



JOHNSON COUNTY COMMISSIONERS COURT

MAR 26 2024

April Long
County Clerk, Johnson County Texas

BY [Signature] 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 2024-20

COUNTY OF JOHNSON

§

§

ORDER APPROVING REVISION OF PLAT PURSUANT TO SECTION 232.009 (c) OF THE TEXAS LOCAL GOVERNMENT CODE

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 approved by the Commissioners Court of Johnson County and filed for record; and

WHEREAS, pursuant to Section 232.009 of the Texas Local Government Code an application for a revision of the subdivision plat has been presented to the Public Works Department of Johnson County; and

WHEREAS, written notice of the application to revise the subdivision plat has been published in a newspaper of general circulation in Johnson County at least three (3) times during the period that begins on the 30th day and ends on the seventh day before the date of the Commissioners Court meeting; and

WHEREAS, written notice of the application to revise the subdivision plat has been provided to each of the non-developer owners of the lots of the subdivision; and

WHEREAS, a motion was made by Commissioner Bailey, Pct. 1 and seconded by Commissioner Howell, Pct. 2 that stated: "I make the motion to approve the revision of the plat of **The Retreat, Phase 12**, Lots 62 and 63, Block 76, to create Lot 62-R, Block 76, in Precinct 1."

Said motion was approved by a vote of the Commissioners Court on the 25th day of March 2024.

NOW THEREFORE BE IT RESOLVED AND ORDERED:


The Commissioners Court of Johnson County, Texas does hereby enter this Order approving the revision of the plat of **The Retreat, Phase 12**, Lots 62 and 63, Block 76, to create Lot 62-R, Block 76, in Precinct 1.

WITNESS OUR HAND THIS, THE 25TH DAY OF MARCH 2024.



Christopher Boedeker, Johnson County Judge

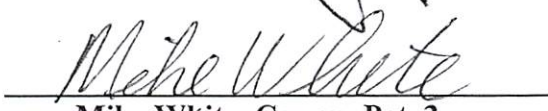
Voted: yes, no, abstained



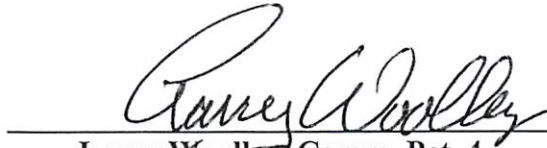
Rick Bailey, Comm. Pct. 1
Voted: yes, no, abstained



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



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 SERVICE PROVIDED BY TEXAS WATER UTILITIES, LP, PHONE (800) 454-7992. ELECTRICAL SERVICE IS TO BE PROVIDED BY UNITED COOPERATIVE SERVICES PHONE (817) 568-4000. CENTRAL SEWER COLLECTION AND TREATMENT IS PROVIDED BY MIDWAY WATER UTILITIES, INC., PHONE (281) 654-7002.

5. FLOOD STATEMENT:
 ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 485340495, EFFECTIVE DATE DECEMBER 04, 2012 THIS PROPERTY IS LOCATED IN SOME 2 (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 SURFACE 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 FLOODWAT 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.

6. 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 ENHANCE OR INTERFERE WITH THE PROTECTION 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 TO INCREASE AND EXPAND TO AND FROM SAID EASEMENTS FOR THE PURPOSES OF PROTECTING, IMPROVING, MAINTAINING AND ADDING TO OR RENOVATING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

7. UTILITY EASEMENTS:
 REDUCED UTILITY EASEMENTS FROM 15' TO 10' ON FRONT AND REAR OF ALL LOTS WERE APPROVED FOR THE RETREAT, PHASE 12 IN COMMISSIONER'S COURT OF NOVEMBER 10, 2014.
 10' UTILITY AND DRAINAGE EASEMENT SHALL BE RETAINED ALONG THE FRONT AND REAR OF ALL LOTS.
 5' UTILITY AND DRAINAGE EASEMENT SHALL BE RETAINED ALONG THE SIDES OF ALL LOTS.
 WATER DISTRIBUTION AND SEWER MAINS WILL BE LOCATED WITHIN STREET RIGHT-OF-WAYS.
 THE EXISTING 10' UTILITY AND DRAINAGE EASEMENTS BETWEEN LOTS 62 AND 63 SHALL BE REMOVED WITH THE FILING OF THIS PLAT.

8. RIGHT-OF-WAY DEDICATION:
 40' ROW FROM CENTER OF ROAD ON P.M. OR STATE
 30' ROW FROM CENTER OF ROAD ON SUBDIVISION ROADS NONE BY THIS PLAT.

9. BUILDING LINES:
 50' FROM LOT LINE (STATE HWY & FM)
 30' FROM LOT LINE (COUNTY ROAD OR SUBDIVISION ROAD)
 PER PHASE 12 PLAT SLIDE D-187, V. 10, P. 714, ET SEQ.
 30' REAR OR 40' WHEEN ADJOINING A GOLF COURSE PER DEVELOPER
 10' SIDES PER DEVELOPER.

10. 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 BOTH 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 EXERCISE 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 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.

11. A PURCHASER MAY NOT USE OR OCCUPY PROPERTY DESCRIBED IN A PLAT OR REPEAT OF A SUBDIVISION UNTIL SUCH TIME AS THE PLAT IS FILED FOR RECORD WITH THE COUNTY CLERK'S OFFICE OF THE JOHNSON COUNTY CLERK.

12. 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.

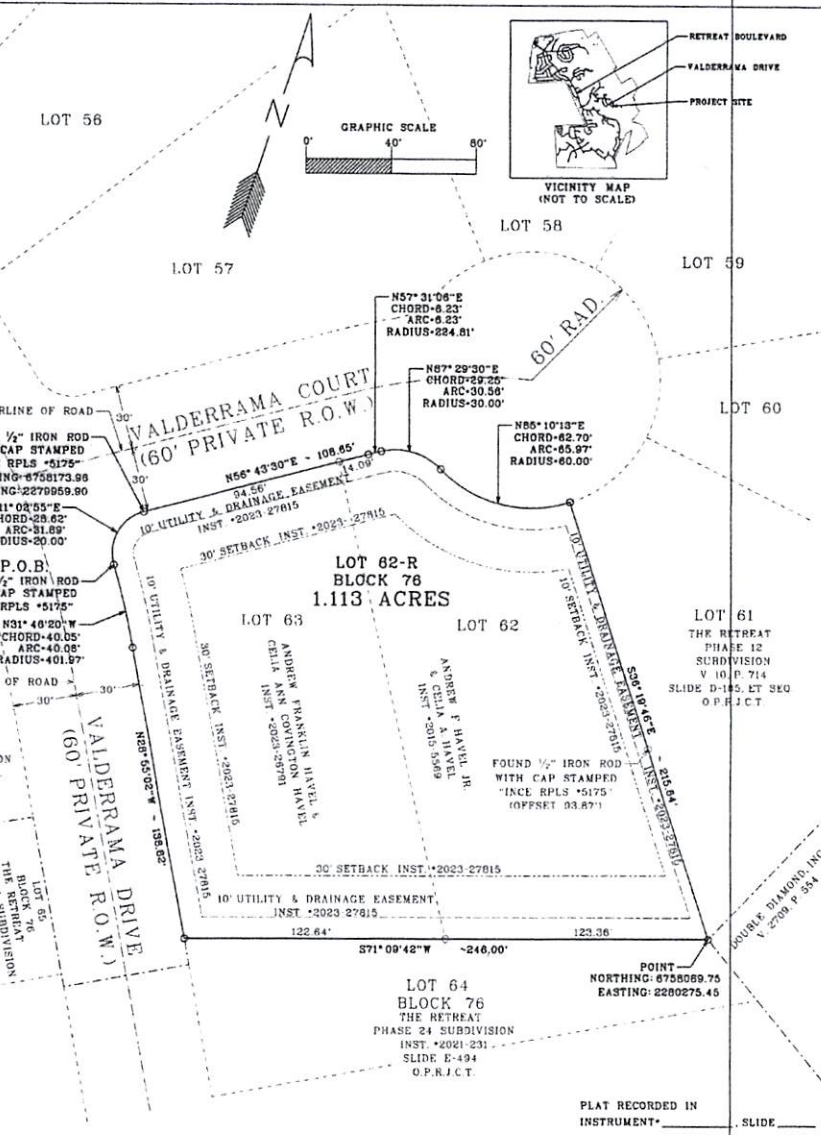
THE APPROVAL AND FILING OF THIS PLAT BY JOHNSON COUNTY DOES NOT RELIEVE THE DEVELOPER OF THE PROPERTY OR OWNER OF THE PROPERTY OF ANY DUTY TO ANY ADJACENT OR DOWNSTREAM PROPERTY OWNER OR IMPOSE, IMPIRE OR TRANSFER ANY DUTY OR LIABILITY TO JOHNSON COUNTY, THE COMMISSIONERS, OFFICIALS OR EMPLOYEES OF JOHNSON 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.

13. 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.

14. 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 BY RECORDS 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.



APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE _____ DAY OF _____, 2024.
 COUNTY JUDGE

REVISED PLAT SHOWING
 LOT 82-R, BLOCK 78
 THE RETREAT, PHASE 12,
 SUBDIVISION IN
 JOHNSON COUNTY, TEXAS
 BEING A REVISION OF LOTS 82 AND 63,
 BLOCK 76, THE RETREAT, PHASE 12, ACCORDING
 TO THE PLAT RECORDED IN SLIDE D-187, AND IN
 VOLUME 10, PAGE 714, ET SEQ. OF THE
 OFFICIAL PLAT RECORDS OF JOHNSON
 COUNTY, TEXAS.

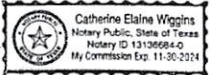
PLAT RECORDED IN INSTRUMENT _____ SLIDE _____
 DATE _____
 COUNTY CLERK, JOHNSON COUNTY, TEXAS
 DEPUTY CLERK _____

OWNERS:
 ANDREW FRANKLIN HAVEL & CELIA ANN COVINGTON HAVEL
 8009 VALDERRAMA CT.
 CLEBURNE, TEXAS 76033
 PHONE: (214) 232-4553

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS:
 THAT ANDREW FRANKLIN HAVEL & CELIA ANN COVINGTON HAVEL, OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 82-R, BLOCK 78, THE RETREAT, PHASE 12, AN ADDITION TO JOHNSON COUNTY, TEXAS AND HEREBY DEDICATE FOR THE USE OF THE PROPERTY OWNERS OF THE DEVELOPMENT, WITHOUT RESERVATION, THE STREETS, EASEMENTS, RIGHT-OF-WAYS AND ANY OTHER PUBLIC AREA SHOWN HEREON.
 Andrew Franklin Havel, Celia Ann Covington Havel
 DATE: 2/26/24 DATE: 2/26/24

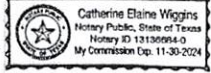
STATE OF TEXAS
 COUNTY OF JOHNSON
 BEFORE ME, UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED ANDREW FRANKLIN HAVEL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 26 DAY OF February, 2024.

Catherine Elaine Wiggins
 NOTARY PUBLIC, STATE OF TEXAS
 MY COMMISSION EXPIRES 11-30-2024
 STATE OF TEXAS
 COUNTY OF JOHNSON



BEFORE ME, UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED CELIA ANN COVINGTON HAVEL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 26 DAY OF February, 2024.

Catherine Elaine Wiggins
 NOTARY PUBLIC, STATE OF TEXAS
 MY COMMISSION EXPIRES 11-30-2024
 STATE OF TEXAS
 COUNTY OF JOHNSON



LEGAL DESCRIPTION:
 Field notes for the survey of all that certain lot, tract or parcel of land being all of Lots 82 and 63, Block 78 of The Retreat Phase 12 Subdivision, Johnson County, Texas, according to plat recorded in Slide D-187 and in Volume 10, Page 714, et seq. of the Official Plat Records of Johnson County, Texas, said land as all those certain tracts described by Deed from Douglas Diamond, Inc. to Andrew F. Havel, Jr. et al., Celia A. Havel recorded as Instrument #2015-5589 and from Stephen P. McCarty to Andrew Franklin Havel and Celia Ann Covington Havel recorded as Instrument #2023-25781 of the Official Public Records of Johnson County, more particularly described as follows:

- BEGINNING at a 1/2" iron rod with cap stamped "INCE RPLS #5175" found at the intersection of the east line of Valderrama Drive with the south line of Valderrama Court for the northwest corner of said Lot 63 and for the northwest corner of 784;
- THENCE with the south line of Valderrama Court and along a curve to the right having a radius of 20.00 feet, N11°02'55"E for a chord distance of 28.22 feet, an arc distance of 31.89 feet, to a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the east corner of said Lot 63;
- THENCE continuing with the south line of Valderrama Court, N56°43'30"E, for 104.50 feet passing a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the northeast corner of said Lot 63 and for the beginning of a curve to the left having a radius of 158.85 feet to a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the beginning of a curve to the right for the beginning of a curve to the left of the Valderrama Court;
- THENCE continuing with the south line of Valderrama Court and along said curve having a radius of 224.81 feet, N57°11'00"E for a chord distance of 6.23 feet, an arc distance of 6.23 feet, to a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the beginning of a curve to the right for the beginning of a curve to the left of the Valderrama Court;
- THENCE along said curve having a radius of 30.00 feet, N57°30'20"E for a chord distance of 29.25 feet, an arc distance of 30.56 feet, to a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the end of said curve;
- THENCE with the south line of said out-to-see and along a curve to the left having a radius of 60.00 feet, N55°10'12"E for a chord distance of 82.70 feet, an arc distance of 65.97 feet to a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the northeast corner of said Lot 62 and for the northeast corner of this;
- THENCE S38°19'40"E, at 121.77 feet passing a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for reference, in at a distance of 215.94 feet to a point for the southeast corner of said Lot 62 and for the southeast corner of this;
- THENCE S71°09'42"W, at 123.36 feet passing a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the southwest corner of said Lot 62 and for the southwest corner of this; also, at a distance of 246.00 feet to a 1/2" iron rod with cap stamped "INCE RPLS #5175" found in the east line of Valderrama Drive for the southwest corner of said Lot 63 and for the southwest corner of this;
- THENCE with the east line of Valderrama Drive, N29°50'20"W, 138.82 feet to a 1/2" iron rod with cap stamped "INCE RPLS #5175" found for the beginning of a curve to the left;
- THENCE continuing with the east line of Valderrama Drive and along said curve having a radius of 401.87 feet, N31°46'20"W for a chord distance of 45.05 feet, an arc distance of 40.86 feet to the place of beginning, containing 1.113 acres of land.

- SURVEYOR'S NOTES:
- ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, AS ESTABLISHED USING TRIPLE V.L.S. NETWORK.
 - THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS FINAL PLAT AND PROPERTY DESCRIPTION WERE PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAY BE EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.
 - ALL CORNERS SET ARE MONUMENTED WITH 1/2" IRON RODS WITH CAP STAMPED "INCE R.P.L.S. #5175" UNLESS OTHERWISE NOTED.

SURVEYOR'S CERTIFICATION
 I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED BY AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THIS DATE.
 Andrew Franklin Havel
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5175



INCE SURVEYING & ENGINEERING

184 THOUSAND OAKS DRIVE WHITNEY, TEXAS 76692	
PHONE: 254-694-7708	FIRM #10088000
FAX: 254-694-7230	
SCALE 1"=40'	FEBRUARY 15, 2024
	SURVEY NO. SN240105.2