

NOTICE OF RECEIPT OF APPLICATION BY COMMISSIONERS' COURT TO REVISE A SUBDIVISION PLAT FILED FOR RECORD WITH THE COUNTY CLERK

APPLICATION: *Khalid Khan and Nuzhat Khan are requesting to be allowed to revise West Magnolia Forest, Lots 41 and the east 88.5 feet of Lot 42. The revision will create three residential lots. These newly configured lots would consist of two 5.000 acre lots and one 5.509 acre lot. West Magnolia Forest is situated in the Owen Wingfield Survey, Abstract No. 269, Waller County, Texas recorded in Volume 192, Page 324, in the Deed Records of Waller County, Texas.*

This replat request, if approved, will only revise the applicant's property.

PUBLIC HEARING: A public hearing will be held during the regular session of Commissioners' Court on *October 2, 2024 at 9:00 a.m.* at the Waller County Joe Kuciemba Annex, 425 FM 1488, Hempstead, TX 77445.

STATE OF TEXAS
COUNTY OF WALLER

WE, KHALID A. KHAN AND MUZHAT KHAN, OWNERS OF THE PROPERTY SUBDIVIDED IN THE ABOVE MAP OF THE WEST MAGNOLIA FOREST LOT 41 AND EAST 88.5 FEET OF LOT 42, MAKE SUBDIVISION OF THE PROPERTY ACCORDING TO THE LINES, STREETS, ALLEYS, PARKS, BUILDING LINES AND EASEMENTS AS SHOWN, AND DEDICATE TO THE PUBLIC THE STREETS, ALLEYS, PARKS AND EASEMENTS SHOWN, FOREVER, AND WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES, AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS INDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO THE GRADES, AND BIND OURSELVES OUR HEIRS, SUCCESSORS AND ASSIGNS, TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

WE, THE AFOREMENTIONED, HEREBY DEDICATE TO THE PUBLIC ALL EASEMENTS AND ROADS SHOWN THEREON. THERE IS ALSO DEDICATED FOR UTILITIES, AN AERIAL EASEMENT FIVE (5) FEET WIDE TAKEN FROM A PLANE TWENTY (20) FEET ABOVE THE GROUND, LOCATED ADJACENT TO ALL UTILITY EASEMENTS AND STREETS SHOWN THEREON.

FURTHER, ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT SHALL BE RESTRICTED IN ITS USE, WHICH RESTRICTIONS SHALL RUN WITH THE TITLE TO THE PROPERTY AND SHALL BE ENFORCEABLE AT THE OPTION OF WALLER COUNTY, BY WALLER COUNTY, OR ANY CITIZEN THEREOF, BY INJUNCTION AS FOLLOWS:

1. THAT DRAINAGE OF SEPTIC TANKS INTO ROADS, STREETS, ALLEYS, OR PUBLIC DITCHES, STREAMS, ETC., EITHER DIRECTLY OR INDIRECTLY IS STRICTLY PROHIBITED.
2. ALL STOCK ANIMALS, HORSES, AND FOWL, SHALL BE FENCED IN AND NOT ALLOWED TO RUN AT LARGE IN THE SUBDIVISION.
3. DRAINAGE STRUCTURES UNDER PRIVATE DRIVES SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND SHALL BE A MINIMUM OF ONE AND ONE QUARTERS (1-1/4) SQUARE FEET (12" DIAMETER PIPE) REINFORCED CONCRETE PIPE, UNLESS SPECIFIED BY THE COUNTY ROAD ADMINISTRATOR, OR COUNTY ENGINEER. CULVERTS AND BRIDGES MUST BE USED FOR ALL DRIVEWAYS AND/OR WALKS. ALTHOUGH DIP-STYLE DRIVEWAYS ARE ENCOURAGED WHERE APPROPRIATE.
4. PROPERTY OWNERS WILL OBTAIN DEVELOPMENT PERMITS/PERMIT EXEMPTIONS FROM THE COUNTY FLOODPLAIN ADMINISTRATOR FOR ALL DEVELOPMENT.
5. THE PROPERTY SUBDIVIDED HEREIN IS FURTHER RESTRICTED IN ITS USE AS SPECIFIED IN THE SUBDIVISION RESTRICTIONS AS FILED SEPARATELY FOR RECORD AT PAGE 221, VOLUME 268 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS. A COPY OF SAID RESTRICTIONS WILL BE FURNISHED BY THE AFORESAID, TO THE PURCHASER OF EACH AND EVERY LOT IN THE SUBDIVISION PRIOR TO CULMINATION OF EACH SALE.
6. THERE ARE NO UNDERGROUND PIPELINES WITHIN THE CONFINES OF THIS SUBDIVISION EXCEPT AS SHOWN ON THE ABOVE PLAT.
7. THERE SHALL BE NO SANITARY SEWER SYSTEM OR ANY WATER WELL CONSTRUCTED WITHIN 50 FEET OF ANY LOT LINE THAT DOES NOT ADJOIN A PUBLIC ROAD.

WITNESS MY HAND IN WALLER COUNTY, TEXAS, THIS ____ DAY OF _____, 2023.

BY _____
KHALID A. KHAN, OWNER

BY _____
MUZHAT KHAN, OWNER

STATE OF TEXAS
COUNTY OF WALLER

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KHALID A. KHAN AND MUZHAT KHAN, KNOWN TO ME TO BE THE PERSONS, WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED IT FOR THE PURPOSES AND CONSIDERATION SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC
IN AND FOR WALLER COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF WALLER

WE, CAPITAL FARM CREDIT, F.L.C.A. OWNER AND HOLDER OF A LIEN AGAINST THE ABOVE-DESCRIBED PROPERTY, THE LIEN, BEING EVIDENCED BY AN INSTRUMENT OF RECORD UNDER INSTRUMENT NUMBER 1802478, OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS SUBORDINATE TO THE SUBDIVISION AND DEDICATION OF THE LIEN, AND WE CONFIRM THAT WE ARE THE PRESENT OWNER OF THE LIEN AND HAVE NOT ASSIGNED THE SAME, NOR ANY PART.

BY _____
NAME AND TITLE
CAPITAL FARM CREDIT, F.L.C.A.

STATE OF TEXAS
COUNTY OF WALLER

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON, WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED IT FOR THE PURPOSES AND CONSIDERATION SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC
IN AND FOR WALLER COUNTY, TEXAS

APPROVED BY COMMISSIONERS COURT OF WALLER COUNTY, TEXAS, THIS ____ DAY OF _____, 2023 A.D.

CARLETT J. DUKON, III
COUNTY JUDGE

JOHN ALLEN AMSLER
COMMISSIONER, PRECINCT 1

WALTER E. SMITH, P.E., RPLS
COMMISSIONER, PRECINCT 2

KENDRICK D. JONES
COMMISSIONER, PRECINCT 3

JUSTIN BECKENDORFF
COMMISSIONER, PRECINCT 4

ACCEPTANCE OF THE ABOVE PLAT BY THE COMMISSIONERS COURT DOES NOT SIGNIFY WALLER COUNTY ACCEPTANCE OF THE DEDICATED ROADS FOR INTEGRATION INTO THE COUNTY ROAD SYSTEM. THE DEVELOPER IS REQUIRED TO COMPLY WITH SECTIONS 5 AND 6 OF THE THEN CURRENT WALLER COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS. IN THIS REGARD,

I, DEBBIE HOLLAN, CLERK OF THE COUNTY COURT OF WALLER COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH THE CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON THE ____ DAY OF _____, 2023 A.D. AT ____ O'CLOCK ____ M. IN FILE # _____ OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HEMPSTEAD, TEXAS, THIS DAY AND DATE LAST ABOVE WRITTEN.

DEBBIE HOLLAN
CLERK OF THE COUNTY COURT
WALLER COUNTY, TEXAS

BY _____
DEPUTY

WEST MAGNOLIA FOREST
VOL. 192, PG. 324 W.C.D.R.

CALLED 4.340 ACRES
JONATHAN H. HERRICK
AND MARY ELISE GILLIAM
VOL. 1299, PG. 225 W.C.D.R.

CALLED 1.066 ACRES
JAVIER RODRIGUEZ AND
LETICIA SANCHEZ
VOL. 1089, PG. 678 W.C.D.R.

CALLED 1.044 ACRES
JUAN SANCHEZ
W.C.C.F. NO. 1607005

CALLED 1.055 ACRES
MARGARITA SANCHEZ
W.C.C.F. NO. 1907064

CALLED 2.165 ACRES
ANTONIO SANCHEZ ESPARZA
AND ANTONIA SANCHEZ
VOL. 1089, PG. 674 W.C.D.R.

BROOKS ROAD
(80' R.O.W.)
VOL. 192, PG. 324 W.C.D.R.

WEST MAGNOLIA FOREST
VOL. 192, PG. 324 W.C.D.R.

LOT 42
TRACT ONE
CALLED WEST 266.3 FEET
OF LOT 42

TRACT TWO
CALLED WEST 140.5 FEET
OF EAST 238 FEET OF LOT 42
JESUS E. MARTINEZ
AND NORMA L. MARTINEZ
W.C.C.F. NO. 1503303

LOT 41C
5.000 ACRES
217,796 SQ. FT.

LOT 41B
5.000 ACRES
217,800 SQ. FT.

LOT 41A
5.509 ACRES
39,988 SQ. FT.

WEST MAGNOLIA FOREST
SECTION 7
VOL. 208, PG. 213 W.C.D.R.

LOT 26
BARTOLO MORENO
AND PAULA I. MORENO
W.C.C.F. NO. 1403685

LOT 27
MARIA PAZ CONCEPCION
W.C.C.F. NO. 2306380

DESCRIPTION OF 15.509 ACRE TRACT OF LAND
SITUATED IN THE
OWEN WINFIELD SURVEY, ABSTRACT 269
WALLER COUNTY, TEXAS

BEING A 15.509-ACRE (875,584 SQUARE FEET) TRACT OF LAND SITUATED IN THE OWEN WINFIELD SURVEY, ABSTRACT NO. 269, WALLER COUNTY, TEXAS, AND BEING ALL OF LOT 41 AND THE WEST 88.5 FEET OF LOT 42 OF WEST MAGNOLIA FOREST, A SUBDIVISION PER PLAT RECORDED UNDER VOLUME 192, PAGE 324 OF THE WALLER COUNTY DEED RECORDS (W.C.D.R.) AND CONVEYED TO KHALID A. KHAN AND MUZHAT KHAN IN AN INSTRUMENT RECORDED UNDER WALLER COUNTY CLERK'S FILE NUMBER (W.C.C.F. NO.) 1802478, SAID 15.509 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AND REFERENCED TO MONUMENTS FOUND ALONG THE SOUTH RIGHT-OF-WAY LINE OF BROOKS ROAD AS CITED HEREIN:

BEGINNING AT A CONCRETE MONUMENT FOUND LYING ON THE SOUTH RIGHT-OF-WAY LINE OF BROOKS ROAD (80 FEET WIDE) AS SHOWN PER PLAT OF SAID WEST MAGNOLIA FOREST, BEING THE NORTHEAST CORNER OF SAID LOT 41 AND THE HEREIN DESCRIBED TRACT OF LAND, SAME BEING THE NORTHWEST CORNER OF A CALLED 1.5486 ACRE TRACT OF LAND DESCRIBED IN AN INSTRUMENT TO ADAM JARED SOLEAU RECORDED UNDER VOLUME 555, PAGE 190 OF THE W.C.D.R.;

THENCE S 05°09'02" E, WITH THE WEST LINE OF SAID 1.5486 ACRE TRACT AND EAST LINE OF SAID LOT 41 A DISTANCE OF 84.56 FEET TO A 12-INCH IRON ROD WITH CAP STAMPED "RPLS 2005" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 41, SAME BEING THE SOUTHWEST CORNER OF SAID 1.5486 ACRE TRACT, LYING ON THE NORTH LINE OF A CALLED 19.3684 ACRE TRACT OF LAND DESCRIBED IN AN INSTRUMENT TO SHIRLEY J. SOLEAU RECORDED UNDER VOLUME 1258, PAGE 578 OF THE W.C.D.R.;

THENCE S 87°18'38" W, WITH THE NORTH LINE OF SAID 19.3684 ACRE TRACT AND SOUTH LINE OF SAID LOT 41 AT A DISTANCE OF 703.42 FEET PASSING A CONCRETE MONUMENT FOUND FOR THE COMMON SOUTH CORNER OF SAID LOTS 41 AND 42, CONTINUING FOR A TOTAL DISTANCE OF 91.92 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "RPLS 2005" FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE N 05°15'44" W, ACROSS SAID LOT 42 A DISTANCE OF 863.50 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "RPLS 2005" FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND, LYING ON THE SOUTH RIGHT-OF-WAY LINE OF SAID BROOKS ROAD;

THENCE N 88°48'50" E, WITH THE SOUTH RIGHT-OF-WAY LINE OF BROOKS ROAD AND NORTH LINE OF SAID LOT 42 AT A DISTANCE OF 88.5 FEET PASSING A CONCRETE MONUMENT FOUND FOR THE COMMON NORTH CORNER OF SAID LOTS 41 AND 42, CONTINUING WITH THE NORTH LINE OF SAID LOT 41 FOR A TOTAL DISTANCE OF 794.77 FEET TO THE POINT OF BEGINNING, AND CONTAINING 15.509 ACRES OR 875,584 SQUARE FEET OF LAND.

LEGEND
B.L. BUILDING LINE
CONC. MON. CONCRETE MONUMENT
FL FLOWLINE
FND FOUND
FOM FIBER OPTIC MARKER
I IRON
ID INSIDE DIAMETER
MB MAILBOX
MH MANHOLE
PG PAGE
P.O.B. POINT OF BEGINNING
PP POWER POLE
PPG POWER POLE W/GRVY
RCP REINFORCED CONCRETE PIPE
R.O.W. RIGHT-OF-WAY
SQ. FT. SQUARE FEET
SS W/SHS STOP SIGN W/STREET NAME SIGN
U.E. UTILITY EASEMENT
VOL. VOLUME
W.C.C.F. NO. WALLER COUNTY CLERK'S FILE NUMBER
W.C.D.R. WALLER COUNTY DEED RECORDS
WM WATER METER

NOTES

1. BEARING ORIENTATION IS BASED THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AND REFERENCED TO MONUMENTS FOUND ALONG THE NORTH RIGHT-OF-WAY LINE OF BUCKEYE DRIVE AS SHOWN HEREON.
2. THE SQUARE FOOTAGE VALUES SHOWN HEREON IS A MATHEMATICAL VALUE CALCULATED FROM THE BOUNDARY DATA SHOWN HEREON AND DOES NOT REPRESENT THE PRECISION OF CLOSURE OF THIS SURVEY OR THE ACCURACY OF CORNER MONUMENTS FOUND OR PLACED.
3. SURVEYED PROPERTY LIES IN ZONE A, ACCORDING TO FLOOD INSURANCE RATE MAP FOR WALLER COUNTY, TEXAS AND UNINCORPORATED AREAS, MAP NUMBER 44473C0079E, DATED EFFECTIVE 02/18/2008.
4. ELEVATIONS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS AND REFERENCED TO NAD 83 MONUMENT, DESIGNATION A1281, PID BL 1669, HAVING A PUBLISHED ELEVATION OF 231.3 (NAVD83).
5. STRUCTURES BUILT ON LOTS IN THE DESIGNATED FLOODPLAIN SHALL BE ELEVATED TO TWO (2) FEET OR MORE ABOVE THE 500-YEAR FLOODPLAIN ELEVATION, IN THE 100-YEAR FLOODPLAIN, WITHIN THE 500-YEAR, THESE STRUCTURES MUST BE ELEVATED TO ONE (1) ABOVE THE 500-YEAR FLOODPLAIN ELEVATION. NO DEVELOPMENT PERMITS WILL BE ISSUED IN A FLOOD HAZARD AREA BELOW THE BASE FLOOD ELEVATION (B.F.E.). CONTACT THE COUNTY ENGINEER'S OFFICE FOR SPECIFIC INFORMATION.
6. NO PIPE LINE OR PIPE LINE EASEMENT EXISTS WITHIN THE BOUNDARIES OF THIS PLAT.
7. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ONSITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY WALLER COUNTY ENVIRONMENTAL DEPARTMENT.
8. PER TEXAS ADMINISTRATIVE CODE 285.4, FACILITY PLANNING (C) REVIEW OF SUBDIVISION OR DEVELOPMENT PLANS, PERSONS PROPOSING RESIDENTIAL SUBDIVISIONS, MANUFACTURED HOUSING COMMUNITIES, MANUFACTURED HOUSING DEVELOPMENTS, BUSINESS PARKS, OR OTHER SIMILAR STRUCTURES THAT USE OSSFS FOR SEWAGE DISPOSAL SHALL SUBMIT PLANNING MATERIALS FOR THESE DEVELOPMENTS TO THE PERMITTING AUTHORITY AND RECEIVE APPROVAL PRIOR TO SUBMITTING AN OSSF APPLICATION.
9. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A STATE APPROVED COMMUNITY WATER SYSTEM. ALL LOTS SHALL BE CONNECTED TO A PUBLIC WATER SUPPLIER.
10. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF ANY MUNICIPALITY'S CORPORATE CITY LIMITS, OR AREA OF EXTRA TERRITORIAL JURISDICTION.

PRELIMINARY PARTIAL REPLAT OF
WEST MAGNOLIA FOREST
LOT 41 AND EAST 88.5 FEET OF LOT 42
BEING A REPLAT OF LOT 41 AND EAST 88.5 FEET OF
WEST MAGNOLIA FOREST,
A SUBDIVISION PER PLAT RECORDED UNDER
VOL. 192, PAGE 324 OF DEED RECORDS OF WALLER COUNTY
15.509 ACRES OF LAND (675,584 SQ. FT.)
OWEN WINFIELD SURVEY, ABSTRACT 269
WALLER COUNTY, TEXAS

CONTAINING 3 LOTS, 1 BLOCK
(REASON FOR REPLAT IS TO CREATE 3 RESIDENTIAL LOTS)

OCTOBER, 2023

OWNED AND DEVELOPED BY:
KHALID A. KHAN AND MUZHAT KHAN
1931 LONG HAYDEN DR.,
CYPRESS, TX 77433

SKETCHED BY:

LAND SURVEYOR

1001 BUTTERNUT BLVD. SUITE 110
DALLAS, TX 75214
(214) 412-7400
FAX (214) 412-7401
E-MAIL: LAND@SEANCONLEY.COM

I, J. ROSS MCALL, COUNTY ENGINEER OF WALLER COUNTY, CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL EXISTING RULES AND REGULATIONS OF WALLER COUNTY.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL WALLER COUNTY PERMIT REQUIREMENTS HAVE BEEN MET.

DATE _____
J. ROSS MCALL, P.E.
COUNTY ENGINEER

SEAN CONLEY
TX REGISTRATION NO. 6739



THIS IS TO CERTIFY THAT I, SEAN CONLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND, AND THAT ALL BLOCK CORNERS, LOT CORNERS, AND PERMANENT REFERENCED MONUMENTS HAVE BEEN SET, THAT PERMANENT CONTROL POINTS WILL BE SET AT COMPLETION OF CONSTRUCTION AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME.