

**JOHNSON COUNTY
COMMISSIONERS COURT**

JUN 13 2023

April Long
County Clerk, Johnson County Texas
BY AL DEPUTY

Christopher Boedeker
County Judge

Rick Bailey
Commissioner
Precinct 1

Kenny Howell
Commissioner
Precinct 2

Mike White
Commissioner
Precinct 3

Larry Woolley
Commissioner
Precinct 4

THE STATE OF TEXAS

§
§
§

ORDER 2023-41

COUNTY OF JOHNSON

ORDER APPROVING PLAT

WHEREAS, Chapter 232 of the Texas Local Government Code requires the owner of a tract of land located outside the limits of a municipality to have a plat of the subdivision prepared if the owner divides the tract of land into two or more parts to lay out: (1) a subdivision of the tract, including an addition; (2) lots; or (3) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts; and

WHEREAS, an application for a plat of a subdivision has been presented to the Public Works Department of Johnson County; and

WHEREAS, the application for the plat of the subdivision meets the requirements of Chapter 232 of the Texas Local Government Code and the requirements of the Subdivision Rules and Regulations of Johnson County, Texas as currently amended; and

WHEREAS, a motion was made by Commissioner Woolley, Pct. 4 and seconded by Commissioner White, Pct. 3 that stated: "I make the motion to approve for filing purposes only, a Plat of **Maak Estates**, Lots 1-4, Block 1, in Precinct 1 and clarify that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance."

Said motion was approved by a vote of the Commissioners Court on the 12th day of June 2023.

NOW THEREFORE BE IT RESOLVED AND ORDERED:


The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Maak Estates**, Lots 1-4, Block 1, in Precinct 1 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

WITNESS OUR HAND THIS, THE 12TH DAY OF JUNE 2023.



Christopher Boedeker, Johnson County Judge


Voted: ___ yes, ___ no, ___ abstained




Rick Bailey, Comm. Pct. 1
Voted: yes, ___ no, ___ abstained



Kenny Howell, Comm. Pct. 2
Voted: yes, ___ no, ___ abstained



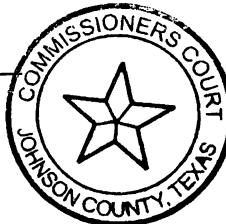
Mike White, Comm. Pct. 3
Voted: yes, ___ no, ___ abstained

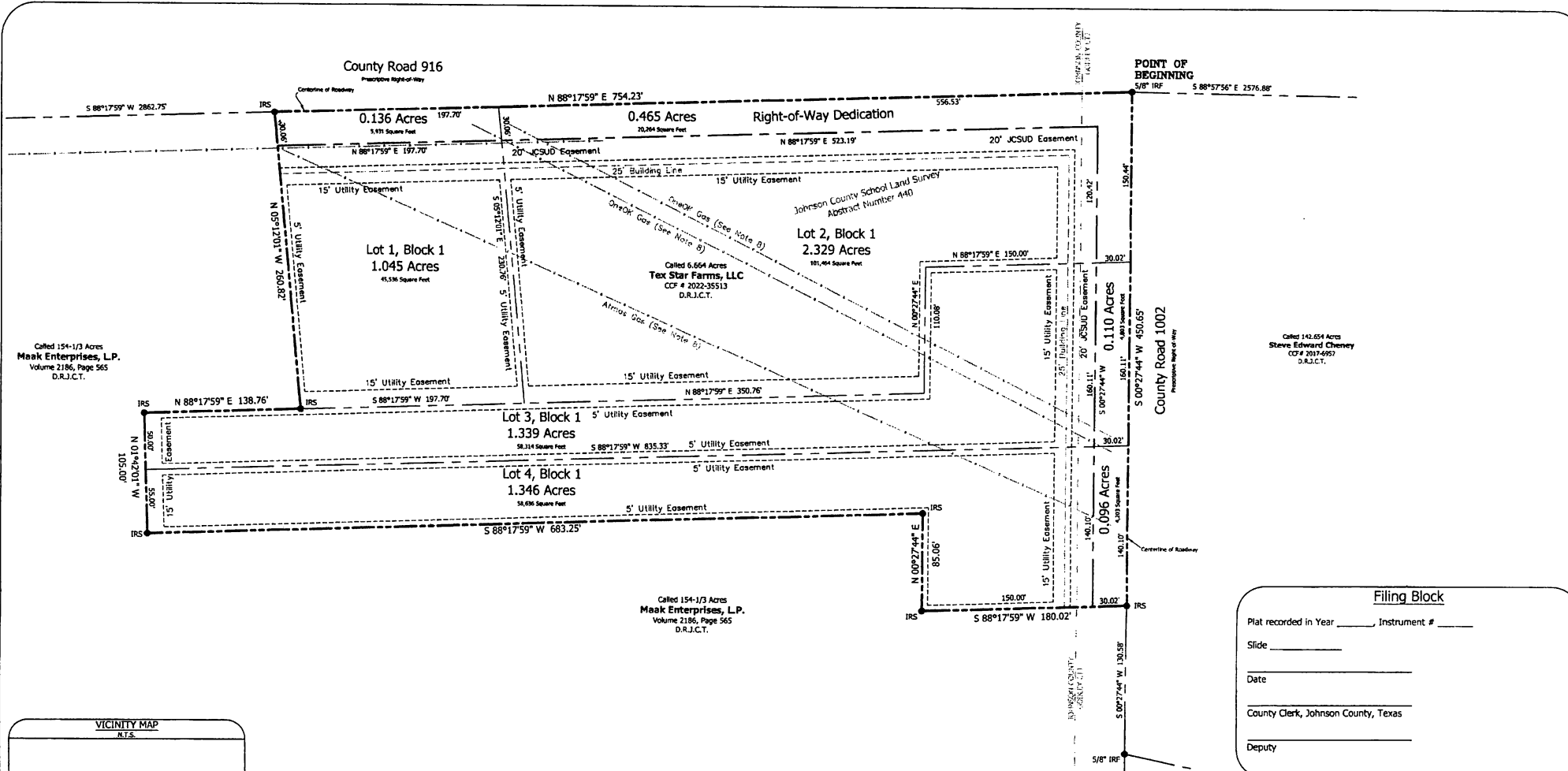


Larry Wolley, Comm. Pct. 4
Voted: ___ yes, ___ no, ___ abstained



ATTEST: April Long, County Clerk





Filing Block

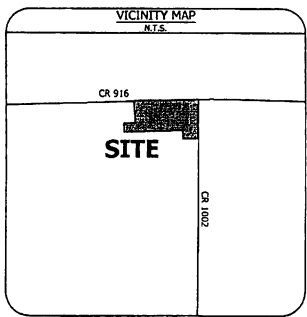
Plat recorded in Year _____, Instrument # _____

Slide _____

Date _____

County Clerk, Johnson County, Texas _____

Deputy _____



LEGEND

— 1 ———— Approximate Center Line of Gas Pipeline

D.R.J.C.T. = Deed Records, Johnson County, Texas

P.R.J.C.T. = Plat Records, Johnson County, Texas

CCF # = County Clerk's File Number

IRF = Iron Rod Found

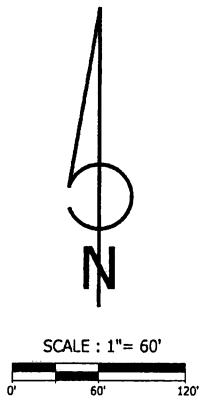
IRS = 5/8" Circular Iron Rod Set Stamped "Manhard"

Owner:
TEX STAR FARMS, LLC
10502 CR 913
Godley, Texas 76044
817-517-1503

Manhard CONSULTING

569 Pecan Street, Suite 201, Fort Worth, TX 76123 | 817.866.8244 | manhard.com

Civil Engineers | Surveyors | Water Resources Engineers | Water & Wastewater Engineers
Construction Managers | Environmental Scientists | Landscape Architects | Planners
Texas Board of Professional Engineers & Land Surveyors Reg. No. T-103654 (Surv.) F-141232 (C-Eng)



Flood Statement

According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251C01351, effective date December 4, 2012, this property is located in Zone "X". (Areas determined to be outside of the 500-year 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 of 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.

Project Number: 210336 Date: October 10, 2022

Revised Date: _____

Revision Notes: _____

Sheet 1 of 2

Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, **Jeremy Luke Deal**, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of Johnson County, Texas.

Executed this the 01st day of June, in the year of our Lord 2023.

Jeremy Luke Deal
 Registered Professional Land Surveyor
 Texas Registration No. 5696

FINAL PLAT
LOTS 1-4, BLOCK 1
MAAK ESTATES
 BEING 6.868 Acres of land situated in the
 Johnson County School Land Survey, Abstract
 Number 440, Johnson County, Texas.
 Partially located in the City of Godley ETJ

Notes

- The Basis of Bearing is the Texas Coordinate System, North American Datum of 1983, North Central Zone, 4202.
- Easements and Building Setbacks:
 - Utility Easement:
 - 15' From lot line in front and back
 - 5' From lot line on the sides
 - Building Lines:
 - 50' From lot line (State Hwy & FH Road)
 - 25' From lot line (County Road or Subdivision Roads)
 - Right-of-Way Dedication:
 - 40' ROW from center of road on F.M. or State
 - 30' from center of County Roads or roads in a Subdivision
- This subdivision or some part thereof is located within the ETJ of Godley. The ETJ line shown hereon is approximate.
- The designation of the proposed usage of the area shown on plat is for single family residential.
- The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.
- Utility providers:
 - Water: Johnson County Special Utility District (817-760-5200)
 - Electric: United Cooperative Services (817-447-9292)
 - Septic: Private Individual Septic Systems
- Johnson County Rural Water Supply Conveyance Easement and Right-of-Way, recorded in Volume 640, Page 54, Deed Records, Johnson County, Texas affects the subject property, but does not have a plottable description.
- Pipeline easements recorded in Volume 261, Page 515 and Volume 504, Page 758, Deed Records, Johnson County, Texas do affect the subject property, but do not contain a width or plottable description.

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 reflect 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.

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, imparts 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 in which in any way encumber or interfere with the construction or maintenance, or efficiency of its respective systems in any of the easements shown on the plat, and any public utility including Johnson County, shall have the right to at all times of ingress and egress to an from said easements for the purpose of construction, reconstruction, inspections, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any times 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 executor 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.

Filing a Plat is Not Acceptance of Roads for County Maintenance

The approval and filing of a Plat which dedicates roads and streets does not make the roads and streets county roads subject to county maintenance. No road, street or passageway set aside in this Plat shall be maintained by Johnson County, Texas in the absence of an express Order of the Commissioners Court ordered or record in the minutes of the Commissioners Court of Johnson County, Texas specifically identifying any such road, street or passageway and specifically accepting such road, street or passageway for county maintenance.

Project Number: 210336 Date: October 10, 2022
 Revised Date:
 Revision Notes:
 Sheet 2 of 2



Owner:
 TEX STAR FARMS, LLC
 10502 CR 913
 Godley, Texas 76044
 817-517-1503

Jeremy Luke Deal
 Jeremy Luke Deal
 Registered Professional Land Surveyor
 Texas Registration No. 5696



Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, Jeremy Luke Deal, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were property placed under my personal supervision, in accordance with the Subdivision Regulations of Johnson County, Texas.

Executed this the 01st day of June, in the year of our Lord 2023.

LEGAL DESCRIPTION

BEING a 6.868 acre tract of land situated in the Johnson County School Land Survey, Abstract Number 440, Johnson County, Texas and being a portion of that called 154-1/3 acre tract of land described by deed to Volume 2186, Page 565, Deed Records, Johnson County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found at the northeast corner of said called 154-1/3 acre tract, said iron rod also being in County Road 1002 (Prescriptive Right-of-Way) and County Road 916 (Prescriptive Right-of-Way);

THENCE South 00 degrees 27 minutes 44 seconds West, 450.65 feet along the east line of said called 154-1/3 acre tract and with said County Road 1002 to a mag nail with washer stamped "MANHARD" set;

THENCE South 88 degrees 17 minutes 59 seconds West, 180.02 feet departing said east line of the called 154-1/3 acre tract and said County Road 1002 to a 5/8 inch iron rod with cap stamped "MANHARD" set;

THENCE North 00 degrees 27 minutes 44 seconds East, 85.06 feet to a 5/8 inch iron rod with cap stamped "MANHARD" set;

THENCE South 88 degrees 17 minutes 59 seconds West, 683.25 feet to a 5/8 inch iron rod with cap stamped "MANHARD" set;

THENCE North 01 degrees 42 minutes 01 seconds West, 105.00 feet to a 5/8 inch iron rod with cap stamped "MANHARD" set;

THENCE North 88 degrees 17 minutes 59 seconds East, 138.76 feet to a 5/8 inch iron rod with cap stamped "MANHARD" set;

THENCE North 05 degrees 12 minutes 01 seconds West, 260.82 feet to a mag nail with washer stamped "MANHARD" set in the north line said called 154-1/3 acre tract, said nail also being in said County Road 916;

THENCE North 88 degrees 17 minutes 59 seconds East, 754.23 feet to along said north line of the called 154-1/3 acre tract and with said County Road 916 to the POINT OF BEGINNING and containing 299,151 square feet or 6.868 acres of land, more or less.

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

That Tex Star Farms, LLC, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as LOTS 1 THRU 4, BLOCK 1, MAAK 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.

WITNESS, my hand, this the 2nd day of June, 2023.

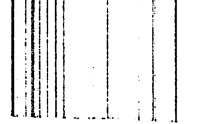
Kirk Carrell
 Kirk Carrell
 President

STATE OF TEXAS
 COUNTY OF JOHNSON*

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared KIRK CARRELL, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day of June, 2023.

William B. Buelbeck
 William B. Buelbeck
 Notary Public
 My Commission Expires: 8/6/2023





AGENDA PLACEMENT FORM

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

Date: June 5, 2023

COMMISSIONERS COURT

Meeting Date: June 12, 2023

JUN 12 2023

Submitted By: Julie Edmiston

Approved

Department/Office: Public Works

Signature of Director/Official: *J. Edmiston*

Agenda Title:
Final Plat Approval

Public Description (Description should be 2-4 sentences explaining to the Court and the public what action is recommended and why it is necessary):

Consideration of Order 2023-41, Order Approving Final Plat of Maak Estates,
Lots 1-4, Block 1 in Precinct 1 - Public Works Department
JCSUD Water

(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: Consent (Action Item, Workshop, Consent, Executive)

Check All Departments That Have Been Notified:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) _____

**Please Inter-Office All Original Documents to County Judge’s Office Prior to Deadline
& List All External Persons Who Need a Copy of Signed Documents
In Your Submission Email**