

AUG 25 2015

Becky Ivey
County Clerk, Johnson County Texas
BY MM DEPUTY



THE STATE OF TEXAS
COUNTY OF JOHNSON

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ORDER #2015-32

**ORDER AUTHORIZING COUNTY ATTORNEY TO FILE
LAWSUIT AND AUTHORIZING EXPENSES**

On this the 24th day of August, 2015, the Commissioners Court of Johnson County, being duly convened at a regularly called meeting of the Commissioners Court, upon motion of Commissioner Larry Woolley, seconded by Commissioner Kenny Howell, duly put and carried, adopted the following:

1.

Whereas, Johnson County, Texas has authority pursuant to Chapter 232 of the Local Government Code to regulate subdivisions in the unincorporated areas of Johnson County; and

2.

Whereas, through its Commissioners Court Johnson County has approved Subdivision Rules and Regulations of Johnson County, Texas which provides for the regulation of subdivisions in the unincorporated areas of Johnson County; and

3.

Whereas, Richard A. Fuller and Billie D. Fuller, owners of a tract of land described as the R. Rhodes Survey, Abstract 715, located at 17321 Cr 105a, have begun subdividing the tract of

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TO ORIGINAL**

land into two or more parts and the laying out of roads to create a subdivision in the unincorporated area of Johnson County; and

4.

Whereas, Richard A. Fuller and Billie D. Fuller have not contacted the Public Works Department of Johnson County to obtain the necessary permits for the subdividing of the tract of land into two or more parts and the laying out of roads to create a subdivision in the unincorporated area of Johnson County; and

5.

Whereas, the Johnson County Public Works Director has contacted Richard A. Fuller and Mr. Fuller has indicated he will not comply with the Subdivision Rules and Regulations of Johnson County, Texas; and

6.

Whereas, the remedy for Johnson County is to file a lawsuit to seek an injunction to prohibit the continued subdivision development until Richard A. Fuller and Billie D. Fuller comply with the Subdivision Rules and Regulations of Johnson County, Texas.

7.

IT IS THEREFORE ORDERED that the County Attorney of Johnson County, Texas is hereby authorized to file a lawsuit to seek an injunction to prohibit Richard A. Fuller and Billie D. Fuller the continued development of a subdivision until Richard A. Fuller and Billie D. Fuller comply with the Subdivision Rules and Regulations of Johnson County, Texas.

8.

IT IS FURTHER ORDERED that the County Attorney is authorized to expend the

amount of \$4,000.00 as initial expenses in the case, which amount includes, but is not limited to, funds for court reporter fees, expert fees and expenses, discovery costs, and any other reasonable and necessary expenses.

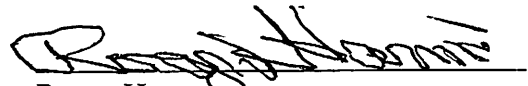
9.

All funds necessary to accomplish the above are hereby ordered to be made.

10.

All such costs and fees should be charged to the general fund.

SIGNED this 24th day of August, 2015.


Roger Harmon
County Judge