

IN THE COMMISSIONER'S COURT \*  
OF \*  
SAN JACINTO COUNTY \*

**APPLICATION TO CANCEL A PORTION OF A SUBDIVISION PLAT AND  
CANCELLATION OF A DEDICATED ROADWAY OR EASEMENT**

**TO SAID HONORABLE COMMISSIONER'S COURT:**

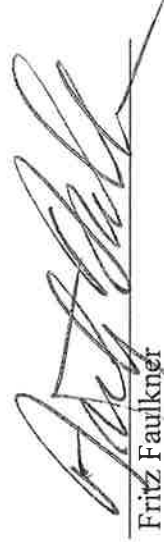
**NOW COMES, SAN JACINTO COUNTY**, hereinafter called Applicant, and file this petition and application to cancel a portion of a subdivision plat, and the cancellation of a dedicated roadway and easement known as CALDWELL LOOP WEST, shown on a subdivision plat as Hilltop Avenue, Cedar Avenue and Park Street, located in the Polk Subdivision, and for an appropriate Order or Resolution of this Honorable Court authorizing conveyance of the subject property back to the Applicants, and in support thereof would respectfully show unto the

Court the following:

1. Applicant own Lots 2, 5, 7, 9, 11, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, & 28 of Block 1, POLK SUBDIVISION; Lots 2, 4, 6, 8, 10, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 & 32 of Block 2, POLK SUBDIVISION, and Lots 2, 3, 4 & and an part of a reserve fronting on Big Creek, POLK SUBDIVISION, a subdivision recorded in Henry Farley Survey, A-113, San Jacinto County, Texas, which is recorded in Volume 92, Page 519 of the Deed Records of San Jacinto County, Texas. Polk Subdivision is mostly undeveloped, and the majority of the undeveloped lots are now owned by San Jacinto County
2. Park Street is a 40' wide undeveloped subdivision road (r.o.w.) that runs south from Highway 150 to Big Creek and is surrounded by property owned by San Jacinto County.
3. Cedar Avenue and Hilltop Avenue are 40' wide undeveloped subdivision roads (r.o.w.) that run in an east\west direction through said POLK SUBDIVISION, and Applicants seek to close only the portions Cedar Avenue and Hilltop Avenue that are adjacent to the aforementioned lots
4. Portions of Pine Avenue, Hilltop Avenue and Cedar Avenue in said POLK SUBDIVISION have been closed by previous orders of the San Jacinto County Commissioner's Court.

5. In addition, Applicants request the cancellation of the dedicated easement or roadway known as Park Street and those portions of Hilltop Avenue and Cedar Avenue that are adjacent to Applicant's lots list above
6. Applicants acquired and now own all of the property that abuts the easements and roadways petitioned to be closed or cancelled.
7. Applicants acquired and now own all of the property (Lots) that are sought to be cancelled and returned to acreage.
8. There are no public structures or businesses accessible by any portion of the roadway or easements, nor does the portion of any roadway or easement provide access to a cemetery.
9. Title to the roadways and easements that are closed, abandoned, vacated or cancelled shall vest to the Applicants, subject to any existing and valid utility easements, pipelines or ingress and egress easements.
10. The subject property was generously left to San Jacinto County by JACK POLK, Deceased, for the County to use as a park, and the closure of the hereinabove described roads and partial cancellation of the above lots in said subdivision does not interfere with the rights of any other citizens of San Jacinto County.
11. This Application is made pursuant to Section 232.008 of the Texas Local Government Code.
- WHEREAS**, Applicants prays that notice of this Application be placed on the agenda for the next regular meeting of the San Jacinto County Commissioner's Court as required by law; that notice of said meeting be posted as required by law; and that upon on hearing hereof this Honorable Court adopt an Order or Resolution granting the relief herein requested.

Respectfully submitted this 14<sup>th</sup> day of February, 2023.



Fritz Faulkner

County Judge\Attorney at Law  
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FILED FOR  
2023 FEB 14 PM 12:05



**WASHBURN & COMPANY**

Land Surveyors

P.O. Box 460 Cleveland, Texas

FIELD NOTE DESCRIPTION

18.9582 ACRES

HENRY FARLEY SURVEY, ABSTRACT No. 113

SAN JACINTO COUNTY, TEXAS

**BEING** an 18.9582 acre tract of land, situated in the Henry Farley Survey, Abstract No. 113, San Jacinto County, Texas and being the residuc of that certain called 28.125 acre tract, "Tract One (1)", described in instrument to San Jacinto County in San Jacinto County Clerks File No. 20171757 of the Official Public Records of San Jacinto County, also being out of and a part of the Polk Subdivision, according to that map or plat thereof recorded in Volume 92, Page 519 of the San Jacinto County Deed Records, being more fully described by metes and bounds as follows with all bearings based on the Texas State Plane Coordinate System, Texas Central Zone, NAD83:

**BEGINNING** at a found 5/8 inch iron rod situated in the apparent, occupied and monumented south right-of-way line of Highway 150 (100' R.O.W.), being the northwest corner of that certain called 18.506 acre tract described in instrument to Randy Reynolds, Et. Ux. in San Jacinto County Clerks File No. 20065262 of the Official Public Records of San Jacinto County, being the northeast corner of Lot Seventeen (17), Block One (1), of said subdivision, and same being the northeast corner and **POINT OF BEGINNING** of the herein described tract, from which a found 1/2 inch iron rod bears South 68°30'10" East 498.78 feet, being the northeast corner of said 18.506 acre tract;

**THENCE** South 04°06'24" East, departing said right-of-way and along and with the west line of said 18.506 acre tract, at 593.90 feet pass a set 5/8 inch iron rod, being in the north right-of-way line of Hilltop Avenue (40' R.O.W.) and being the southeast corner of Lot Twenty-Eight (28), Block One (1), of said subdivision, at 633.90 feet pass a set 5/8 inch iron rod, being in the south right-of-way line of said Hilltop Avenue and being the northeast corner of Lot Eightteen (18), Block Two (2), of said subdivision, at 1433.98 feet pass a set 5/8 inch iron rod, being in the north right-of-way line of Cedar Avenue (40' R.O.W.) and being the southeast corner of Lot Thirty-Two (32), Block 2, at 1473.98 feet pass a set 5/8 inch iron rod, being in the south right-of-way line of said Cedar Avenue and being the northeast corner of Lot Four (4), Block Three (3), of said subdivision, at 1801.93 feet pass a found 1/2 inch iron rod for reference, continuing a total distance of 1852.73 feet to a point in the centerline of Big Creek, being the southwest corner of said 18.506 acre tract and same being the southeast corner of the herein described tract;

**THENCE** along and with the meanders of the centerline of said Big Creek:

- 1) North 86°23'46" West 45.96 feet
- 2) South 80°09'23" West 35.87 feet
- 3) South 83°51'00" West 38.23 feet
- 4) South 27°06'55" West 51.04 feet
- 5) South 52°29'24" West 85.28 feet

**THENCE** North 71°38'27" West, 89.69 feet to a point in the centerline of said Big Creek, being the southwest corner of the herein described tract;

**THENCE** North 04°06'24" West, departing said Big Creek, at 50.80 feet pass a 5/8 inch iron rod set for reference, continuing a total distance of 278.41 feet to a set 5/8 inch iron rod, being the southeast corner of Lot Two (2), Block Three (3), of said subdivision, and same being an internal ell corner of the herein described tract;

**THENCE** South 86°42'36" West, along and with the south line of said Lot 2, Block 3, 135.01 feet to a 5/8 inch iron rod set in the east line of that certain called 0.459 acre tract described in instrument to Karl Goodman, Et. Ux. in San Jacinto County Clerks File No. 20065889 of the Official Public Records of San Jacinto County, being an external ell corner of the herein described tract;

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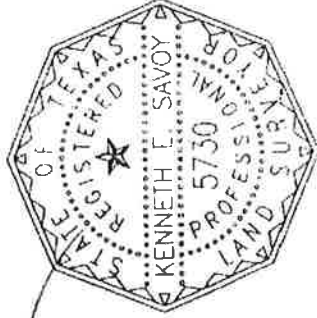
**THENCE** North  $04^{\circ}06'24''$  West, along and with the east line of said 0.459 acre tract and with the east line of that certain called 2.296 acre tract described in instrument to Karl Goodman, Et. Ux. in San Jacinto County Clerks File No. 20065889 of the Official Public Records of San Jacinto County, at 159.73 feet pass a 5/8 inch iron rod set in the south right-of-way line of said Cedar Avenue, at 199.73 feet pass a 5/8 inch iron rod set in the north right-of-way line of said Cedar Avenue, continuing a total distance of 875.63 feet to a set 5/8 inch iron rod, being an angle point in the west line of the herein described tract;

**THENCE** North  $03^{\circ}21'31''$  West, along and with the east line of said 2.296 acre tract and with the east line of that certain called 2.3682 acre tract described in instrument to Karl Goodman, Et. Ux. in San Jacinto County Clerks File No. 20065889 of the Official Public Records of San Jacinto County, at 109.98 feet pass a found 3/8 inch iron rod, at 124.07 feet pass a found 5/8 inch iron rod, being in the south right-of-way line of said Hilltop Avenue, at 164.07 feet pass a 5/8 inch iron rod set in the north right-of-way line of said Hilltop Avenue, continuing a total distance of 954.44 feet to a 5/8 inch iron rod set in said south right-of-way line of said highway, being the northeast corner of said 2.3682 acre tract and same being the northwest of the herein described tract, from which a found 3/8 inch iron rod bears North  $70^{\circ}32'36''$  West 2.57 feet and a found concrete monument bears 257.14 feet;

**THENCE** South  $68^{\circ}30'10''$  East, along and with said south right-of-way line, at 2.35 feet pass a found 5/8 inch iron rod, at 126.49 feet pass a found 1/2 inch iron rod, continuing a total distance of 468.52 feet to the **POINT OF BEGINNING**, containing a computed area of 18.9582 acres of land within this field note description.

  
Kenneth E. Savoy, K.P.L.S. 5730

14 October, 2022



*[Faint handwritten text, possibly a date or reference number]*

## NOTICE OF APPLICATION TO CANCEL PORTION OF SUBDIVISION PLAT

In accordance with Sec. 232.008, Local Government Code, the Commissioner's Court of San Jacinto County, has received an application to consider a Plat Cancellation and road closure in POLK SUBDIVISION, in San Jacinto County, Texas, including cancelling Lots 2, 5, 7, 9, 11, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, & 28 of Block 1.; Lots 2, 4, 6, 8, 10, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 & 32 of Block 2, and Lots 2, 3, 4 & an part of a reserve fronting on Big Creek, POLK SUBDIVISION, Henry Farley Survey, A-113, San Jacinto County, Texas, recorded in Volume 92, Page 519 of the Deed Records of said County, Texas, and closing all of Park Street and portions of Cedar Avenue and Hilltop Avenue. A public hearing to consider the application and to hear protests to the application will be held at the Commissioner's Court, County Shelter, 255 Live Oak, Coldspring, Texas on the 22<sup>nd</sup> day of March, 2023, at approximately 9:00 a.m.

(run in San Jacinto News Times on March 2, 9, & 16<sup>th</sup>)