Commissioners Court

FEB 12 2018

Approved

REQUEST FOR AGENDA PLACEMENT FORM

Submission Deadline - Tuesday, 12:00 PM before Court Dates

SUBMITTED BY: David Disheroon **TODAY'S DATE:** 02/01/2018

DEPARTMENT: Public Works

SIGNATURE OF DEPARTMENT HEAD: _____

REQUESTED AGENDA DATE: 02/12/2018

SPECIFIC AGENDA WORDING: Consideration of final plat for Lenda's Way Estates (Lot 1 -5, Block 1), located in Precinct 3.

PERSON(S) TO PRESENT ITEM: David Disheroon

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 10 minutes

(Anticipated number of minutes needed to discuss item)

ACTION ITEM: X
WORKSHOP _____
CONSENT: _____
EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY: _____ **IT DEPARTMENT:** _____
AUDITOR: _____ **PURCHASING DEPARTMENT:** _____
PERSONNEL: _____ **PUBLIC WORKS:** X
BUDGET COORDINATOR: **OTHER:** _____

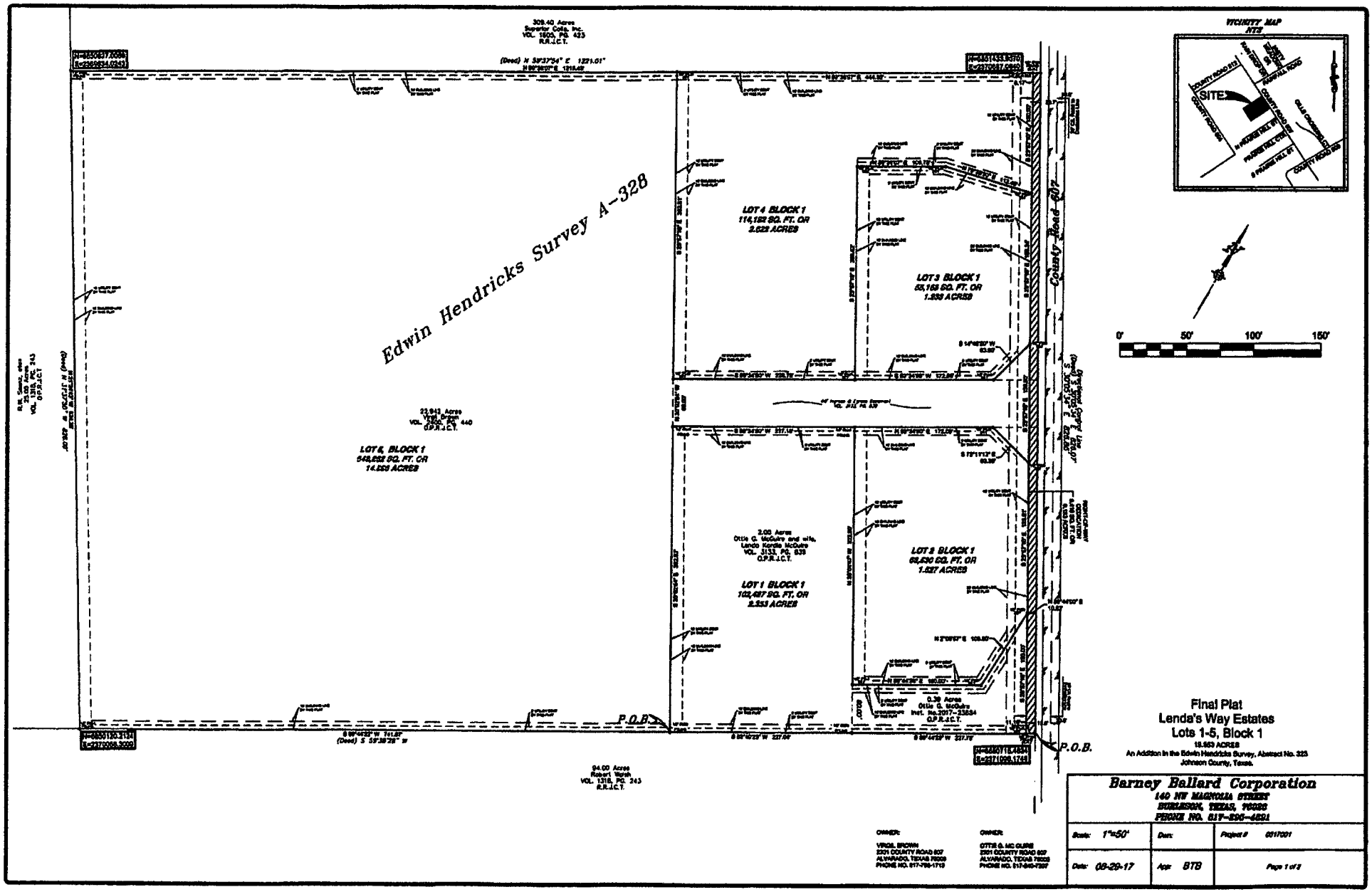
**********This Section to be Completed by County Judge's Office**********

ASSIGNED AGENDA DATE: _____

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE _____

COURT MEMBER APPROVAL _____ Date_____

5


Edwin Hendricks Survey A-328
County Road 607
LOT 4 BLOCK 1
114,153 SQ. FT. OR
2.628 ACRES
LOT 3 BLOCK 1
55,163 SQ. FT. OR
1.339 ACRES
LOT 6, BLOCK 1
548,652 SQ. FT. OR
14.559 ACRES
LOT 1 BLOCK 1
102,487 SQ. FT. OR
2.353 ACRES
LOT 2 BLOCK 1
68,430 SQ. FT. OR
1.527 ACRES
P.O.B.
VICINITY MAP
NTS
SITE
0' 50' 100' 150'
Final Plat
Lenda's Way Estates
Lots 1-5, Block 1
18.563 ACRES
An Addition in the Edwin Hendricks Survey, Abstract No. 325
Johnson County, Texas.
Barney Ballard Corporation
140 NW MAGNOLIA STREET
BURLESON, TEXAS, 76028
PHONE NO. 817-295-4831
Scale: 1"=50'
Date: 09-29-17
Project # 0017001
Page 1 of 2

Private Sewage Facility

On-site sewage facility performance cannot be guaranteed even though all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.

Inspections and/or acceptance of a private sewage facility by the Public Works Department shall indicate only that the facility meets minimum requirements and does not relieve the owner of the property from complying with County, State and Federal regulations. Private Sewage Facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created, or if the facility when used does not comply with governmental regulations.

A properly designed and constructed private sewage facility system, installed in suitable soil, can malfunction if the amount of water that is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.

Flood Statement:

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C0325J, effective date December 04, 2012, this property is located in zone " X " (Areas determined to be out of the flood plain).

The above referenced FEMA flood insurance rate map is for use in administering the "NFIP", it does not necessarily show all areas subject to flooding, particularly from local sources of small size, which could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. There may be other streams, creeks, low areas, drainage systems or other surfaces or subsurface conditions existing on or near the subject property which are not studied or addressed as part of the "NFIP."

Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.

The existing creeks or drainage channels traversing along or across this addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to drainage courses along or across said lots.

Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.

Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.

Johnson County has the right but not a duty to enter onto property and clear any obstruction including but not limited to trees, plants, dirt, or buildings, which obstruct the flow of water through drainage easements.

Duties of Developer/Property Owner

The approval and filing of this plat by Johnson County does not relieve the developer of the property or owner of the property of any duty to comply with all local, state or federal law of the jurisdictions in which the property is located.

The approval and filing of this plat by Johnson County does not relieve the developer of the property or owner of the property of any duty to any adjacent or downstream property owner or impose, impute or transfer any duty or liability to Johnson County, the Commissioners, officials or employees of Johnson County.

Johnson County makes no representation that the creeks, streams, rivers, drainage channels or other drainage structures, devices, or features portrayed hereon are actually existing on the property portrayed by this plat do not violate the statutes or common law of an incorporated city, Johnson County, the State of Texas, or the United States.

Johnson County is relying upon the surveyor whose name is affixed hereon to make accurate and truthful representations upon which Johnson County can make determinations regarding the approval or disapproval of this plat.

Indemnity

The property developer submitting this plat to Johnson County for approval and the owner of the property the subject of this plat do hereby agree to jointly and severally indemnify and hold harmless Johnson County and the Commissioners, officials, and employees of Johnson County from any and all claims or damages resulting from or allegedly arising from Johnson County's approval or filing of this plat or construction documents associated therewith.

Utility Easement:

Any public utility, including Johnson County, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths, or improvements which in any way endanger or interfere with the construction or maintenance, or efficacy of its respective systems in any of the easements shown on the plat, and any public utility including Johnson County, shall have the right at all times of ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

Filing a plat:

It is a Criminal Offense punishable by a fine of up to $1000.00, confinement in the county jail for up to 90 days or by both fine and confinement for a person who subdivides real property to use the subdivision's description in a deed of conveyance, a contract for a deed, or a contract of sale or other executory contract to convey that is delivered to a purchaser unless the plat or replat of the subdivision is approved and is filed for records with the Johnson County Clerk. However, said description may be used if the conveyance is expressly contingent on approval and recording of the final plat and the purchaser is not given use or occupancy of the real property conveyed before the recording of the plat.

A purchaser may not use or occupy property described in a plat or replat of a subdivision until such time as the plat is filed for record with the county clerk's office of the Johnson County Clerk.

NOTES:

1. IRF - Iron Rod Found
2. IRS - Iron Rod Set
3. C.M. - Controlling Monument
4. This Final Plat is subject to the DRC Comments initially dated June 1, 2006 and any revisions or additions to those comments.
5. Proposed usage is Single Family Residential.
6. Right-Of-Way dedication — 40' ROW from center of road on F.M. or State; 30' ROW from center of County roads or roads in a subdivision.
7. Utility Easements — 15' from lot line to front and back; 5' from lot line on sides
8. Building Lines — 50' from lot line (State Highway & F.M.); 25' from lot line (County Road or Subdivision Roads); 15' from lot line on rear; 10' from lot line on sides
9. United Cooperative Services - 817-556-0010
10. Johnson County Special Utility District - 817-760-5200
11. Private Individual Septic Systems
12. This subdivision or any part thereof is not located within the ETJ of any City or Town.

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE

______ DAY OF ________ 2018

____
County Judge

Plat Recorded in Volume __________ Page ______

Slide ________

Date: __________________

____
County Clerk, Johnson County, Texas

____
"Deputy Clerk"

STATE OF TEXAS
COUNTY OF JOHNSON

WHEREAS I, Virgil Brown, do hereby certify that I am the owner of all that certain lot, tract or parcel of land situated in the Edwin Hendricks Survey, Abstract No. 328, Johnson County, Texas, being a portion of that certain called 22.642 acre tract of land conveyed by Superior Coils, Inc. to Virgil Brown by deed recorded in Volume 2400, Page 443, O.P.R.J.C.T., and being more particularly described by metes and bounds as follows as follows:

COMMENCING at an iron rod found on the westerly line of County Road 607 at the southeast corner of said Brown tract (Vol. 2400, Pg. 443) and at the southeast corner that certain tract of land conveyed by Virgil Brown to Ottie G. McGuire by Special Warranty Deed recorded in Instrument Number 2017-23884, O.P.R.J.C.T.

THENCE South 59 degrees 44 minutes 25 seconds West along a common line between said McGuire tract and that certain tract of land conveyed to Robert Walsh, by deed recorded in Volume 1318, Page 243, O.P.R.J.C.T., a distance of 227.78 feet to a ½" iron rod found for a corner at the southeast corner of that certain tract of land conveyed to Ottie G. McGuire and wife, Lenda Konda McGuire, from Virgil Brown by deed recorded in Volume 3133, Page 839, O.P.R.J.C.T.;

THENCE South 59 degrees 40 minutes 25 seconds West a distance of 227.04 feet to a ½" iron rod found at the southwest corner of said McGuire tract (Vol. 3133, Pg. 839), on the north line of said Walsh tract (Vol. 1318, Pg. 243), and on the south line of said Brown tract (Vol. 2400, Pg. 443) being the POINT OF BEGINNING of this tract;

THENCE South 59 degrees 44 minutes 23 seconds West along said common line between said Brown and Walsh tracts a distance of 741.67 feet to ½" iron rod found for a corner at the southeast corner of that certain tract of land described in the deed to R.W. Sears, et ux, recorded in Volume 2986, Page 503, O.P.R.J.C.T., and the southwest corner of said Brown tract;

THENCE North 31 degrees 24 minutes 43 seconds West along the common line between said Sears tract and Brown tract a distance of 524.30 feet to a ½" iron rod found at the southeast corner of that certain tract of land described in the deed to Superior Coils Inc., recorded in Volume 1605, Page 423, D.R.J.C.T., and the northwest corner of said Brown tract;

THENCE North 59 degrees 36 minutes 07 seconds East along the common line between said Brown tract and Superior Coils Inc. tract a distance of 1213.43 feet to a ½" iron rod found for a corner on the westerly line of said County Road 607, and the northeast corner of said Brown tract;

THENCE South 30 degrees 05 minutes 34 seconds East along the west line of said Brown tract and the westerly line of said county road, a distance of 578.86 feet to a ½" iron rod found at the northeast corner of said McGuire tract (Inst. No. 2017-23884);

THENCE South 59 degrees 44 minutes 00 seconds West a distance of 13.82 feet to a ½" iron rod found for a corner;

THENCE South 03 degrees 08 minutes 57 seconds West a distance of 106.60 feet to a ½" iron rod found for a corner;

THENCE South 59 degrees 44 minutes 29 seconds West a distance of 160.32 feet to a ½" iron rod found for a corner;

THENCE North 30 degrees 01 minutes 47 seconds West a distance of 222.90 feet to a ½" iron rod found at the northeast corner of said McGuire tract (Vol. 3133, Pg. 839);

THENCE South 59 degrees 34 minutes 50 seconds West a distance of 227.15 feet to a ½" iron rod found for a corner at the northwest corner of said McGuire tract (Vol. 3133, Pg. 839);

THENCE South 30 degrees 02 minutes 54 seconds East a distance of 342.53 feet to the point of beginning and containing 20.46 acres.

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS

That I, Virgil Brown, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as Lots 2-5, Block 1, Lenda's Way Estates, an addition to Johnson County, Texas, and hereby dedicate to the public use, without reservation, the streets, easements, right-of-ways and any other public area shown hereon.

Virgil Brown (signature) — Date: 1-23-2018

Virgil Brown

THE STATE OF TEXAS

Before me Shawna Reid *, a Notary Public, in and for the State of Texas, on this day personally appeared, Virgil Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration herein expressed.*

Given under my hand and seal of office this 23rd *day of* January *2018*

Shawna Reid (signature)
Notary Public in and for
The State of Texas

My Commission expires 3/25/2019

STATE OF TEXAS
COUNTY OF JOHNSON

WHEREAS I, Ottie G. McGuire, do hereby certify that I am the owner of all that certain lot, tract or parcel of land situated in the Edwin Hendricks Survey, Abstract No. 328, Johnson County, Texas, being a portion of that certain called 22.642 acre tract of land conveyed by Superior Coils, Inc. to Virgil Brown by deed recorded in Volume 2400, Page 443, O.P.R.J.C.T., and being more particularly described by metes and bounds as follows as follows:

BEGINNING at an iron rod found on the westerly line of County Road 607 at the southeast corner of said Brown tract (Vol. 2400, Pg. 443) and at the southeast corner that same tract of land conveyed by Virgil Brown to Ottie G. McGuire by Special Warranty Deed recorded in Instrument Number 2017-23884, O.P.R.J.C.T.;

THENCE South 59 degrees 44 minutes 25 seconds West along the common line between said Brown tract and that certain tract of land conveyed to Robert Walsh, by deed recorded in Volume 1318, Page 243, O.P.R.J.C.T., a distance of 227.78 feet to a ½" iron rod found for a corner at the southeast corner of that tract of land conveyed to Ottie G. McGuire and wife, Lenda Konda McGuire, by deed recorded in Volume 3133, Page 839, O.P.R.J.C.T.;

THENCE South 59 degrees 40 minutes 25 seconds West a distance of 227.04 feet to a ½" iron rod found at the southwest corner of said McGuire tract (Vol. 3133, Pg. 839), on the north line of said Walsh tract (Vol. 1318, Pg. 243), and on the south line of said Brown tract (Vol. 2400, Pg. 443);

THENCE North 30 degrees 02 minutes 54 seconds West a distance of 342.53 feet to a ½" iron rod found for a corner at the northwest corner of said McGuire tract (Vol. 3133, Pg. 839);

THENCE North 59 degrees 34 minutes 50 seconds East a distance of 227.15 feet to a ½" iron rod found at the northeast corner of said McGuire tract (Vol. 3133, Pg. 839);

THENCE South 30 degrees 01 minutes 47 seconds East a distance of 222.90 feet to a ½" iron rod found for a corner;

THENCE North 59 degrees 44 minutes 29 seconds East a distance of 160.00 feet to a ½" iron rod found for a corner;

THENCE North 03 degrees 08 minutes 57 seconds East a distance of 106.60 feet to a ½" iron rod found for a corner;

THENCE North 59 degrees 44 minutes 00 seconds East a distance of 13.82 feet to a ½" iron rod found for a corner on the westerly line of said County Rod 607 at the northeast corner of said McGuire tract (Inst. No. 2017-23884);

THENCE South 30 degrees 05 minutes 34 seconds East a distance of 150.02 feet to the point of beginning and containing 2.34 acres of land

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS

That I, Ottie G. McGuire, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as Lot 1, Block 1, Lenda's Way Estates, an addition to Johnson County, Texas, and hereby dedicate to the public use, without reservation, the streets, easements, right-of-ways and any other public area shown hereon.

Ottie G. McGuire (signature) — Date: 1-23-18

Ottie G. McGuire,

THE STATE OF TEXAS

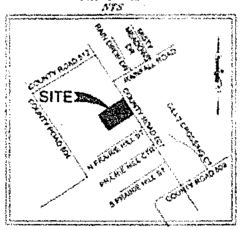
Before me Shawna Reid *, a Notary Public, in and for the State of Texas, on this day personally appeared, Ottie G. McGuire, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration herein expressed.*

Given under my hand and seal of office this 23rd *day of* January *2018*

Shawna Reid (signature)
Notary Public in and for
The State of Texas

My Commission expires 3/25/2019

VICINITY MAP
NTS



SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS:

That I, Barney Ballard, Registered Professional Land Surveyor, Texas Registration No. 2336 hereby state that this correctly represents a survey made under my supervision on , November 16, 2017. The subdivision boundary corners are marked with iron pins as noted.

Signature: Barney Ballard (signature)
Date: 1-29-18

OWNER:
VIRGIL BROWN
2901 COUNTY ROAD 607
ALVARADO, TEXAS 76009
PHONE NO. 817-793-1719

OWNER:
OTTIE G. MC GUIRE
2901 COUNTY ROAD 607
ALVARADO, TEXAS 76009
PHONE NO. 817-240-7207

Final Plat
Lenda's Way Estates
Lots 1-5, Block 1

19.553 ACRES
An Addition in the Edwin Hendricks Survey, Abstract No. 328
Johnson County, Texas.

Barney Ballard Corporation 140 NW MAGNOLIA STREET BURLESON, TEXAS, 76028 PHONE NO. 817-295-4891		
Scale 1"=50'	Dwn:	Project # 0817001
Date 08-29-17	App. BTB	Page 2 of 2