



JOHNSON COUNTY COMMISSIONERS COURT

MAR 26 2024

April Long
County Clerk, Johnson County Texas
BY April Long 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 2024-21

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 8**, Lots 48 and 49, Block 69, to create Lot 48-R, Block 69, 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 8**, Lots 48 and 49, Block 69, to create Lot 48-R, Block 69, 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



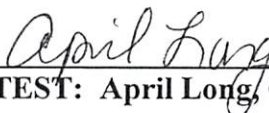
Mike White, Comm. Pct. 3

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 ET 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, L.P. PHONE (866) 884-7992.
ELECTRIC 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 (866) 654-7992.

5. FLOOD STATEMENT:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS COMMUNITY PANEL NO. 48560000, 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.

6. UTILITY EASEMENT:
ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BURIED OR EXPOSED UTILITY OR OTHER CONDUITS 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 THIS PLAT, AND ANY PUBLIC UTILITY INCLUDING JOHNSON COUNTY SHALL HAVE THE RIGHT TO ALL TYPES OF UTILITY 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.

7. UTILITY EASEMENTS:
REDUCED UTILITY EASEMENTS FROM 15' TO 10' ON FRONT AND REAR OF ALL LOTS WERE APPROVED FOR THE RETREAT, PHASE 8, IN COMMISSIONER'S COURT OF JUNE 30, 2009.
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 48 AND 49 SHALL BE REMOVED WITH THE FILING OF THIS PLAT.

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

9. BUILDING LINES:
50' FROM LOT LINE STATE HWY 4 F.M.
50' FROM LOT LINE COUNTY ROAD OR SUBDIVISION ROADS.
10' REAR PER DEVELOPER.
5' SIDES PER DEVELOPER.

10. 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 BOTH AS A PENALTY 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 REPEAT OF THE SUBDIVISION IS APPROVED AND IS FILED FOR RECORD WITH THE JOHNSON COUNTY CLERK. HOWEVER, SAID DESCRIPTION MAY BE USED IF THE CONVEYANCE IS EXPRESSLY CONTINGENT ON APPROVAL AND RECORDING OF THIS FINAL PLAT AND THE PURCHASER IS NOT GIVEN USE OR OCCUPANCY OF THE REAL PROPERTY CONVEYED BEFORE THE RECORDING OF THIS 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, INPUT 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 ON 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 COMMISSIONER'S COURT ENTERED IN THE MINUTES OF THE COMMISSIONER'S COURT OF JOHNSON COUNTY, TEXAS SPECIFICALLY IDENTIFYING ANY SUCH ROAD, STREET OR PASSAGEWAY AND SPECIFICALLY ACCEPTING SUCH ROAD, STREET OR PASSAGEWAY FOR COUNTY MAINTENANCE.

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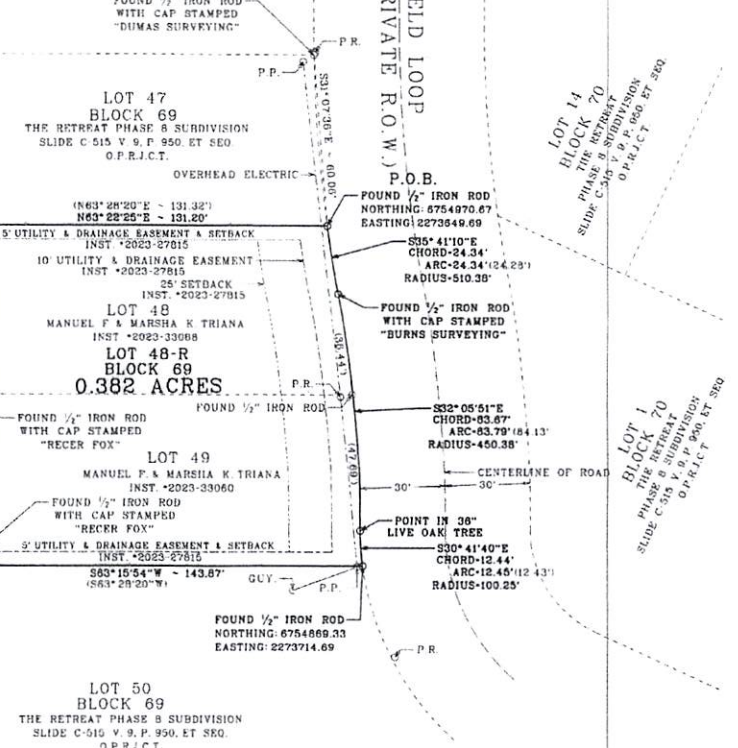
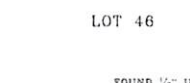
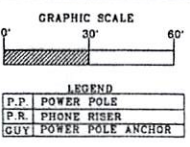
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APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE _____ DAY OF _____, 2024.
COUNTY JUDGE

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

REVISED PLAT SHOWING LOT 48-R, BLOCK 69 THE RETREAT, PHASE 8, SUBDIVISION IN JOHNSON COUNTY, TEXAS BEING A REVISION OF LOTS 48 AND 49, BLOCK 69, THE RETREAT, PHASE 8, ACCORDING TO THE PLAT RECORDED IN SLIDE C-515, AND IN VOLUME 9, PAGE 950, ET SEQ. OF THE OFFICIAL PLAT RECORDS OF JOHNSON COUNTY, TEXAS.

OWNERS:
MANUEL F & MARSHA K. TRIANA
6620 CASTLE ROYAL DRIVE
CLEBURNE, TEXAS 76033
PHONE (817) 368-6782

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS:
THAT MANUEL F. TRIANA AND MARSHA K. TRIANA, OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 48-R, BLOCK 69, THE RETREAT, PHASE 8, 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.
MANUEL F. TRIANA DATE: 2-19-24
MARSHA K. TRIANA DATE: 2-19-24

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 MANUEL F. TRIANA, 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 19th DAY OF Feb., 2024.
Mary Bullock
NOTARY PUBLIC STATE OF TEXAS
My Commission Expires 8/6/2027

BEFORE ME, UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED MARSHA K. TRIANA, 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 19th DAY OF Feb., 2024.
Mary Bullock
NOTARY PUBLIC STATE OF TEXAS
My Commission Expires 8/6/2027

LEGAL DESCRIPTION:
Field notes for the survey of all that certain lot, tract or parcel of land being all of Lots 48 and 49, Block 69 of the Retreat, Phase 8 Subdivision in Johnson County, Texas, according to plat recorded in Volume 9, Page 950, et seq. and in Slide C-515 of the Official Plat Records of Johnson County. Said land is all those certain tracts described in deeds from Christopher Ryan Allen et al., Jennifer Allen et al. and Manuel F. Triana et al., Marsha K. Triana recorded as Instrument #2023-33060 and from Rene Equity Group LLC to Manuel F. Triana and Marsha K. Triana recorded as Instrument #2023-33068 of the Official Plat Records of Johnson County, more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the west line of Brunsfield Loop Drive for the northeast corner of said Lot 48 and for the northeast corner of this;
THENCE with the west line Brunsfield Loop Drive and along a curve to the left having a radius of 510.38 feet, S35°41'10"E CHORD=84.34', ARC=24.34' (24.23') RADIUS=510.38';
FOUND 1/2" IRON ROD WITH CAP STAMPED "BURNS SURVEYING";
THENCE continuing with the west line of Brunsfield Loop Drive and along said curve to the right having a radius of 450.38 feet, S32°05'51"E ARC=83.79' (84.13') RADIUS=450.38';
POINT IN 98" LIVE OAK TREE
S30°41'40"E CHORD=12.44', ARC=12.45' (12.43') RADIUS=100.25';
FOUND 1/2" IRON ROD WITH CAP STAMPED "RECER FOX";
THENCE S83°15'54"W 143.87' to a 1/2" iron rod set for the southwest corner of said Lot 49 and for the southwest corner of this;
THENCE N26°28'05"W, at 60.15 feet passing a 1/2" iron rod with cap stamped "RECER FOX" found for the northwest corner of said Lot 49 and for the southwest corner of said Lot 48, in all a distance of 120.00 feet to a 1/2" iron rod found for the northwest corner of said Lot 48 and for the northwest corner of this;
THENCE N63°22'25"E 131.20 feet to the place of beginning, containing 0.382 acres of land.

SURVEYOR'S NOTES:
1. ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, AS ESTABLISHED USING TRIMBLE V.S.S. NETWORK.
2. 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.

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 THE GROUND.
Jesse Joseph Rice
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5175



INCE SURVEYING & ENGINEERING		
184 THOUSAND OAKS DRIVE WHITNEY, TEXAS 76692		
PHONE: 254-694-7708	FIRM #10068000	
FAX: 254-694-7230		
SCALE 1"=30'	FEBRUARY 15, 2024	SURVEY NO. SN231205.1