AGENDA ITEM
A 4

AGENDA PLACEMENT FORM

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

Date: September 11, 2026

Meeting Date: September 28, 2026

Submitted By: Julie Edmiston

Department: Development Services

Signature of Elected Official/Department Head:

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

Johnson County ★ APPROVED ★ Commissioners Court

9.28.2026

Description:

Consideration of Variance to Allow Platting and Permitting for a Proposed Plat of One Lot Being .921 Acre, Located in Precinct 4.

Water Source is Bethany SUD.

(May attach additional sheets if necessary)

Person to Present: _____

(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 Development Services

Jennifer VanderLaan / Director of Development Services
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 Dena Olivia McCann Date 09/03/2026

Phone Number 682-202-5854

Email Address rogersolivia353@gmail.com

Property Information for Variance Request:

Property 911 address 4421 County Road 317, Cleburne, TX 76031

Subdivision name McCann Addition Block A Lot 1

Survey William Carter Survey Abstract 149 Acreage 0.921 acres

Request remove existing non-functional anaerobic septic system and install new aerobic septic system

Reason for request Right of way easement brings buildable land down to 0.921 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

Revised 10/1/2025

26-924672-RF

NOTICE OF CONFIDENTIALLY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

GENERAL WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF JOHNSON §

THAT THE UNDERSIGNED, **Allen Miguel Roppolo and spouse, Sydnee Oatman,** hereinafter called "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS ($10.00)and other valuable consideration to the undersigned in hand paid by the Grantee, herein named, the receipt of which is hereby acknowledged, and further consideration of the execution and delivery by the Grantee of that one certain promissory note of even date herewith in the principal sum of **Two Hundred Thirty-Eight Thousand Eight Hundred Thirty Dollars AND 00/100 ($238,830.00)** payable to the order of **Southwest Stage Funding, LLC dba Cascade Financial Services, Lender,** as therein specified, providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by a deed of trust of even date herewith **Michael H. Patterson, TRUSTEE,** has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto **Dena Olivia McCann and Justin McCann, wife and husband,** herein referred to as "Grantee", whether one or more, the real property described as:

BEING A TRACT OF LAND LOCATED IN THE W. CARTER SURVEY, ABSTRACT NO. 149, JOHNSON COUNTY, TEXAS AND BEING ALL OF A CALLED 1 ACRE TRACT OF LAND AS DESCRIBED IN A CONSTABLE'S DEED TO JONATHAN CROCKETT, RECORDED IN INSTRUMENT NO. 2024-29043, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS (O.P.R.J.C.T.), SAID CALLED 1 ACRE ALSO BEING KNOWN AS PART OF A CALLED 22.82 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 2102, PAGE 9, O.P.R.J.C.T., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL DISTANCES RECITED HEREIN ARE GRID. SCALE FACTOR IS 1.000000000. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA2011). AS SURVEYED ON THE GROUND ON NOVEMBER 14, 2025 UNDER THE SUPERVISION OF ROBERT L. YOUNG, R.P.L.S. NO. 5400.

BEGINNING AT A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET (N:6826856.51, E:2339983.70) IN THE EASTERLY LINE OF SAID 22.82 ACRE TRACT AND THE WESTERLY LINE OF COUNTY ROAD NO. 317, FROM WHICH A 1/2" IRON ROD FOUND AT AN EXTERIOR ELL CORNER OF SAID 22.82 ACRE TRACT BEARS, N 09°40'23" E, A DISTANCE OF 346.94 FEET;

THENCE, WITH THE COMMON LINE BETWEEN SAID 22.82 ACRE TRACT AND SAID COUNTY ROAD NO. 317, THE FOLLOWING BEARINGS AND DISTANCES:

S 09°40'23" W, A DISTANCE OF 97.76 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 197.40 FEET AND A CENTRAL ANGLE OF 83°00'37", FROM WHICH A 3" IRON BAR FOUND BEARS, S 24°43'43" E, A DISTANCE OF 100.38 FEET;

SOUTHWESTERLY WITH SAID CURVE TO THE RIGHT, A CHORD BEARING OF S 51°10'41" W, A CHORD DISTANCE OF 261.63 FEET AND AN ARC LENGTH OF 285.99 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET;

THENCE, N 08°41'39" E, CROSSING SAID 22.82 ACRE TRACT, AND WITH AN OLD WOODEN FENCE POST LINE, AT A DISTANCE OF 146.4 FEET, PASSING A 4" WOODEN FENCE POST AT THE END OF SAID POST LINE, CONTINUING A TOTAL DISTANCE OF 293.73 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET IN A PASTURE, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHEASTERLY CORNER OF SAID 22.82 ACRE TRACT BEARS, N 06°55'07" E, A DISTANCE OF 1937.13 FEET;

THENCE, S 80°19'37" E, CONTINUING ACROSS SAID 22.82 ACRE TRACT, A DISTANCE OF 178.40 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.000 ACRE OF LAND MORE

OR LESS.

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions, and restrictions, relating to the hereinabove described real property as now reflected by the records of the County Clerk of **JOHNSON County, Texas.**

TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

But is expressly agreed that the Vendor's Lien, as well as Superior Title in and to the above- described premises, is retained against the above-described property, premises, and improvements until the above described property note and all interest thereon are fully paid according to the face, tenor, effect, and reading thereof, when this Deed shall become absolute of **Southwest Stage Funding, LLC dba Cascade Financial Services** at the instance and request of the Grantee herein, having advanced and paid in cash to the Grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinabove described Note, the Vendor's Lien together with the Superior Title to said property, is retained herein for the benefit of said Lender and the same are hereby TRANSFERRED AND ASSIGNED to said Lender, its successors and assigns.

Current ad valorem taxes on the property have been prorated, the payment thereof is assumed by Grantee.

EXECUTED this 10 day of June, 2026.

Allen Miguel Roppolo

Syndnee Oatman

STATE OF TEXAS
COUNTY OF Johnson

This instrument was acknowledged before me this 10 day of June, 2026, by **Allen Miguel Roppolo and Sydnee Oatman.**

S CHERRYHOMES
Notary ID #2128806
My Commission Expires
July 20, 2027

Notary Signature
Notary Public State of Texas

After Recording Return to Grantee:
Dena Olivia McCann and Justin McCann
4318 County Road 204
Alvarado, TX 76009

PREPARED IN THE LAW OFFICE OF:
Rita McGee, PC • 817.377-9009
810 W. 10th Street, Fort Worth, TX 76102

Johnson County
April Long
Johnson County
Clerk

Instrument Number: 2026 - 17996

eRecording - Real Property

Warranty Deed

Recorded On: June 11, 2026 02:00 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: $29.00

********** 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.

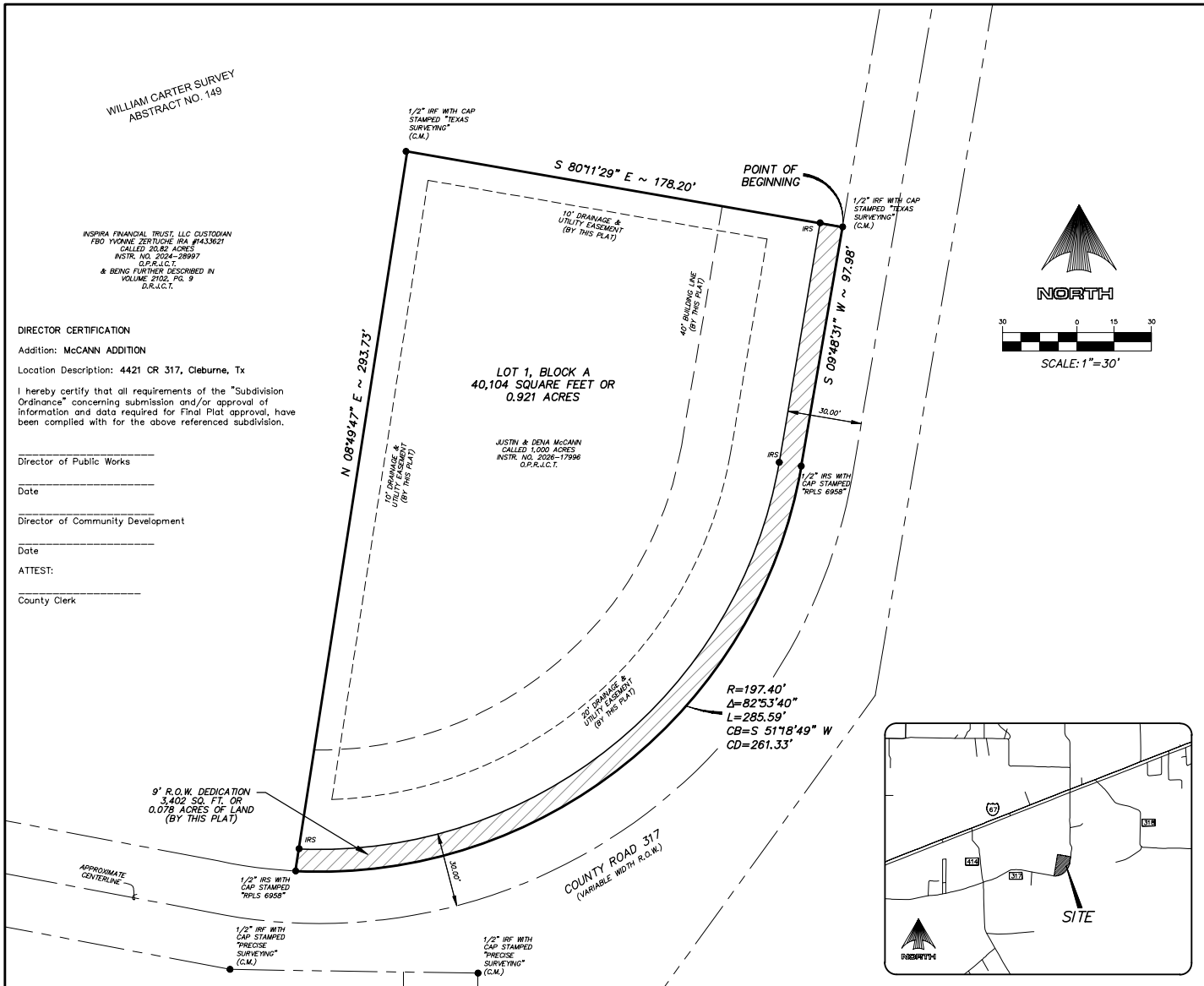
File Information:		**Record and Return To:**
Document Number:	2026 - 17996	Simplifile
Receipt Number:	20260611000123	5072 North 300 West
Recorded Date/Time:	June 11, 2026 02:00 PM	
User:	Amanda T	PROVO UT
Station:	CCL83LT	

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.**

April Long
Johnson County Clerk
Johnson County, TX

April Long



DIRECTOR CERTIFICATION

Addition: McCANN ADDITION

Location Description: 4421 CR 317, Cleburne, Tx

I hereby certify that all requirements of the "Subdivision Ordinance" concerning submission and/or approval of information and data required for Final Plat approval, have been complied with for the above referenced subdivision.

_____
Director of Public Works

_____
Date

_____
Director of Community Development

_____
Date

ATTEST:

_____
County Clerk

ABBREVIATION LEGEND

O.P.R.J.C.T.	OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS
D.R.J.C.T.	DEED RECORDS OF JOHNSON COUNTY, TEXAS
P.R.J.C.T.	PLAT RECORDS OF JOHNSON COUNTY, TEXAS
INSTR. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
IRF	IRON ROD FOUND
(C.M.)	CONTROLLING MONUMENT

GENERAL NOTES:

1. Basis of Bearings is the State Plane Coordinate System of 1983, Texas North Central Zone (4202).

2. This property lies within Zone X of the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Map No. 48251C0200J, with an effective date of December 4, 2012. Zone X is defined as "Areas determined to be outside the 0.2% annual chance floodplain".

3. This survey was performed without the benefit of a Title Commitment which may reveal easements of record the Surveyor is unaware of. No easement research was performed by the Surveyor and/or Survey Company.

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF JOHNSON §

WHEREAS Justin and Dena McCann are the owners of a tract of land situated in the William Carter Survey, Abstract Number 149, in Johnson County, Texas, and being all of a called 1.000 acre tract of land described in the General Warranty Deed with Vendor's Lien to Justin and Dena McCann recorded in Instrument Number 2026-17996 of the Official Public Records of Johnson County, Texas (O.P.R.J.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TEXAS SURVEYING" found in the northwest line of County Road 317, a variable width Right of Way, for the northeast corner of said 1.000 acre tract and an ell corner of a called 20.82 acre tract of land described in the deed to Inspira Financial Trust, LLC Custodian FBO Yvonne Zertuche IRS #1433621 recorded in Instrument Number 2024-28997, O.P.R.J.C.T. and being further described in Volume 2102, Page 9 of the Deed Records of Johnson County, Texas (D.R.J.C.T.);

THENCE South 09 degrees 48 minutes 31 seconds West, along the common line of said County Road 317 and said 1.00 acre tract, a distance of 97.98 feet to a 1/2 inch iron rod with cap stamped "RPLS 6958" set for the beginning of a curve to the right;

THENCE in a southwesterly direction, along the common line of said County Road 317, said 1.000 acre tract, and said curve to the right, having a radius of 197.40 feet, a central angle of 82 degrees 53 minutes 40 seconds, a chord distance of 261.33 feet which bears South 51 degrees 18 minutes 49 seconds West, and an arc length of 285.59 feet to a 1/2 inch iron rod with cap stamped "RPLS 6958" set at the end of said curve for the southwest corner of said 1.00 acre tract and a re-entrant corner of said 20.82 acre tract;

THENCE North 08 degrees 49 minutes 47 seconds East, along the common line of said 1.000 acre tract and said 20.82 acre tract, a distance of 293.73 feet to a 1/2 inch iron rod with cap stamped "TEXAS SURVEYING" found for the northwest corner of said 1.000 acre tract and an ell corner of said 20.82 acre tract;

THENCE South 80 degrees 11 minutes 29 seconds East, continuing along the common line of said 1.000 acre tract and said 20.82 acre tract, a distance of 178.20 feet to the POINT OF BEGINNING and containing 43,506 square feet or 0.999 acres of land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Justin and Dena McCann, acting herein by and through their duly authorized officers, do hereby certify and adopt this plat designating the herein above described property as LOT 1, BLOCK A, McCANN ADDITION, an addition to the Johnson County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. Justin and Dena McCann do herein certify the following:

1. The streets and alleys are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
5. Johnson County is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and Johnson County's use thereof.
7. Johnson County and/or public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. Johnson County and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by Johnson County.

This plat is approved subject to all platting ordinances, rules, regulations and resolutions of Johnson County, Texas.

WITNESS, BY OUR HAND, THIS THE _____ DAY OF _____, 2026.

_____ _____
Justin McCann Dena McCann

STATE OF TEXAS §
COUNTY OF JOHNSON §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Justin and Dena McCann, Owners, known to me to be the persons whose name are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2026.

_____
Notary Public in and for State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATE

This is to certify that I, David S. Griffin, a Registered Public Surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

_____
David S. Griffin, Texas R.P.L.S. No. 6958
Registered Professional Land Surveyor
Griffin Land Surveying
903 W. Ennis Ave., Suite 1
Ennis, Texas 75119
(903) 600-1072
TBPELS Firm No. 101948-13

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared David S. Griffin, 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 purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2026.

_____
Notary Public in and for the State of Texas

OWNER:
JUSTIN & DENA McCANN
4421 CR 317
CLEBURNE, TX 76031
(817) 797-4531

GRIFFIN LAND SURVEYING
903 W. Ennis Ave., Ste. 1
Ennis, TX 75119
903.600.1072 • www.glsurveying.com
TBPELS Firm No. 101948-13

FINAL PLAT

McCANN ADDITION

LOT 1, BLOCK A

BEING 0.999 ACRES IN THE
WILLIAM CARTER SURVEY, ABSTRACT NO. 149
JOHNSON COUNTY, TEXAS

AUGUST, 2026 *GLS JOB NO. 2607194*
SHEET 1 OF 1