

**KIMBLE COUNTY COMMISSIONERS COURT**  
**CALLED MEETING – MAY 19, 2023 @ 8:00 AM**

*The Honorable Commissioners Court met on the above date and time in the County Courtroom at 501 Main Street, Junction, TX 76849. The following minutes were taken with regard to that meeting and are reflected below as accurately and to the best of my ability below:*

**COURT PRESENT:**

Commissioner Precinct 2 Kelly Simon  
Commissioner Precinct 3 Dennis Dunagan  
Commissioner Precinct 4 Kenneth Hoffman  
County Judge Hal A. Rose  
County/District Clerk Karen E. Page

**ELECTED OFFICIALS PRESENT:**

NONE

**VISITORS: SEE ATTACHED LIST (If Applicable)**

**AMENDED AGENDA ITEMS:**

**1. Call to order**

County Judge Hal Rose called the meeting to order at 8:08am

**2. Convene meeting and establish quorum**

Quorum was established with County Judge and three commissioners present

**3. Consideration, discussion and possible action on interviewing candidates for Kimble County Road and Bridge Supervisor position and possibly other road and bridge positions.**

- a. Commissioners discussed possibility of hiring summer help, agreed to follow up on the current applicants and set final interviews, conversation to continue in executive session
- b. After lunch recess, motion to offer the Supervisor position to E.T. Sparks made by Commissioner Dunagan, second by Commissioner Simon, all present in favor, motion carries

**4. Commissioners Court may convene in executive session for discussion of resumes/applications for Kimble County Road and Bridge Supervisor position pursuant to Texas Government Code Section 551.074. No action may be taken in executive session.**

- a. Motion to convene in executive session made by Commissioner Simon, second by Commissioner Dunagan, all present in favor, motion carries, out of regular session at 9:05am.
- b. Commissioners entered executive session at 9:15am.
- c. Motion to close executive session and reconvene in regular session made by Commissioner Simon, second by Commissioner Dunagan, all present in favor, motion carries, out of executive session at 9:54am.
- d. Reconvene regular session at 9:56am.
- e. **\*at this time commissioners agreed to recess w/out adjourning, returned to the meeting at 3:18pm, Commissioner Hoffman absent**

**5. EXECUTIVE/CLOSED SESSION – An executive/closed session meeting may occur pursuant to Sections 551.071(2) and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorney regarding: (a) subdivision, manufactured home rental community, and other land development regulation authority and procedure; and (b) any matter described in the agenda posted for this meeting.**

- a. Motion to convene in executive session made by Commissioner Simon, second by Commissioner Dunagan, all present in favor, motion carries, out of regular session at 8:09am.
- b. Commissioners entered executive session at 8:10am.
- c. Motion to close executive session and reconvene in regular session made by Commissioner Dunagan, second by Commissioner Simon, all present in favor, motion carries, out of executive session at 8:38am.
- d. Reconvene regular session at 8:40am.

**6. Consideration, discussion and possible action regarding the request for exception/variance re Big Draw Ranch/Bobinger-Hennigan for previously platted lots.**

- a. Commissioners discussed Big Draw Ranch variance/exception application filed with the County Judge's office 5.16.2023, Order No. CC-2023-06 prepared by Judge Rose covers all items to be approved by the Court, upon review a motion to approve the Order was made by Commissioner Simon, second by Commissioner Hoffman, all present in favor, motion carries (application & Order attached for review)

**7. Adjournment**

- a. Motion to adjourn made by Commissioner Schulze, second by Commissioner Dunagan, all present in favor, motion carries. Meeting adjourned at 3:35pm

There being no further business, Court adjourned this 19<sup>th</sup> day of May, 2023

/S/ HAL A ROSE

Hal A. Rose, Kimble County Judge

Attest: /S/ KAREN E. PAGE

Karen E. Page, County Clerk

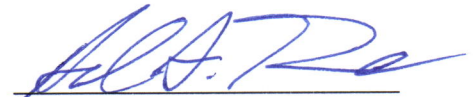
**KIMBLE COUNTY CALLED COMMISSIONERS COURT MEETING**

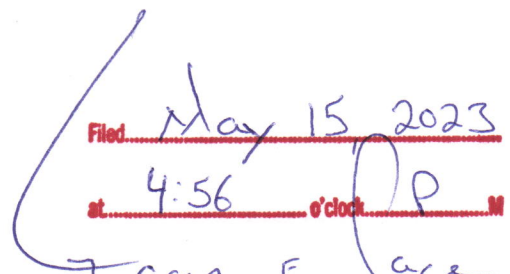
Notice is hereby given that the Kimble County Commissioners Court will convene for a called meeting in the County Courtroom of the Kimble County Courthouse, 501 Main Street, Junction, Texas 76849, at 8:00 a.m. on Friday, May 19, 2023

**AGENDA**

1. Call to order.
2. Convene meeting and establish quorum.
3. Consideration, discussion and possible action on interviewing candidates for Kimble County Road and Bridge Supervisor position and possibly other road and bridge positions.
4. Commissioners Court may convene in executive session for discussion of resumes/applications for Kimble County Road and Bridge Supervisor position pursuant to Texas Government Code Section 551.074. No action may be taken in executive session.
5. EXECUTIVE/CLOSED SESSION – An executive/closed session meeting may occur pursuant to Sections 551.071(2) and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorney regarding: (a) subdivision, manufactured home rental community, and other land development regulation authority and procedure; and (b) any matter described in the agenda posted for this meeting.
6. Consideration, discussion and possible action regarding the request for exception/variance re Big Draw Ranch/Bobinger-Hennigan for previously platted lots.
7. Adjournment.

**This notice is given and posted pursuant to the Texas Open Meetings Act, Title 5, Chapters 551 and 552, Texas Government Code.**

  
Hal A. Rose, County Judge

  
Filed May 15, 2023  
at 4:56 o'clock P  
Karen E. Page  
Karen E. Page, County Clerk, Kimble County, Texas

COMMISSIONER'S COURT  
MEETING 5/19/2023

VISITORS PLEASE SIGN IN

1 *Ronnie Barclay* \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_

11 \_\_\_\_\_

12 \_\_\_\_\_

13 \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

20 \_\_\_\_\_

**AN ORDER OF THE COMMISSIONERS COURT OF KIMBLE COUNTY, TEXAS: (1) APPROVING THE REQUEST FOR EXCEPTION AND VARIANCE PURSUANT TO ARTICLE 4.2B OF THE KIMBLE COUNTY SUBDIVISION REGULATIONS FOR THE BIG DRAW RANCHES SUBDIVISION TO BE LOCATED IN KIMBLE COUNTY, TEXAS; AND (2) ESTABLISHING AN EFFECTIVE DATE AND COMPLIANCE WITH THE TEXAS OPEN MEETING ACT.**

**WHEREAS**, Kimble County, Texas (“County”) is a county of the State of Texas, having been duly created and organized under the constitution and laws of Texas, and further, the Kimble County Commissioners Court (“Commissioners Court”) is the governing body of the County; and

**WHEREAS**, pursuant to Article V, Section 18 of the Texas Constitution, Chapter 232 of the Texas Local Government Code, the County’s active subdivision regulations (“Regulations”), and other authority, the County may approve, approve with conditions, or disapprove subdivision plats submitted for development in the unincorporated area; and

**WHEREAS**, Thomas G. Hennigan (“Developer”) submitted a request to amend a previously approved subdivision plat application to the County for review regarding the Big Draw Ranches Subdivision (“Subdivision”) pursuant to Article 4.2B, previously platted lots, of the Regulations, as described in the attached **Exhibit 1**; and

**WHEREAS**, pursuant to Chapter 232, Subchapter A, of the Texas Local Government Code, the Regulations, and other authority, the Commissioners Court desires by this order to approve the request for an exception/variance pursuant to Article 4.2B of the Regulations amending the Subdivision plat previously submitted by the Developer to the County, as hereafter described, including the attached **Exhibit 1**, and pursuant to the Reasons for Approval attached hereto as **Exhibit 2** and incorporate herein fully be reference..

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Commissioners Court of Kimble County, Texas, for and on behalf of said County and in the public interest, as follows:

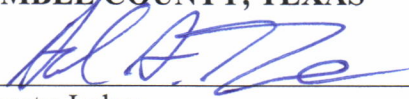
- (1) Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each include the other, and the singular and plural number shall each include the other where necessary for a correct meaning.
- (2) All statements made in the caption and preliminary recitals of this order, and all attached documents, are incorporated by reference.
- (3) The Commissioners Court approves the request for exception/variance pursuant to Article 4.2B of the Regulations including the request for a reduced application fee under the Regulations and the Reasons for Approval

attached as **Exhibit 2** amending the plat of the Subdivision previously submitted by the Developer to the County, as described and shown in the attached **Exhibit 1**.

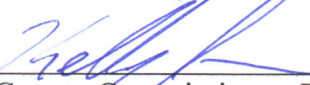
- (4) This order shall take effect immediately from and after its passage.
- (5) This matter was ordered, adopted, and approved at a meeting held in compliance with Chapter 551 of the Texas Government Code, the Texas Open Meetings Act.

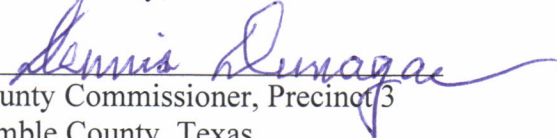
**ORDERED, ADOPTED, AND APPROVED** on the 19<sup>th</sup> day of May, 2023.

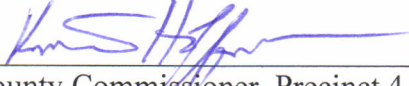
**THE COMMISSIONERS COURT OF  
KIMBLE COUNTY, TEXAS**

  
\_\_\_\_\_  
County Judge  
Kimble County, Texas

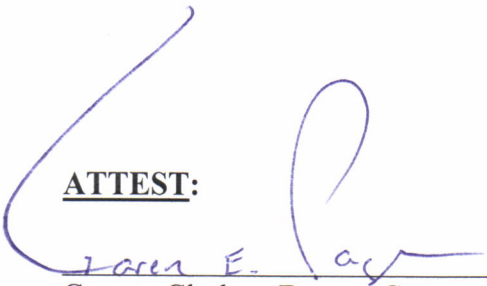
\_\_\_\_\_  
County Commissioner, Precinct 1  
Kimble County, Texas

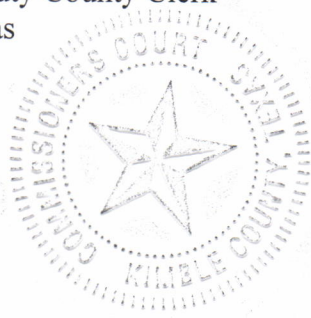
  
\_\_\_\_\_  
County Commissioner, Precinct 2  
Kimble County, Texas

  
\_\_\_\_\_  
County Commissioner, Precinct 3  
Kimble County, Texas

  
\_\_\_\_\_  
County Commissioner, Precinct 4  
Kimble County, Texas

**ATTEST:**

  
\_\_\_\_\_  
County Clerk or Deputy County Clerk  
Kimble County, Texas





Application and add additional sheets, if necessary.

(2) You must timely submit this Application and all required documents to the following public office as described in the Regulations:

County Judge  
Kimble County, Texas  
Kimble County Courthouse  
501 Main Street  
Junction, Texas 76849  
Telephone: 325-446-2724

(3) Is any part of the proposed development within the limits or extraterritorial jurisdiction of a municipality? ANSWER: \_\_\_ YES  NO. If YES, identify the municipality on the attached documents.

(4) Is the Developer requesting a variance from the Commissioners Court? ANSWER:  YES \_\_\_ NO. If YES, identify and describe your variance request and attach documents to support the request: Plat Format of 1" = 300' SEE ATTACHED ADDITIONAL

(5) Will any land, improvements, roads, streets, utility or transportation infrastructure, or facilities be dedicated to public use? ANSWER: \_\_\_ YES  NO. If YES, identify them and attach all reports, plans, drawings, and specifications related to those dedicated improvements, infrastructure, or facilities: \_\_\_\_\_

(6) Will the subdivision be served by a public water or sewer system? ANSWER: \_\_\_ YES  NO. If YES, identify the public service suppliers and attach all reports, plans, drawings, and specifications related to those improvements, infrastructure, or facilities: \_\_\_\_\_

(7) Will the subdivision be served by a private water wells or septic/OSSF systems? ANSWER:  YES \_\_\_ NO. If YES, identify them and attach all reports, plans, drawings, and specifications related to those improvements, infrastructure, or facilities: Existing Well and Septic \_\_\_\_\_

(8) Will the subdivision require a permit or other approval by another government or private entity? ANSWER: \_\_\_ YES;  NO. If YES, identify all such entities and attach copies of any active permits obtained from those entities for the proposed development: \_\_\_\_\_

(9) Is the proposed development located in a floodplain, as defined by the Regulations? ANSWER: \_\_\_ YES;  NO. If YES, identify all floodplain areas in which all or a part of the proposed development is located: \_\_\_\_\_



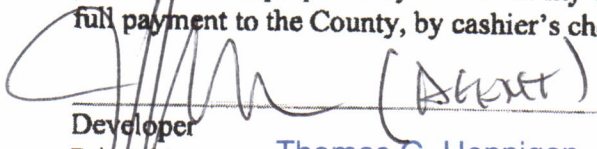
(10) Have you paid all permit fees required by the County or other government or private entity for the proposed development? ANSWER: \_\_\_ YES;  NO. If NO, please explain: Existing Subdivision \_\_\_\_\_.

(11) Does a delinquent tax liability or tax lien exist on the real property made the subject of the proposed development? ANSWER: \_\_\_ YES;  NO. If YES, please identify those matters and attach documents from the appropriate governmental taxing entity describing the tax delinquency or lien: \_\_\_\_\_.

If NO, attach documents from the appropriate governmental taxing entities showing that no tax delinquency exists on the real property made the subject of the proposed development.

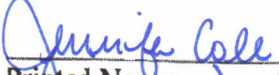
**THE DEVELOPER NAMED BELOW HEREBY CERTIFIES AND STATES THE FOLLOWING:**

I have read the active Subdivision and Manufactured Home Rental Community Regulations for Kimble County, Texas. All documents required by the Regulations for the proposed subdivision plat have been prepared by me or on my behalf and are attached to this Application, including full payment to the County, by cashier's check or money order, for all required fees.



Developer  
Printed Name: Thomas G. Hennigan ; Title: Owner  
Date: 04-10 \_\_\_\_\_, 2023

**RECEIPT BY COUNTY:**

RECEIVED BY:   
Printed Name: Jennifer Cole ; Title: County Judge Secretary  
Kimble County, Texas  
Date: May 16 \_\_\_\_\_, 20 23

**DOCUMENT LIST FOR SUBMISSION WITH SUBDIVISION PLAT APPLICATION**

All of the following documents shall be submitted with the Subdivision Plat Application Form, as required by the Regulations. Please use and mark this list as the "checklist" for your submission of documents to the County regarding this Application:

- (1)  a complete and executed Plat Application in compliance with the Regulations, with all required documents and payment of fees (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);
- (2)  a proposed subdivision plat which is fully executed, certified, and acknowledged by the proper parties designated in the Regulations -- but excluding from compliance at Plat Application submission the following matters: (i) the signatures, acknowledgements,

and/or certifications of the County Judge, County Clerk, and County consulting engineer, and (ii) the filing or recordation of the plat (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);

- (3) N/A a proposed subdivision plat and all supporting documents describing and demonstrating compliance § 4.1(A)-(V) of the Regulations regarding required plat formatting and other information, including without limitation: property description, identifying data, and signatures; survey data; metes and bounds descriptions; lot, block, and other part dimensions; water, sewer, and OSSF facility and service disclosures; drainage plan; topographical descriptions with contour lines; road, driveway, lot, frontage, and floodplain descriptions; fire suppression system descriptions; limitations regarding the use of firearms, bows, and arrows in certain subdivisions; utility connection requirements; purchase contract disclosure; groundwater sufficiency disclosure; building and set-back lines; lien subordination; and plat execution and certification (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);
- (4) N/A a proposed subdivision plat and all supporting documents describing and demonstrating compliance with § 4.1(L) of the Regulations regarding the purchase contract disclosure obligation of the Developer regarding water availability and implementation (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);
- (5) N/A a proposed subdivision plat and all supporting documents describing and demonstrating compliance of the Regulations regarding the required groundwater sufficiency disclosure statement (by an engineer or geoscientist licensed to practice in Texas), said statement authorized by § 232.0032 of the Texas Local Government Code, when the source of the water supply intended for the subdivision is groundwater under that land (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);
- (6) N/A a proposed subdivision plat and all supporting documents describing and demonstrating compliance with the express limitations and related, mandatory plat certification requirements stated in the Regulations, including without limitation the provisions regarding the County's construction and maintenance obligations, if any, regarding any land, road, easement, improvement, facility, or other property (i) dedicated to public use on the plat, or (ii) private property described on the plat (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);
- (7) N/A a proposed subdivision plat and all supporting documents describing and demonstrating compliance with the minimum standards described in the Regulations, including: (i) compliance with federal, state, and local law requirements, including without limitation compliance with minimum state standards regarding water, sewer, septic, OSSF facilities and service; (ii) compliance with specific property description, identifying data, and signature requirements; (iii) compliance with specific survey data requirements; (iv) compliance with specific lot and block dimension requirements; (v) compliance with specific water, groundwater, sewer, and OSSF disclosure requirements, including compliance with applicable water, drainage, septic, OSSF, and floodplain

management regulations; (vi) compliance regarding a reasonable drainage plan for the subdivision; (vii) compliance with specific topographical description requirements; (viii) compliance with specific road/driveway, lot frontage, and floodplain management requirements; and (ix) compliance with specific fire suppression system requirements and restrictions on use of firearms and bows in certain subdivisions (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);

- (8) N/A a proposed subdivision plat and all supporting documents describing and demonstrating compliance with the Regulations regarding the bond or other financial security requirements for certain proposed improvements in the subdivision (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F);
- (9) ✓ a tax certificate or other sufficient documentation from the appropriate governmental taxing entities showing that no tax delinquency exists on the real property made the subject of the proposed subdivision development (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F); and
- (10) \_\_\_\_\_ documents showing payment of all application fees to the County, as required by the Regulations (Regulations §§ 3.1-.2, 4.1(A)-(Z), 4.3, Appendix/Exhibits A, C-F).

# TAX RECEIPT

05/16/2023 10:31AM

KIMBLE CENTRAL APPRAISAL DISTRICT  
509 COLLEGE ST  
PO BOX 307 325-446-3717  
JUNCTION, TX 76849

**Receipt Number**

**721042**

Date Posted 01/18/2023  
Payment Type P  
Payment Code Full  
Total Paid \$107.14

**PAID BY:**

NALLEY REGINALD L  
% CARMEN JEANETTE NALLEY BOBINGER  
11769 BEAVERBROOK ST  
LUMBERTON, TX 77657-7477

| Property ID  | Geo              | Legal Acres | Owner Name and Address  |        |      |              |         |      |          |         |               |  |
|--|------------------|-------------|---|--------|------|--------------|---------|------|----------|---------|---------------|--|
| 21012  | 3905-0000-028010 | 124.1300    | NALLEY REGINALD L<br>% CARMEN JEANETTE NALLEY BOBINGE<br>11769 BEAVERBROOK ST<br>LUMBERTON, TX 77657-7477 |        |      |              |         |      |          |         |               |  |
| Legal Description  |                  |             |   |        |      |              |         |      |          |         |               |  |
| S3905 BIG DRAW RANCHES SUBDIVISION LOT 28B                     |                  |             |   |        |      |              |         |      |          |         |               |  |
| Situs  | DBA Name         |             |   |        |      |              |         |      |          |         |               |  |
| 394 DOUBLE DRAW DR TX  |                  |             |   |        |      |              |         |      |          |         |               |  |
| Entity   | Year             | Rate        | Taxable Value   | Stmt # | Void | Original Tax | Discnts | P&I  | Att Fees | Overage | Amount Pd     |  |
| KIMBLE CO<br>GROUNDWATER<br>CONSERVATION DIST<br>KIMBLE COUNTY | 2022             | 0.00844     | 6,210   | 6676   | N    | 0.52         | 0.00    | 0.00 | 0.00     | 0.00    | 0.52          |  |
| HOSPITAL DISTRICT<br>KIMBLE COUNTY                             | 2022             | 0.36650     | 6,210   | 6676   | N    | 22.76        | 0.00    | 0.00 | 0.00     | 0.00    | 22.76         |  |
| JUNCTION ISD   | 2022             | 0.49580     | 6,210   | 6676   | N    | 30.79        | 0.00    | 0.00 | 0.00     | 0.00    | 30.79         |  |
|  | 2022             | 0.85460     | 6,210   | 6676   | N    | 53.07        | 0.00    | 0.00 | 0.00     | 0.00    | 53.07         |  |
|  |                  |             |   |        |      |              |         |      |          |         | <b>107.14</b> |  |
| <b>Balance Due As Of 01/18/2023: .00</b>                       |                  |             |   |        |      |              |         |      |          |         |               |  |

Operator Batch  
DADAMS 4013 (01/18/2023 ONLINE)

**Total Paid**  
107.14



**Hal A. Rose**  
**Kimble County Judge**  
**501 Main Street**  
**Junction, Texas 76849**

**RE: Big Draw Ranches – 5.29 acre transfer**

**Judge Rose:**

Carmon Jeanette Nalley Bobinger, the Owner of Tract 28B, Big Draw Ranches, a 124.13 acre tract, Kimble County, Texas wishes to convey a 5.29 acre portion of Tract 28B to Thomas G. Hennigan, the adjacent owner of Tract 28A, a 124.13 acre tract.

The owners are requesting a Plat Exception pursuant to the current Subdivision and Manufactured Home Rental Community Regulations for Kimble County, Texas, Effective July 12, 2022, Article 4.2(B), "Previously Platted Lots".

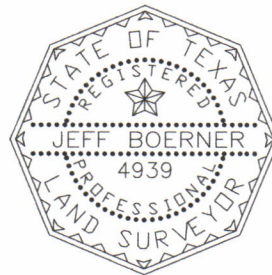
This conveyance does not violate, alter, amend, diminish, or remove, any recorded covenants, restrictions, or vested property rights.

A variance is hereby requested pursuant to these Regulations.

Thank you for your consideration:



Jeff Boerner, RPLS #4939  
Date: 04-21-2023  
Job No. 23-151-00



FIELD NOTES FOR A 5.29 ACRE TRACT OF LAND

**BEING** a 5.29 acre tract of land out of the Texas Western Narrow Gauge Railroad Company Survey No. 5, Abstract No. 672, Kimble County, Texas, and being a portion of a Tract 28B, Big Draw Ranches, recorded in Volume 2, Page 46, Plat Records of Kimble County, Texas, said 5.29 acre tract being more particularly described by metes and bounds as follows, with all bearings based on the Texas State Plane Coordinate System of 1983, Central Zone (4203);

**COMMENCING** at a found 1/2" iron rod at the northeast corner of Tract 28B and the southeast corner of Tract 28A, said point being in the west right-of-way line of Big Draw Drive (50' wide private road, Volume 2, Page 10, Plat Records of Kimble County, Texas), from which a found 1/2" iron rod capped "Guadalupe" at an angle in the east line of Tract 28A bears N 13°19'51" W, a distance of 109.70', and a found 1/2" iron rod capped "Guadalupe" at an angle in the east line of Tract 28B bears S 16°42'01" W, a distance of 375.27';

**THENCE** S 85°33'13" W (S 85°52'15" W, Record), departing the west right-of-way line of Big Draw Drive, with the north line of Tract 28B and the south line of Tract 28A, for a distance of 670.67' to a set 1/2" iron rod capped "MDS" for the **POINT OF BEGINNING** and east corner of the herein described tract, said point being in the north line of Tract 28B and the south line of Tract 28A;

**THENCE** departing the north line of Tract 28B and the south line of Tract 28A, with the southerly and westerly lines of the herein described tract, over and across Tract 28B, the following courses and distances:

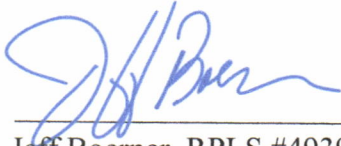
- S 81°16'33" W, for a distance of 272.91' to a 3" metal fence post for angle;
- S 72°27'42" W, for a distance of 547.85' to a 3" metal fence post for angle;
- N 83°09'26" W, for a distance of 15.95' to a 3" metal fence post for angle;
- S 74°30'08" W, for a distance of 338.21' to a 3" metal fence post for the southwest corner of the herein described tract;
- N 09°51'22" W, for a distance of 366.31' to a set 1/2" iron rod capped "MDS" for the northwest corner of the herein described tract, said point being in the north line of Tract 28B and the south line of Tract 28A;

**THENCE** with the northerly lines of the herein described tract, the northerly lines of Tract 28B and the southerly lines of Tract 28A, the following courses and distances:

- N 70°00'29" E (N 70°19'43" E, Record), for a distance of 446.88' to a found 1/2" iron rod for the north corner of the herein described tract;
- S 41°23'53" E (S 41°04'37" E, Record), for a distance of 348.22' (348.22', Record) to a found 1/2" iron rod capped "Voelkel" for angle;

- N 85°33'13" E (N 85°52'15" E, Record), for a distance of 548.01' to the **POINT OF BEGINNING, CONTAINING** 5.29 acres of land, more or less, in Kimble County, Texas.

**Note:** This description was prepared from a survey made on the ground by employees of MDS Land Surveying Company, Inc in March of 2023. A survey plat of equal date was made in conjunction with this description.



Jeff Boerner, RPLS #4939

Date: 4/12/2023

Job # 23-113-01





**EXHIBIT 2:**

**REASONS FOR APPROVAL OF EXCEPTION-VARIANCE REGARDING  
AMENDMENT OF PLAT FOR BIG DRAW RANCHES SUBDIVISION**

These Reasons for Approval Regarding the Request for Exception-Variance pursuant to Article 4.2B of the Regulations to amend the previously submitted plat for the Big Draw Ranches Subdivision are submitted by Kimble County, Texas (“County”) pursuant to §§ 232.0025-.0028 of the Texas Local Government Code and other authority.

Thomas G. Hennigan (“Developer”) submitted a request to amend a previously approved subdivision plat application to the County for review regarding the Big Draw Ranches Subdivision (“Subdivision”) pursuant to Article 4.2B, previously platted lots, of the Regulations, and as described in **Exhibit 1**.

The Request for an exception-variance pursuant to Article 4.2B of the Regulations is approved following reasons:

- (1) The conveyance of property requiring amending the previously approved plat and amendment thereto is between two existing adjacent previously platted and approved lots conveying property from one existing property owner to another; no third-party is involved in the transaction and plat amendment.
- (2) The conveyance and plat amendment does not violate, alter, amend, diminish, or remove any recorded covenants, restrictions, or vested property rights related to the properties and/or Subdivision involved.
- (3) There are no groundwater implications in the requested exception-variance and plat amendment including no new wells being drilled on the property conveyed.
- (4) There are no utilities implications in the requested exception-variance and plat amendment and no new utilities requested related to the conveyance.
- (5) There are no septic implications in the requested exception-variance and plat amendment there being existing septic systems on the properties involved and no new septic system required related to the conveyance.
- (6) The requested variance for a reduced fee for submission of plat application related to this Request for Exception-Variance is reasonable given the nature of the Request. <sup>of \$309.00</sup>





**PLAT SHOWING:**  
 A 5.29 ACRE TRACT OUT OF THE TEXAS WESTERN HARBOR MARINE COUNTY DOAS AND BEING A PORTION OF TRACT 288, BIG DRAW RANCHES, RECORDED IN VOLUME 2, PAGE 46, PLAT RECORDS OF TARRANT COUNTY, TEXAS.

- LEGEND:**
- 1/2" IRON ROD FOUND
  - 1/2" IRON ROD FOUND CAPPED "QUADRA LIFE"
  - 1/2" IRON ROD FOUND CAPPED "MEXELVAL"
  - 1/2" IRON ROD SET CAPPED "MOS"
  - 3" METAL FENCE POST
  - ( ) RECORD BEARING & DISTANCE
  - PADE PAGE
  - POINT OF BEGINNING
  - POINT OF COMMENCING
  - P.O.C. P.R.
  - VOL. VOLUME
  - ADJOINER LINE
  - BOUNDARY LINE
  - SURVEY LINE
  - WIRE FENCE

**GENERAL NOTES:**

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE.
2. DISTANCES SHOWN HEREON ARE GRID VALUES.
3. FIELD SURVEY COMPLETED 3-18-2023.
4. THIS SURVEY, UNLESS OTHERWISE NOTED, WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT, CHAPTER 161, TEXAS GOVERNMENT CODE, AS AMENDED.
5. EXISTING MARKERS AND MONUMENTS FOUND ON THE SURVEYED TRACT ARE NOT SHOWN HEREON.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A FIELD NOTE OR RECORD OF LOCAL DATE WAS PREPARED IN CONJUNCTION WITH THIS SURVEY.

**LINE TABLE - OBSERVED**

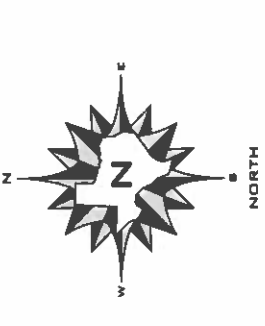
| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| 1    | N 81°02'24" W | 144.44'  |
| 2    | N 11°50'00" W | 200.37'  |

**LINE TABLE - RECORD**

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| 1    | N 81°02'24" W | 144.44'  |
| 2    | N 11°50'00" W | 200.37'  |

**BOUNDARY SURVEY OF A PORTION OF TRACT 288, BIG DRAW RANCHES, 5.29 ACRES, OUT OF THE TARRANT CO. SURVEY NO. 5, A-672, TARRANT COUNTY, TEXAS, MAY 2023.**

**MDS LAND SURVEYING COMPANY, INC.**  
 ALTA | BOUNDARY | CONSTRUCTION | CELL & GAS | TOPOGRAPHIC  
 10000 W. STATE ST. SUITE 1000 | FORT WORTH, TX 76132  
 (817) 336-1111 | www.mdsland.com



**SURVEYOR'S AFFIRMATION:**  
 STATE OF TEXAS  
 COUNTY OF TARRANT  
 I, Benjamin Duncan, Surveyor, do hereby certify that this survey was made on the ground, that the corners and monuments shown on this plat correctly represent the facts found at the time of this survey, and that the same are in accordance with the provisions of the laws of this State, and that all bearings are wholly located on the property except as shown hereon.



**BENJAMIN DUNCAN SURVEY NO. 99**  
 ABSTRACT NO. 99  
 PATENT NO. 931 VOL. 6  
 DATED MAY 10, 1919

**T.W.N.G.R.CO. SURVEY NO. 5**  
 ABSTRACT NO. 672  
 PATENT NO. 406 VOL. 29  
 DATED SEPTEMBER 11, 1877

**T.W.N.G.R.CO. SURVEY NO. 5, A-672**  
**BENJAMIN DUNCAN SURVEY NO. 29, A-98**

**JOHN K. TERRY SURVEY NO. 19**  
 ABSTRACT NO. 996  
 PATENT NO. 196 VOL. 37  
 DATED AUGUST 30, 1888

**BENJAMIN DUNCAN SURVEY NO. 29**  
 ABSTRACT NO. 98  
 PATENT NO. 931 VOL. 6  
 DATED MAY 10, 1919

**TRACT 28**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 10 P.R.

**TRACT 28A**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 46 P.R.

**TRACT 28B**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28C**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28D**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28E**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28F**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28G**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28H**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28I**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28J**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28K**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28L**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28M**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28N**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28O**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28P**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28Q**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28R**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28S**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28T**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28U**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28V**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28W**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28X**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28Y**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28Z**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AA**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AB**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AC**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AD**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AE**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AF**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AG**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AH**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AI**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AJ**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AK**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AL**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AM**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AN**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AO**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AP**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AQ**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AR**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AS**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AT**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AU**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AV**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AW**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AX**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AY**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28AZ**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BA**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BB**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BC**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BD**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BE**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BF**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BG**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BH**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BI**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BJ**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BK**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BL**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BM**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BN**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BO**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BP**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BQ**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BR**  
 BIG DRAW RANCHES  
 VOL. 2, PG. 48 P.R.

**TRACT 28BS**  
 BIG DRAW RANCHES  
 VOL. 2, PG.