

AUG 14 2023



**JOHNSON COUNTY
COMMISSIONERS COURT**

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

COUNTY OF JOHNSON

§
§
§

ORDER 2023-66

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

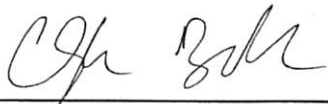
WHEREAS, a motion was made by Commissioner Woolley, Pct. 4 and seconded by Commissioner White, Pct. 3 that stated: "I make the motion to approve for filing purposes only, a Plat of **Rutherford Springs, Phase II**, Lots 6-10, 11A, 11B, & 12-15, Block 1, in Precinct 4 and clarify that the filing of the 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:

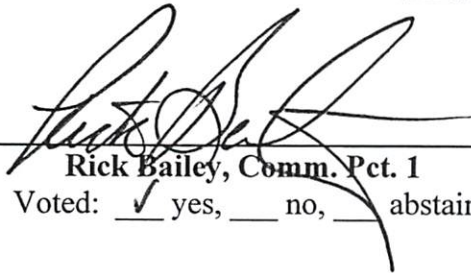
The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the Plat of **Rutherford Springs, Phase II**, Lots 6-10, 11A, 11B, & 12-15, Block 1, in Precinct 4 for filing purposes only and clarifying that the filing of the plat which dedicates roads and streets to the public **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



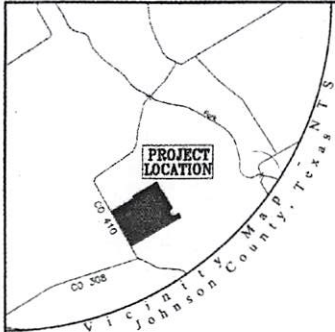
Larry Woolley, Comm. Pct. 4

Voted: yes, no, abstained

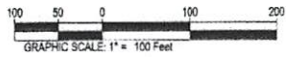


ATTEST: April Long, County Clerk





Line #	Direction	Length
L1	S30°31'06"E	67.46
L2	S19°30'19"E	38.84
L3	S37°30'19"E	78.17
L4	N59°28'54"E	80.00
L5	S30°31'06"E	102.96
L6	N29°52'18"W	55.41
L7	S31°03'23"E	79.63
L8	S29°52'18"E	91.44



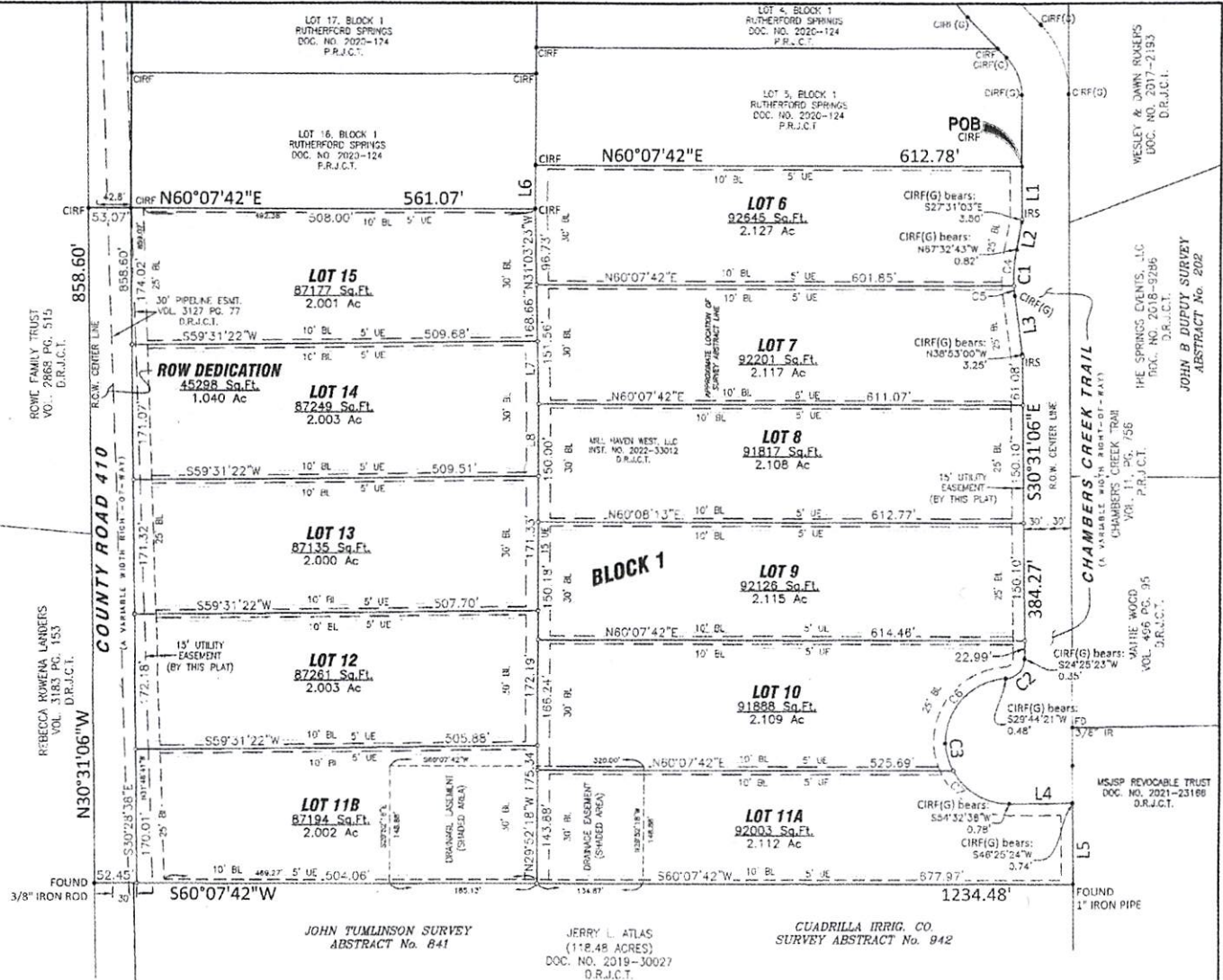
LEGEND

- BL.....Building Line
- CIRF(G).....Found 1/2" Capped Iron Rod Marked "GSI SURVEYING"
- CIRF.....Found 5/8" Capped Iron Rod Marked "BHB INC"
- D.R.J.C.T.....Deed Records, Johnson County, Texas
- FD.....Found
- IRF.....Found Iron Rod
- IRS.....5/8" Capped Iron Rod Marked "BHB INC" Set
- P.R.J.C.T.....Plat Records, Johnson County, Texas
- UE.....Utility Easement

Plat Recorded in
 Instrument #: _____ Slide _____
 Date: _____
 County Clerk, Johnson County, Texas
 Deputy _____

GENERAL NOTES

1. Basis of bearing being U.S. State Plane Grid - Texas North Central Zone (4202) NAD83 as established using the AllTerra RTKNet Cooperative Network. Reference frame is NAD83(2011) Epoch 2010.0000. Distances shown are U.S. Survey feet displayed in surface values.
2. Vertical Datum established using the AllTerra RTKNet Cooperative Network. All elevations shown are NAVD83.
3. All property corners are set 5/8 inch capped iron rod marked "BHB INC" unless otherwise noted.
4. This survey has been prepared without the benefit of a current commitment for title insurance, additional easements or restrictions may affect this property.
5. The surveyor, as required by state law, is responsible for surveying information only and bears no responsibility for the accuracy of the engineering data, such as floodplain and floodway locations and minimum finished floor elevations data placed on this plat.
6. All wells shall be spaced a minimum of 150' apart according to the Groundwater Availability Certification.



Curve #	Delta	Radius	Arc Length	Chord Bearing	Chord Length
C1	18°00'05"	190.00'	59.70'	S28°30'19"E	59.45'
C2	87°15'37"	25.00'	38.07'	S13°07'01"W	34.50'
C3	177°08'06"	80.00'	247.33'	S33°52'59"E	159.95'
C4	14°04'11"	190.00'	46.66'	S26°32'22"E	46.54'
C5	3°55'54"	190.00'	13.04'	S35°32'24"E	13.04'
C6	115°02'53"	80.00'	160.64'	S0°50'23"E	134.98'
C7	62°05'13"	80.00'	86.69'	S89°24'26"E	82.51'

FINAL PLAT
LOTS 6-10, 11A, 11B, & 12-15, BLOCK 1
RUTHERFORD SPRINGS
PHASE II
 (11 LOTS)

BEING A 23.737 ACRE TRACT OF LAND SITUATED WITHIN
 THE J. TUMLINSON SURVEY ABST. NO. 841, C. IRRIG. CO. SURVEY ABST. NO. 942
 JOHNSON COUNTY, TEXAS

6300 Ridgely Plaza, Suite 700 Fort Worth, TX 76116
 jmarcotte@bhbinc.com • 817.338.1277 • bhbinc.com
 TBPELS Firm #44, #10011300

Drawn: 01/20/2023/10:30 Rutherford Springs/04/20/23/PLAT 11/23/23/2023

JOHNSON COUNTY, TEXAS NOTES:

- 1. This subdivision or any part thereof is not located within the ETJ of any city or town.
2. The proposed usage for this plat is Single-Family residential.
3. The developer shall complete all roads and drainage facilities in a subdivision within twelve (12) months after the date of final plat approval.
4. UTILITY PROVIDERS:
Water: Private individual water wells.
Electrical services to be provided by USIC (817) 447-9292.
Septic: Private individual septic systems.

PRIVATE SEWAGE FACILITY:

- 5. 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.
6. 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.
7. 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:

- 8. According to the Flood Insurance Rate Map for Johnson County, Texas and Incorporated Areas, Community Panel No. 48251CD323, Map Revised December 4, 2012 and Community Panel No. 48251CD323, Map Revised December 4, 2012, this property is located in Zone X (Areas determined to be outside the 0.2% annual chance floodplain).
9. 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.
10. Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodways is prohibited.
11. 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.
12. Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
13. Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
14. 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.

UTILITY EASEMENTS:

- 15. Any public utility, including Johnson County, shall have the right to move and keep moved all or part of any building, 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 or part of its respective systems without the necessity at any time of procuring the permission of anyone.

UTILITY EASEMENTS:

- 15' from lot lines in front and rear
5' from lot lines on the side
RIGHT OF WAY DEDICATION:
30' ROW from center of county roads or roads in a subdivision.
40' ROW from center of road on F.M. or State
BUILDING LINES:
25' from lot line (County Road or Subdivision Roads)
10' from lot lines on sides per developer
30' from lot lines on rear per developer
50' from lot line (State Hwy & F.M.)

DUTIES OF DEVELOPER/PROPERTY OWNERS:

- 16. 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 the local, state, or federal law of the jurisdictions in which the property is located.
17. 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, impede or transfer any duty or liability to Johnson County, the Commissioners, officials, or employees of Johnson County.
18. 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.
19. 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:

- 20. 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.

FLING 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.

FLING 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 and street or passageway for county maintenance.

OWNERS:

Mill Haven West, LLC
8760 County Road 612
Mansfield, Texas 76063
Tel: 817-475-4644

LAND SURVEYOR:



BAIRD, HAMPTON & BROWN
engineering and surveying

6300 Ridgely Place, Suite 700 Fort Worth, TX 76116
jmargotta@bhbinc.com • 617.338.1277 • bhbinc.com
TDPELS Firm #64, #10011300

STATE OF TEXAS

COUNTY OF JOHNSON

WHEREAS, Mill Haven West, LLC, being the owner of the hereon described property to wit:

BEING a tract of land situated in the John Tumlinson Survey, Abstract No. 841, and the Cuadrilla Irrig. Co. Survey, Abstract No. 942, Johnson County, Texas same being all of the remainder of a called 50.722-acre tract of land as described by deed to Thomas J. Ritter, Jr. (2/3rd owner) as recorded in Volume 1218, Page 215 (Third Tract), Deed Records, Johnson County, Texas (D.R.J.C.T.) and Volume 1312, Page 578 (Second Tract), D.R.J.C.T., Estate of Luis Sullivan (1/6th owner) as recorded in Document No. 2016-297, D.R.J.C.T., and Mack T. McClister (1/6th owner) as recorded in Volume 1218, Page 303 (Third Tract), D.R.J.C.T., and Volume 1888, Page 114 (Third Tract), D.R.J.C.T., and being more particularly described by metes and bounds as follows: (Bearings referenced to U.S. State Plane Grid 1993 - Texas North Central Zone 4 (202) HADRS as established using GPS Technology in conjunction with the All Texas FTKNet Cooperative Network. All distances shown are in U.S. Survey feet displayed in surface values).

BEGINNING at a found 5/8-inch capped iron rod marked "BHB INC" (CIRF) for the southeast corner of Lot 5, Block 1, Rutherford Springs, an addition to Johnson County, Texas as shown on plat recorded in Document Number: 2300-124, Plat Records, Johnson County, Texas (P.R.J.C.T.), same being in the West right-of-way line of Chambers Creek Trail (a 50-foot wide right-of-way) as shown on plat recorded in Volume 11, Page 756, (P.R.J.C.T.), and being the northeast corner of the said 50.722-acre remainder tract;

THENCE with the common line between the said Chamber Creek Trail and the said remainder of the called 50.722-acre tract, the following courses and distances:

- South 30°31'06" East, a distance of 67.46 feet to a set 5/8-inch capped iron rod marked "BHB INC" (IRS), from which a found 1/2-inch capped iron rod marked "GSI SURVEYING" (CIRF(G)) bears South 27°31'04" East, a distance of 3.50 feet;
South 19°30'19" East, a distance of 38.94 feet to a point from which a CIRF(G) bears North 67°32'43" West, a distance of 0.82 feet;
along a curve to the left having a central angle of 18°00'05", a radius of 190.00 feet, an arc length of 59.70 feet, and a chord which bears South 28°30'19" East, a distance of 59.45 feet to a CIRF(G);
South 37°30'15" East, a distance of 78.17 feet to an IRS, from which a CIRF(G) bears North 38°53'00" West, a distance of 3.25 feet;
South 30°31'06" East, a distance of 384.27 feet to a point from which a CIRF(G) bears South 24°25'29" West, a distance of 0.35 feet;
along a curve to the right having a central angle of 87°15'37", a radius of 25.00 feet, an arc length of 38.07 feet, and a chord which bears South 13°07'01" West, a distance of 34.50 feet to a point from which a CIRF(G) bears South 29°44'21" West, a distance of 0.48 feet;
along a curve to the left having a central angle of 177°09'06", a radius of 80.00 feet, an arc length of 247.33 feet, and a chord which bears South 31°52'59" East, a distance of 159.95 feet to a point from which a CIRF(G) bears South 54°32'38" West, a distance of 0.78 feet;
North 59°28'54" East, a distance of 80.00 feet to a point in the common line between the said remainder of the called 50.722-acre tract and a tract of land as described by deed to the M5SP Revocable Trust as recorded in Document Number 2021-23166, D.R.J.C.T., from which a CIRF(G) bears South 40°25'24" West, a distance of 0.74 feet;

THENCE South 30°31'06" East, with the said common line, a distance of 102.96 feet to a found 1-inch iron pipe for the southeast corner of the said remainder of the called 50.722-acre tract, same being the northeast corner of a tract of land as described by deed to Jerry L. Atlas (called 118.48 Acres) as recorded in Document Number 2019-30027, D.R.J.C.T..

THENCE South 60°07'42" West, with the said common line, passing at a distance of 1185.55 feet the northwest corner of the said Jerry L. Atlas tract, same being in the apparent east right-of-way line of County Road 410, and now continuing in all, for a total distance of 1234.48 feet to a found 3/8-inch iron rod for the southwest corner of the said remainder of the called 50.722-acre tract and being in the east line of a tract of land as described by deed to Rebecca Rowena Landers as recorded in Volume 1183, Page 153, D.R.J.C.T., same being in the apparent west right-of-way line of County Road 410;

THENCE North 30°31'06" West, with the said common line, passing at a distance of 443.93 feet the northeast corner of the said Rebecca Rowena Landers tract, same being the southeast corner of a tract of land as described by deed to Rowe Family Trust as recorded in Volume 2858, Page 515, D.R.J.C.T., and now continuing with the common line between the said Rowe Family Trust tract and the said remainder of the called 50.722-acre tract and also in the said apparent west right-of-way line, in all for a total distance of 858.60 feet to a CIRF for the northwest corner of the said remainder of the called 50.722-acre tract;

THENCE North 60°07'42" East, passing at a distance of 53.07 feet a CIRF for the southwest corner of the aforementioned Lot 16, of Block 1, same being in the said apparent east right-of-way line and now continuing with the common line between said Lot 16 and the said remainder of the called 50.722-acre tract, in all for a total distance of 561.07 feet to a CIRF for the southeast corner of said Lot 16, same being an east-restraint corner of the said remainder of the called 50.722-acre tract;

THENCE North 20°52'18" West, with the said common line, a distance of 55.41 feet to a CIRF for the southwest corner of aforementioned Lot 5, same being an oil corner of the said remainder of the called 50.722-acre tract;

THENCE North 60°07'42" East, with the common line between said Lot 5 and the said remainder of the called 50.722-acre tract, a distance of 512.78 feet to the POINT OF BEGINNING and CONTAINING 1,053,994 square feet or 23.737 acres of land more or less.

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS:

That Mill Haven West, LLC, owner of the above described tract of land, do hereby adopt this plat designating the herein described property as LOTS 6-10, 11A, 11B & 12-15, BLOCK 1, RUTHERFORD SPRINGS PHASE II, 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 4th day of August, 2023

BY:

MILL HAVEN WEST, LLC

Randi W. Garrett, Authorized Agent

STATE OF TEXAS

COUNTY OF Johnson

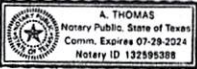
Before me, the undersigned, a Notary Public for the State of Texas, appeared Randi W. Garrett known to be the person whose name is subscribed hereto.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of August, 2023.

Notary Public

7/29/24

My Commission Expires



Approved by Johnson County Commissioner's Court on the day of August, 2023.

County Judge

SURVEYOR'S CERTIFICATION

I, John Margotta, do hereby declare that I prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the platting rules and regulations of Johnson County, Texas.



John G. Margotta

State of Texas Registered Professional Land Surveyor

No. 5956

Date: August 03, 2023

STATE OF TEXAS

COUNTY OF TARRANT

Before me, the undersigned, a Notary Public for the State of Texas, appeared John Margotta, known to be the person whose name is subscribed hereto.

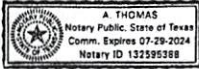
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of August, 2023.

John G. Margotta

Notary Public

7/29/24

My Commission Expires



FINAL PLAT

LOTS 6-10, 11A, 11B, & 12-15, BLOCK 1

RUTHERFORD SPRINGS

PHASE II

(11 LOTS)

BEING A 23.737 ACRE TRACT OF LAND SITUATED WITHIN THE J. TUMLINSON SURVEY ABST. NO. 841, C. IRRIG. CO. SURVEY ABST. NO. 942 JOHNSON COUNTY, TEXAS

August 2023

SHEET 2 OF 2