYLVIA WALLACE and THOMAS E. DANIEL, MARTHA F. McALPINE and DeLYNN SMITH, recorded in Volume 1548, Page 890, Deed Records of JOHNSON County, Texas.

Street Address: 6001 County Road 907, Godley, Texas 76044

**Reservations from Conveyance:**

SAVE AND EXCEPT, there is hereby reserved unto Grantor all of the oil, gas and other minerals, if any, owned by Grantor in and under and that may be produced from the Property; however, Grantor hereby waives the right of access, ingress and egress to, over and from the surface of the Property relating to the portion of the mineral estate reserved by Grantor. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas and other minerals by means of wells that are drilled or mines that open on land other than the Property, but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface in any manner, including, without limitation, support of any improvements constructed or to be constructed on the Property.

**Exceptions to Conveyance and Warranty:**

This conveyance is made and accepted subject to certain matters referred to by the parties herein as the "Permitted Exceptions" and being more particularly described on **Exhibit "A"** attached hereto and made a part hereof for all intents and purposes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, 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 the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

RANDY K. PRESS and wife, JOY A. PRESS, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of RANDY K. PRESS and wife, JOY A. PRESS and are transferred to RANDY K. PRESS and wife, JOY A. PRESS without recourse against Grantor.

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

Randy K Press
**RANDY K. PRESS**

Joy A Press
**JOY A. PRESS**

STATE OF TEXAS §
§
COUNTY OF Parker §

This instrument was acknowledged before me on March 25, 2021, by RANDY K. PRESS and wife, JOY A. PRESS.

M MORRIS
Notary Public, State of Texas
Comm. Expires 10-25-2022
Notary ID 1121840-7

Notary Public, State of Texas
My commission expires: _____

AFTER RECORDING RETURN TO:

LIONWOOD GODLEY, LLC
Attn: Robert A. Watson, Jr.
1140 Quail Ridge Rd
Aledo, Tx 76008

RTC GF# 20-0369 WP/MMorris;mkh

## Exhibit "A"

"Permitted Exceptions"



a. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.

b. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges and immunities relating thereto, appearing in the Public Records.

c. Rights of parties in possession.

d. Rights of tenants in possession, as tenants only, under any unrecorded leases or rental agreements.

e. Easement: Non-Exclusive Easement for Ingress, Egress and Utilities
Recorded: May 09, 1991 in Volume 1548, Page 890 and Volume 1548, Page 895, of the Official Public Records, Johnson County, Texas.

f. Easement: Right-of-Way for an Electric Transmission and/or Distribution Line
Recorded: July 14, 1944 in Volume 335, Page 398, Deed Records and as Affected by Instruments Recorded in Volume 2087, Page 873 and Volume 2093, Page 805, of the Official Public Records, Johnson County, Texas.

g. Easement: Right-of-Way
Recorded: September 20, 1974 in Volume 649, Page 84, of the Deed Records, Johnson County, Texas.

h. Oil, Gas and Mineral Lease, and all terms, conditions and stipulations therein:
Recorded: July 13, 2001 in Volume 2662, Page 216 of the Official Public Records of Johnson County, Texas.
Lessor: Randy K. Press and wife, Joy A. Press
Lessee: Mitchell Energy Company, L.P.

RTC GF# 20-0369 WP/MMorris;mkh

**Exhibit "A"**

"Permitted Exceptions"



i. Terms, Conditions and Stipulations in the Agreement:
Recorded: March 25, 1969 in Volume 522, Page 521, Deed Records and as Affected by Assignment of Rights of Way, Easements, Licenses and Permits Recorded on July 23, 2009, in County Clerk's File No. 200900022440, Official Public Records, Johnson County, Texas.
Type: Right of Way Agreement

j. The rights of the public and others in any portion of the property lying within the boundaries of County Road 907, and the regulation of the use thereof by the State or other governmental entity.

k. Subject property has frontage or abuts County Road 907 which is a controlled access highway.

l. Consequences, if any, including rights and interests of others, arising out of or evidenced by the following matters as disclosed on the survey dated December 15, 2020, prepared by Toby G. Stock, Registered Professional Land Surveyor No. 6412:

1) Overhead electrical lines, power poles, anchors and guys on, over and across the most Southerly Southwest corner.

2) Fences inside and outside of the North and West property lines.

**Johnson County**
**Becky Ivey**
**Johnson County**
**Clerk**

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**Instrument Number:** 10697

eRecording - Real Property

Warranty Deed

Recorded On: March 29, 2021 09:26 AM

Number of Pages: 7

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**" Examined and Charged as Follows: "**

Total Recording: $46.00

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********** **THIS PAGE IS PART OF THE INSTRUMENT** **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

| **File Information:** | | **Record and Return To:** |
|---|---|---|
| Document Number: | 10697 | Simplifile |
| Receipt Number: | 20210329000008 | 5072 North 300 West |
| Recorded Date/Time: | March 29, 2021 09:26 AM | |
| User: | Linda B | PROVO UT |
| Station: | ccl30 | |

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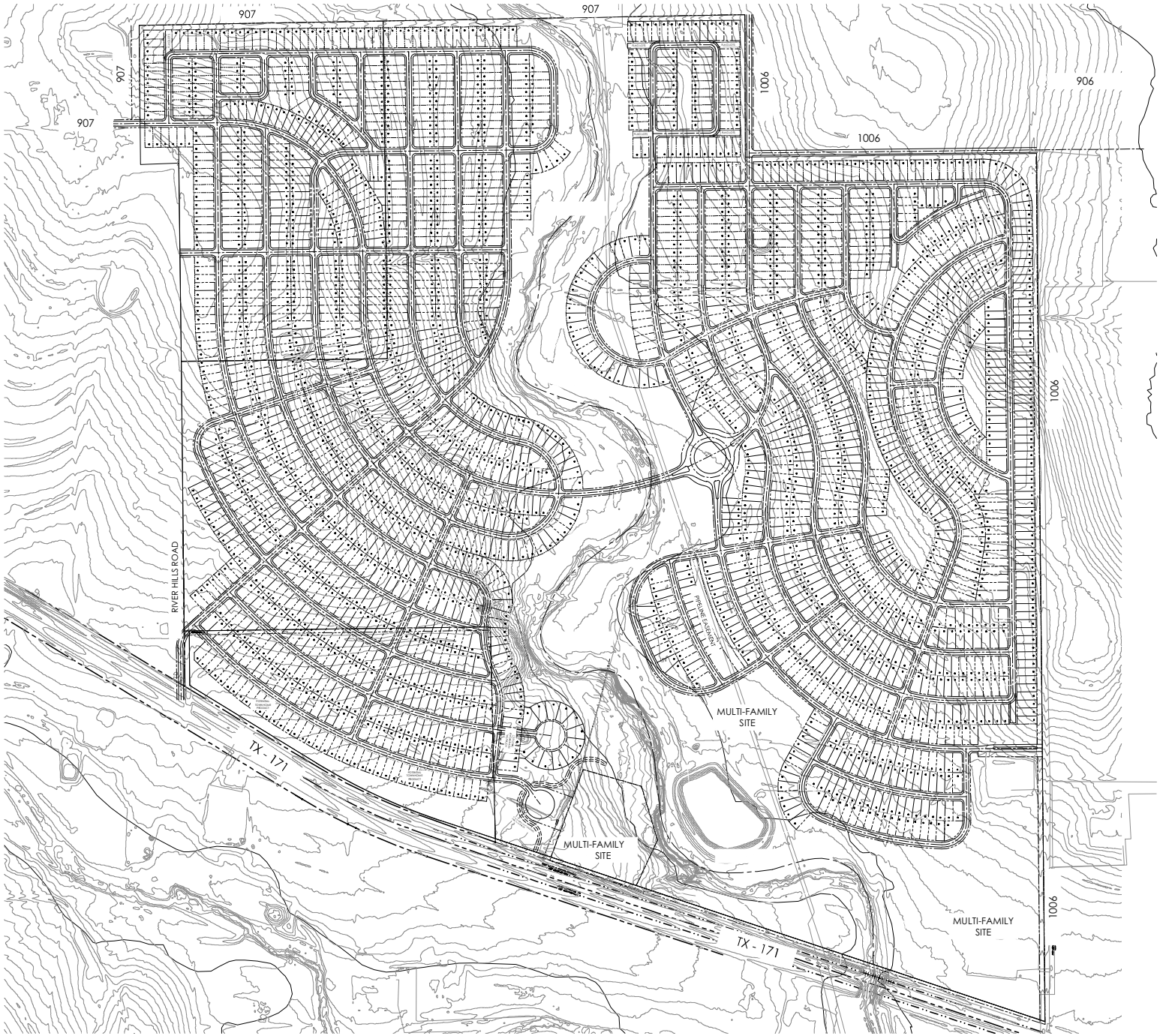
**STATE OF TEXAS**
**COUNTY OF JOHNSON**

**I hereby certify that this Instrument was** FILED **In the File Number sequence on the date/time printed hereon, and was duly** RECORDED **in the Official Records of Johnson County, Texas.**

Becky Ivey
Johnson County Clerk
Johnson County, TX

Becky Ivey

# EXHIBIT B




**SITE LEGEND**

| DESCRIPTION | |
|---|---|
| 50' x 125' Typical Lot | 2,400 |
| TOTAL LOTS | 2,400 |

# Godley 650

City of Godley . Texas

Conceptual Site Plan
Lot Layout

Concept Design

CP-02

LAND CREATIVE INC.
Landscape Architecture | Planning

Job No.: LCI 22015
March 4 , 2022

0 100 200 400
Scale: 1"= 200'-0"




SCALE: 1" = 250'

250' 0' 125' 250' 500'

*LAYOUT AS SHOWN CONTAINS
2,086 LOTS AND APPROX. 26
ACRES RESERVED FOR DETENTION

TOPOGRAPHIC
LOYALTY INNOVATION LEGACY
1400 EVERMAN PARKWAY, Ste. 146 • FT. WORTH, TEXAS 76140
TELEPHONE: (817) 744-7512 • FAX (817) 744-7554
TEXAS REGISTERED ENGINEERING FIRM F-10900
WWW.TOPOGRAPHIC.COM

RIVER HILLS - GODLEY WEST TRACT
GODLEY, TEXAS

NOVAPONT, LLC

| NO. | DATE | REVISION DESCRIPTION |
|---|---|---|

PRELIMINARY

PRELIMINARY DRAWINGS MAY NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS FINAL CONSTRUCTION DRAWINGS.

SHEET NO.

EX-A

S:\CIVIL\NOVAPONT\GODLEY_CONCEPTUAL_PLANNING\CIVIL\DGN\EPINOVAPONT_WEST TRACT_LAYOUT.DWG 2/16/2022 4:56 PM ccoakley