

AUG 14 2023



**JOHNSON COUNTY
COMMISSIONERS COURT**

BY April Long DEPUTY
County Clerk Johnson County Texas

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
COUNTY OF JOHNSON

§
§
§

ORDER 2023-59

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 **Garnica Addition**, Lots 1 & 2, Block 1, in Precinct 3 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 14th day of August 2023.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

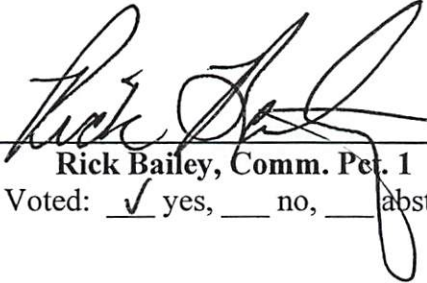
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Garnica Addition**, Lots 1 & 2, Block 1, in Precinct 3 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **does not** make those roads and streets county roads subject to county maintenance.

WITNESS OUR HAND THIS, THE 14TH DAY OF AUGUST 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



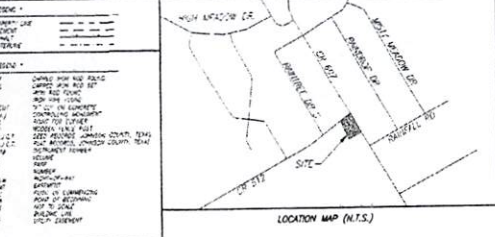
Larry Woolley, Comm. Pct. 4

Voted: yes, no, abstained



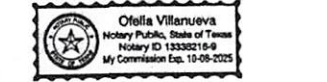
ATTEST: April Long, County Clerk





STATE OF TEXAS
 COUNTY OF JOHNSON
 LEGAL DESCRIPTION
 BEING A 2.212 ACRE TRACT OF LAND SITUATED IN THE E. HENDRICKS SURVEY, ABSTRACT NO. 328, JOHNSON COUNTY, TEXAS, AS CONVEYED TO JOSE GARNICA IN A DEED RECORDED IN INSTRUMENT NUMBER 2015-3180, D.R.J.C.T. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT FOR CORNER, SAID POINT BEING THE MOST NORTHEASTLY CORNER OF SAID SUBJECT TRACT, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF A REMAINDER TRACT OF LAND, AS CONVEYED TO MADALENE & PEDRO ALONSO IN A DEED RECORDED IN VOLUME 3789, PAGE 861, D.R.J.C.T., SAID POINT ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 512, SAID POINT ALSO BEING THE POINT OF BEGINNING;
 THENCE FOLLOWING THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 512, NORTH 54 DEGREES 13 MINUTES 54 SECONDS EAST, A DISTANCE OF 259.57 FEET, TO A POINT FOR CORNER, SAID POINT BEING THE MOST NORTHERLY CORNER OF SAID SUBJECT TRACT, SAID POINT ALSO BEING THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 512, AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 607;
 THENCE DEPARTING THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 512, AND FOLLOWING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 607, SOUTH 29 DEGREES 17 MINUTES 51 SECONDS EAST, A DISTANCE OF 367.17 FEET, TO A 3/8-INCH WOODEN FENCE POST, SAID POINT BEING THE MOST SOUTHWESTLY CORNER OF SAID SUBJECT TRACT, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF A 1.003 ACRE TRACT, AS CONVEYED TO JOSE GARNICA IN A DEED RECORDED IN VOLUME 3491, PAGE 221, D.R.J.C.T.;
 THENCE DEPARTING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 607, AND FOLLOWING ALONG THE COMMON LINE OF SAID SUBJECT TRACT, AND SAID 1.003 ACRE TRACT, SOUTH 80 DEGREES 48 MINUTES 53 SECONDS WEST, PASSING A 5/8-INCH IRON ROD SET WITH YELLOW CAP, STAMPED 'YANNA SURV PLS 8647', AT A DISTANCE OF 42.9 FEET, AND CONTINUING A TOTAL DISTANCE OF 260.01 FEET, TO A 5/8-INCH IRON ROD SET WITH YELLOW CAP, STAMPED 'YANNA SURV PLS 8647', SAID POINT BEING THE MOST SOUTHERLY CORNER OF SAID SUBJECT TRACT, SAID POINT ALSO BEING IN THE NORTHERLY LINE OF A CALLED 0.81 ACRE TRACT, AS CONVEYED TO JOSE GARNICA IN A DEED RECORDED IN INSTRUMENT NUMBER 2015-3180, D.R.J.C.T., SAID POINT ALSO BEING IN THE NORTHEASTLY LINE OF SAID ALONGS TRACT;
 THENCE DEPARTING THE COMMON LINE OF SAID SUBJECT TRACT AND SAID 0.81 ACRE TRACT, AND FOLLOWING THE COMMON LINE OF SAID SUBJECT TRACT AND SAID ALONGS TRACT, NORTH 28 DEGREES 57 MINUTES 43 SECONDS WEST, PASSING A 5/8-INCH IRON ROD SET WITH YELLOW CAP, STAMPED 'YANNA SURV PLS 8647', AT A DISTANCE OF 178.70 FEET, PASSING A 5/8-INCH IRON ROD SET WITH YELLOW CAP, STAMPED 'YANNA SURV PLS 8647', AT A DISTANCE OF 343.91 FEET, AND CONTINUING A TOTAL DISTANCE OF 357.41 FEET TO THE POINT OF BEGINNING, AND CONTAINING 95,382.96 SQUARE FEET, OR 2.2122 ACRES OF LAND, MORE OR LESS.

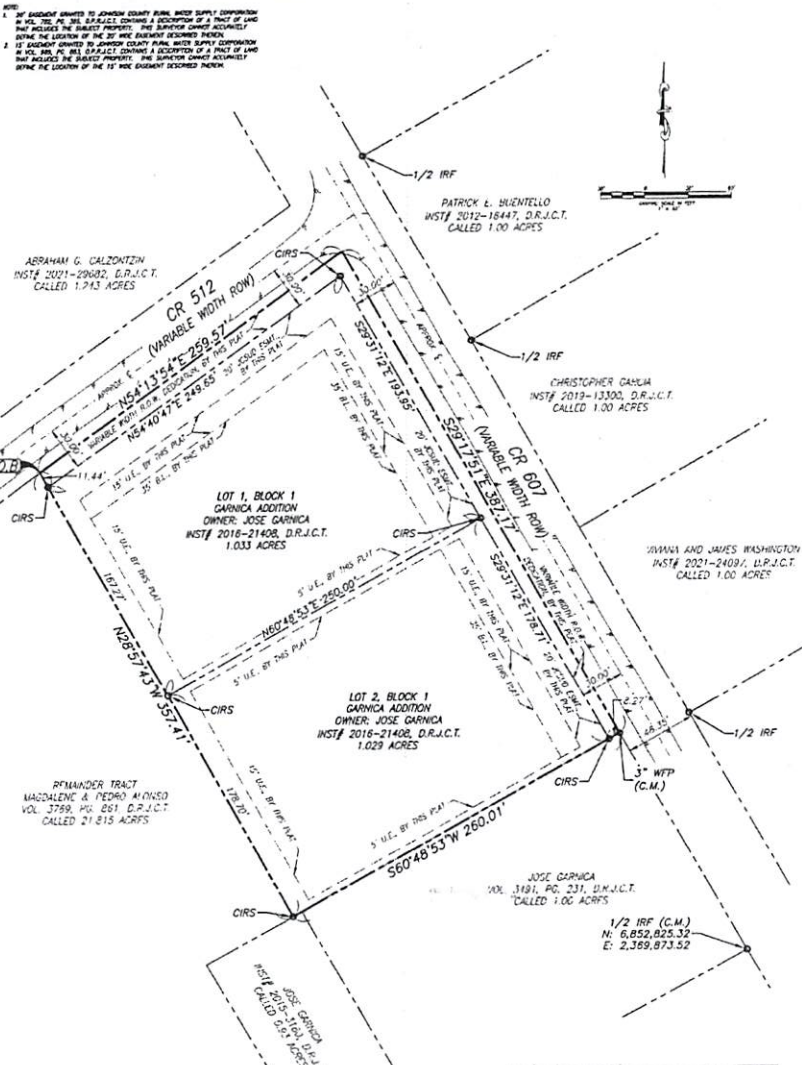
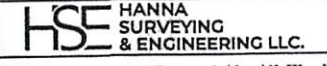
STATE OF TEXAS
 COUNTY OF JOHNSON
 NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS
 THAT JOSE GARNICA, OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADAPT THIS PLAT DESIGNATING THE ABOVE DESCRIBED PROPERTY AS LOTS 1 AND 2, BLOCK 1, GARNICA ADDITION, AN ADDITION TO JOHNSON COUNTY, TEXAS, AND HEREBY DEDICATE TO THE PUBLIC USE, WITHOUT RESERVATION, THE STREETS, EASEMENTS, RIGHT-OF-WAYS AND ANY OTHER PUBLIC AREA SHOWN HEREON.
 Jose Garnica (SIGNATURE OF OWNER) DATE 04 / 06 / 2023
 SWORN AND SUBSCRIBED BEFORE ME BY Ofelia Villarueva
 THIS THE 21st DAY OF July, 2023.
 NOTARY PUBLIC, STATE OF TEXAS
 MY COMMISSION EXPIRES: 10/02/2025



I, SAMUEL C. HANNA, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6647, DO HEREBY CERTIFY THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE ON THE GROUND AND THE CORNER MONUMENTS ARE AS SHOWN. ALL CORNERS, ANGLES, POINT OF CURVES, BOUNDARY MARKERS AND BENCH MARKS ARE CORRECTLY FOUND OR PLACED THEREON AND HAVE BEEN MARKED WITH STEEL RODS.
 Samuel C. Hanna, PLS, PE
 20 JULY 2023
 DATE

LAND SURVEYING AND ENGINEERING, L.L.C.
 1128 E. FM 1752
 ALVARADO, TEXAS 76009
 PH: 817-425-2520
 FAX: 817-425-2521
 WWW.HANNAENGINEERING.COM

LAND USE TABLE				
LOT DESIGNATION	NET AREA	GROSS AREA	R.O.W. DEDICATION	LOT USE TYPE
1	1.033	1,148	0.115	RESIDENTIAL
2	1.029	1,065	0.036	RESIDENTIAL



* PLAT NOTES *

GENERAL

- THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN THE E.U. OF ANY CITY OR TOWN.
- THE DESIGNATION OF THE PROPOSED USES OF THE AREA SHOWN ON THIS PLAT WILL BE STRICTLY 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 PROVISIONS FOR THIS PROPERTY ARE AS FOLLOWS:
 WATER - JOHNSON COUNTY SPECIAL UTILITY DISTRICT, (817)760-5200
 ELECTRICITY - UNITED COOPERATIVE SERVICES, (817)556-4000
 SEWER - PRIVATE INDIVIDUAL SEPTIC SYSTEMS

PRIVATE SEWAGE FACILITY:

- COSTLY SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.
- INSPECTING 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 OPERATED BY THE OWNER AT THE OWNER'S EXPENSE AT HIS OWN RISK. MINIMUM OPERATION OF THE FACILITY RESULTS IN UNDESIRABLE CONDITIONS, IF UNDESIRABLE 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 STURABLE SOIL, CAN MAINTAIN 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. 4825102055, EFFECTIVE DATE DECEMBER 4, 2012, THIS PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
- THE ABOVE REFERENCED FEMA FLOOD INSURANCE RATE MAP IS FOR USE IN ADMINISTERING THE "70%". 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 "70%".
- THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR DESTRUCTION OF THE FLOODPLAIN IS PROHIBITED.
- THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVELING 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 CHANNELS ALONG OR ACROSS SAID LOTS.
- JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGEWAYS 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 UPON 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 OWNERS

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 LAWS 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 THE ANY ADJACENT OR DOWNSIDE PROPERTY OWNER OR ADJACENT TO DRAINAGE CHANNELS ALONG OR ACROSS THE PROPERTY OF ANY DUTY 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 PORTRAIED HEREON ARE ACTUALLY EXISTING ON THE PROPERTY PORTRAIED 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 MAKE NAME IS ATTIFIED 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 EASEMENTS

JOHNSON COUNTY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY ANY BUILDINGS, FENCES, TREES, SHRUBS, OTHER GROWTHS, OR IMPROVEMENTS WHICH IN ANY WAY ENGINEER 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 ACCESS AND EGRESS TO AND FROM SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ACCORDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF APPROVING THE PERMISSION OF ANYONE.

FILING A PLAT

- IT IS A CRIMINAL OFFENSE PUNISHABLE BY A FINE OF UP TO \$100,000, CONFINEMENT IN THE COUNTY JAIL FOR UP TO 90 DAYS OR BY BOTH FINE AND CONFINEMENT FOR A PERSON WHO SUBVERTS THE PROPERTY OF ANOTHER BY 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 REPEAT OF THE SUBDIVISION IS APPROVED AND IS FILED FOR RECORDS WITH THE JOHNSON COUNTY CLERK. HOWEVER, SAID DEED 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 REPEAT OF A SUBDIVISION UNLESS 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 ENTERED OF 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.

RIGHT-OF-WAY (FROM) DEDICATION

- 45' ROW FROM CENTER OF ROAD ON F.M. OR STATE
- 30' ROW FROM CENTER OF COUNTY ROADS OR ROADS IN A SUBDIVISION

UTILITY EASEMENT DEDICATION

- 15' FROM LOT LINE IN FRONT & BACK
- 5' FROM LOT LINE ON THE SIDES

BUILDING LINES

- 50' FROM LOT LINE (STATE HIGHWAY AND F.M.)
- 25' FROM LOT LINE (COUNTY ROAD OR SUBDIVISION ROADS)

DEVELOPER NOTE
 BUILDING LINES ARE 35' FROM LOT LINE (COUNTY ROAD)

THIS RECORDED IN
 INSTRUMENT # _____ SLIDE _____
 DATE _____
 COUNTY CLERK, JOHNSON COUNTY, TEXAS
 DEPUTY, JOHNSON COUNTY, TEXAS

FINAL PLAT
 LOTS 1 & 2, BLOCK 1
 GARNICA ADDITION
 AN ADDITION TO JOHNSON COUNTY, TEXAS
 E. HENDRICKS SURVEY, ABSTRACT NO. 328
 2.212 ACRES
 MAY, 2023