

#10

997-1a2
998-9.924
999-21.68
001-10.92

**REQUEST FOR VARIANCE/EXEMPTION FROM
SUBDIVISION REGULATIONS**

DATE: November 16, 2020

OWNER'S NAME: Richard Smith

MAILING ADDRESS: 843 County Road 258
Bertram TX 78605-3755

OWNER'S PHONE #: 512-355-3037

PROPERTY ID FROM C.A.D: 50997, 50998, 50999

(Central Appraisal District)

LEGAL DESCRIPTION: ABS A0386 DAVID HARMON, 1.0 ACRES, ABS A0386 DAVID HARMON, 9.924 ACRES

ABS A0386 DAVID HARMON, 21.68 ACRES

REASON FOR DIVIDING PROPERTY I am keeping the property with the house and
approximately 6.5 Acres

A copy of my Deed with full metes and bounds description, attached along with a survey or sketch of the property showing the boundaries of the lots, adjacent roads, and adjacent property owners are attached hereto. A variance request requires Commissioner Court approval.

I hereby acknowledge that all lots will remain subject to the on-site wastewater rules and development permit requirements of the County. I am also aware that other entities may have restrictions to the division of property that may limit the use of that property. Those entities include but are not limited to the Central Texas Groundwater Conservation District and the Lower Colorado River Authority.

Richard Smith
Signature (Notarized)
RICHARD SMITH
Printed Name

STATE OF TEXAS
COUNTY OF BURNET

This instrument was sworn to before me on the 18th day of November, 2020



[Signature]
Notary Public, State of Texas

Exemption Approval: _____ **Date:** _____

Variance Approval: [Signature] **Date:** 12/8/2020

**REQUEST FOR VARIANCE/EXEMPTION FROM
SUBDIVISION REGULATIONS**

DATE: November 16, 2020

OWNER'S NAME: Steve Smith and Shawn Smith

MAILING ADDRESS: 801 County Road 258

Bertram TX 78605-3755

OWNER'S PHONE #: 512-508-4435

PROPERTY ID FROM C.A.D.: 51001

(Central Appraisal District)

LEGAL DESCRIPTION: ABS A0386 DAVID HARMON, 10.92 ACRES

REASON FOR DIVIDING PROPERTY I am keeping the property with the house and approximately 3.4 Acres.

A copy of my Deed with full metes and bounds description, attached along with a survey or sketch of the property showing the boundaries of the lots, adjacent roads, and adjacent property owners are attached hereto. A variance request requires Commissioner Court approval.

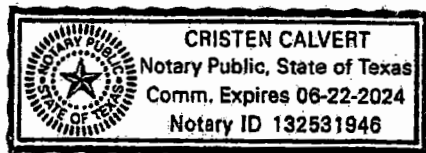
I hereby acknowledge that all lots will remain subject to the on-site wastewater rules and development permit requirements of the County. I am also aware that other entities may have restrictions to the division of property that may limit the use of that property. Those entities include but are not limited to the Central Texas Groundwater Conservation District and the Lower Colorado River Authority.

[Signature]
Signature (Notarized)

Steve J Smith
Printed Name

**STATE OF TEXAS
COUNTY OF BURNET**

This instrument was sworn to before me on the 16 day of November, 2020



Cristen Calvert
Notary Public, State of Texas

Exemption Approval: _____ **Date:** _____

Variance Approval: [Signature] **Date:** 12/8/2020

**REQUEST FOR VARIANCE/EXEMPTION FROM
SUBDIVISION REGULATIONS**

DATE: November 16, 2020

OWNER'S NAME: Steve Smith and Shawn Smith

MAILING ADDRESS: 801 County Road 258

Bertram TX 78605-3755

OWNER'S PHONE #: 512-508-4435

PROPERTY ID FROM C.A.D.: 51001

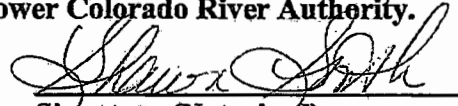
(Central Appraisal District)

LEGAL DESCRIPTION: ABS A0386 DAVID HARMON, 10.92 ACRES

REASON FOR DIVIDING PROPERTY I am keeping the property with the house and approximately 3.4 Acres.

A copy of my Deed with full metes and bounds description, attached along with a survey or sketch of the property showing the boundaries of the lots, adjacent roads, and adjacent property owners are attached hereto. A variance request requires Commissioner Court approval.

I hereby acknowledge that all lots will remain subject to the on-site wastewater rules and development permit requirements of the County. I am also aware that other entities may have restrictions to the division of property that may limit the use of that property. Those entities include but are not limited to the Central Texas Groundwater Conservation District and the Lower Colorado River Authority.



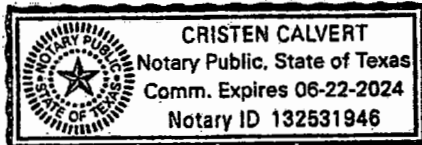
Signature (Notarized)

Shawn Smith

Printed Name

**STATE OF TEXAS
COUNTY OF BURNET**

This instrument was sworn to before me on the 16 day of November, 2020





Notary Public, State of Texas

Exemption Approval: _____ **Date:** _____

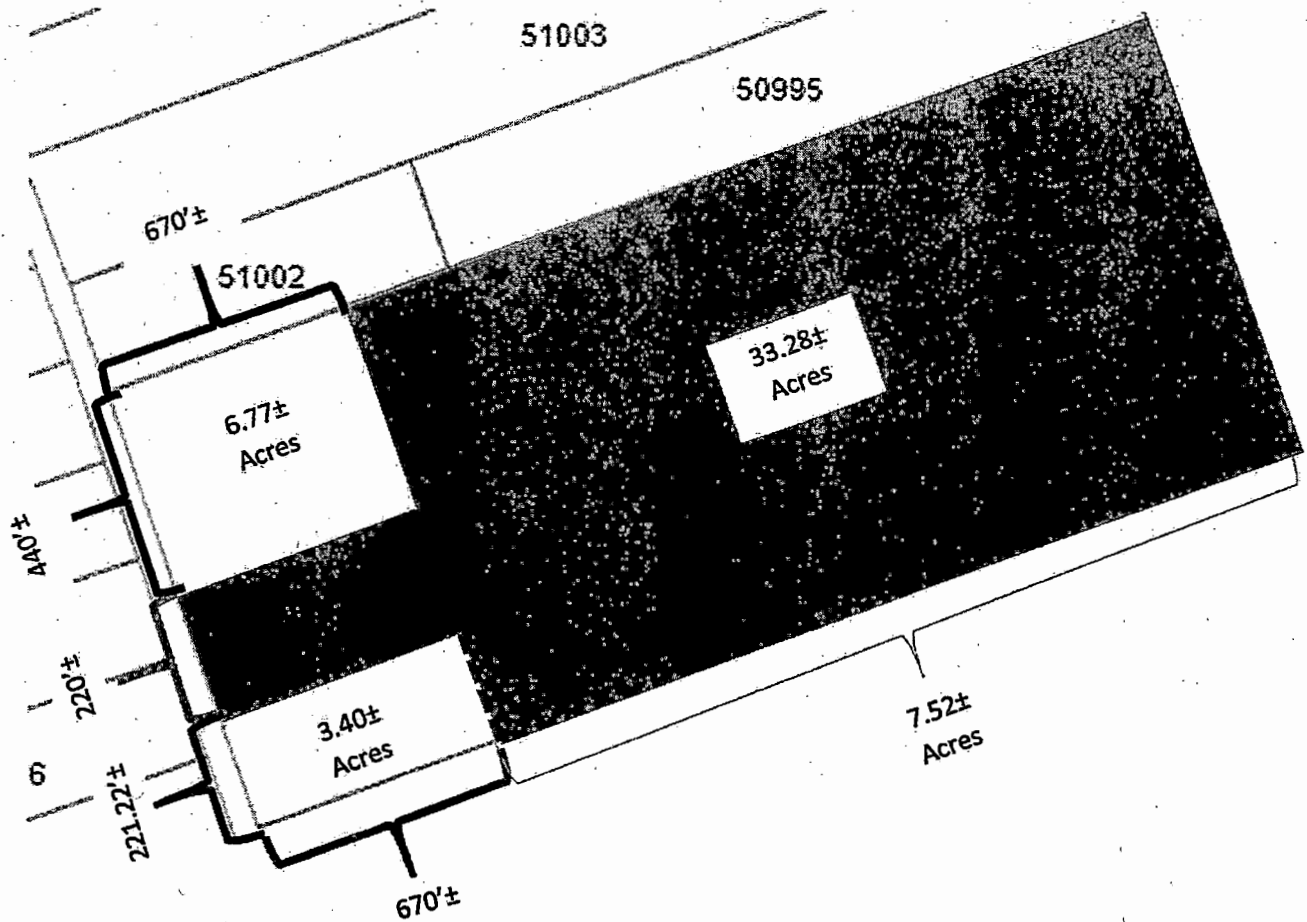
Variance Approval: TRP **Date:** 12/8/2020

Revised Exhibit 11/02/2020

Richard Smith, Steve & Shawn Smith to Jerrod & Ginger Floyd (Survey 33.28± Acres)

801 CR 258 7.52± Acres out of 10.92 Acres

843 CR 258 25.76± Acres of 32.53 Acres



Revised Exhibit 11/02/2020

Richard Smith, Steve & Shawn Smith to Jerrod & Ginger Floyd (Survey 33.28± Acres)

7.52± Acres out of 10.92 Acres

25.76± Acres out of 32.52 Acres

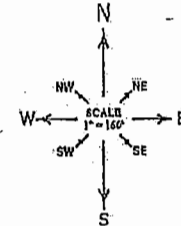
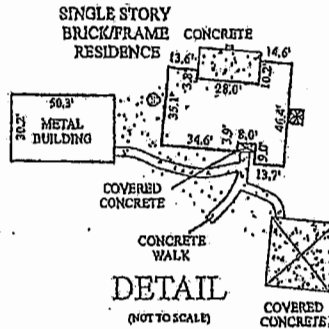
							TotAcres
801 CR 258	10.92	221.22	670.00	148,217.40	43,560.00	3.40	7.52
843 CR 258	32.53	220.00	670.00	147,400.00	43,560.00	3.38	
	6.77	220.00	670.00	147,400.00	43,560.00	3.38	25.76
JG Floyd	Total	33.28					

RESTRICTIONS

SUBJECT TO RESTRICTIONS IN VOLUME 636, PAGE 232.
 SUBJECT TO EASEMENT GRANTED TO FEDERNALES ELECTRIC COOPERATIVE, INC. IN VOLUME 162, PAGE 80.
 NATURAL GAS PIPELINE EASEMENT GRANTED TO LONE STAR GAS COMPANY IN VOLUME 104, PAGE 22 DOES NOT AFFECT SUBJECT TRACT.
 SUBJECT TO 20' ELECTRIC UTILITY EASEMENT IN VOLUME 636, PAGE 232.
 EASEMENTS 50 & 60 FEET IN WIDTH RECORDED IN VOLUME 636, PAGE 232 DO NOT AFFECT SUBJECT TRACT.
 SUBJECT TO WELL AGREEMENT IN DOCUMENT NUMBER 0702306, RESCINDED IN DOCUMENT NUMBERS 201006175 AND 201006176.
 SUBJECT TO BURNET COUNTY REGULATIONS IN VOLUME 943, PAGE 399, AMENDED IN VOLUMES 993, PAGE 620, VOLUME 1043, PAGE 84, VOLUME 1377, PAGE 722, DOCUMENT NUMBER 201100417, CORRECTED IN 201100417.

LEGAL DESCRIPTION

BEING 3.40 ACRES OF LAND, OUT OF THE DAVID HARMON SURVEY, ABSTRACT NUMBER 386, BURNET COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN STEVE J. SMITH AND SHAWN D. SMITH 10.924 ACRE TRACT RECORDED IN VOLUME 1449, PAGE 125, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS, SAID 3.40 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HEREOF AND MADE A PART HEREOF.



EMMA JEWEL GOODWIN
 156.13 ACRES
 (VOL. 369, PG. 53)

S 18°31'30"E 54.62'
 (S 18°31'30"E 54.62')

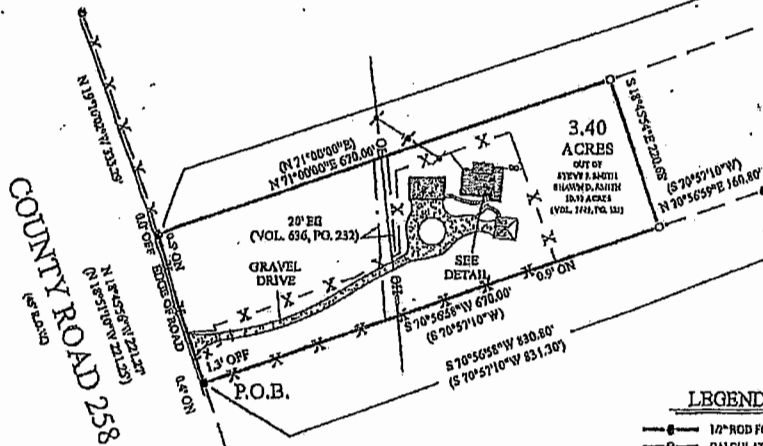
S 18°53'50"E 166.33'
 (S 19°10'50"E 166.58')

RICHARD SMITH
 21.63 ACRES
 (DOC. 201004475)

BEARING BASIS
 (N 71°00'00"E 2145.65)
 (N 71°00'00"E 2145.25)

REMAINDER OF
 10.92 ACRES
 STEVE J. SMITH
 SHAWN D. SMITH
 (VOL. 1449, PG. 125)

EMMA JEWEL GOODWIN
 156.13 ACRES
 (VOL. 369, PG. 53)



LEGEND

- 1/4" ROD FOUND
- CALCULATED POINT
- 1/4" ROD SET
- FENCE POST FOR CORNER
- RECORD INFORMATION
- AIR CONDITIONER
- SEPTIC
- UTILITY POLE
- OVERHEAD UTILITY LINE(S)
- METAL FENCE
- WIRE FENCE
- CHAIN LINK FENCE
- ON INSIDE OF SUBJECT BOUNDARY
- OFF OUTSIDE OF SUBJECT BOUNDARY
- P.O.B. POINT OF BEGINNING

ALLSTAR
 Land Surveying
 9020 ANDERSON MILL RD
 AUSTIN, TEXAS 78729
 (512) 249-8149 PHONE
 (512) 331-5217 FAX
 TITLE #10113410

T.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS (F.I.R.M. MAP NO. 48033C03737 PANEL: C03737)
 DATED: 3/15/2012
 THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

ADDRESS

STEVE SMITH & SHAWN SMITH
 801 COUNTY ROAD 258
 BERTRAM, BURNET COUNTY, TEXAS.

SURVEY DATE:	FEBRUARY 15, 2017	FILED BY:	REX NOWLIN	02/07/2017
TITLE CO.:	HIGHLAND LAKES TITLE	CALC. BY:	CINUS ZOTTER	02/01/2017
D.R. NO.:	30161228150-BU	DRAWN BY:	ADRIEL LOPEZ	02/01/2017
JOB NO.:	A0115417	PLS CHECK:	EDWARD RUMSEY	07/10/2017



TO THE LIEN HOLDER, AND/OR OWNERS OF THE PREMISES SURVEYED AND TO:
HIGHLAND LAKES TITLE

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

Survey

BEING 3.40 ACRES OF LAND, OUT OF THE DAVID HARMON SURVEY, ABSTRACT NUMBER 386, BURNET COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN STEVE J. SMITH AND SHAWN D. SMITH 10.924 ACRE TRACT RECORDED IN VOLUME 1449, PAGE 125, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS, SAID 3.40 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in the easterly right-of-way line of County Road 238, at the northwest corner of that certain Emma Jewel Goodwin 136.13 acre tract recorded in Volume 969, Page 53, deed Records, said county, same being the southwest corner of said 10.924 acre tract, for the southwest corner hereof;

THENCE North 73 degrees 45 minutes 36 seconds West, along said right-of-way line and the westerly line of said 10.924 acre tract, 221.27 feet to an iron rod found in said line, at the southwest corner of that certain Richard Smith 21.68 acre tract recorded in Document Number 201004475, Official Public Records, said county, same being the northwest corner of said 10.924 acre tract, for the northwest corner hereof;

THENCE North 71 degrees 00 minutes 00 seconds East, along the southerly line of said 21.68 acre tract and the northerly line of said 10.924 acre tract, 670.00 feet to an iron rod set in said line, for the northeast corner hereof, from which an iron rod found at the northeast corner of said 10.924 acre tract bears, North 71 degrees 00 minutes 00 seconds East, 1,475.25 feet;

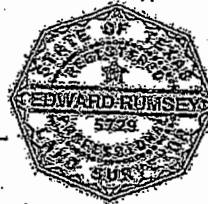
THENCE South 18 degrees 45 minutes 59 seconds East, through said 10.924 acre tract, 220.68 feet to an iron rod set in the northerly line of said 136.13 acre tract, same being in the southerly line of said 10.924 acre tract, for the southeast corner hereof, from which an iron rod found in said line bears, North 70 degrees 36 minutes 59 seconds East, 160.89 feet;

THENCE South 70 degrees 36 minutes 58 seconds West, along the northerly line of said 136.13 acre tract and the southerly line of said 10.924 acre tract, 670.00 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONNECTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

EDWARD RUMSEY
TXR P.L.S. No. 5729
Job No. A0115417

02/10/2017
Date



BEING 10.924 acres of land out of the David Harmon League, Survey No. 4, Abstract No. 386, Burnet County, Texas; being that same property conveyed to YONG SRK KIM and wife MI KYUNG KIM by Deed recorded in Vol. 636, Pg. 232, et seq, Deed Records, Burnet County, Texas; and, being more particularly described as follows:

BEGINNING at a treated fence corner post, set in concrete, at the Southeast corner of said 10.92 KIM tract, and the Southeast corner hereof;

THENCE South 70 Degrees 46 Minutes 20 Seconds West, as fenced, a distance of 427.19 feet, to an iron rod set for corner beside a cedar fence post;

THENCE South 71 Degrees 03 Minutes 40 Seconds West, as fenced, a distance of 107.42 feet, to an iron rod set for corner beside a cedar fence post;

THENCE South 70 Degrees 59 Minutes 30 Seconds West, as fenced, a distance of 395.94 feet, to an iron rod set for corner beside a cedar fence post;

THENCE South 71 Degrees 17 Minutes 00 Seconds West, as fenced, a distance of 211.37 feet, to an iron rod set for corner beside a cedar fence post;

THENCE South 71 Degrees 37 Minutes 40 Seconds West, as fenced, a distance of 151.00 feet, to an iron rod set for corner beside a cedar fence post;

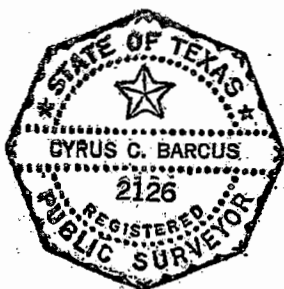
THENCE South 70 Degrees 57 Minutes 10 Seconds West, as fenced, a distance of 211.30 feet, to an iron rod found beside a fence corner post said corner post being in the Easterly-most right-of-way line of Burnet County Road No. 237 and, marking the Southwest corner hereof;

THENCE North 19 Degrees 51 Minutes 10 Seconds West, as fenced, along said Easterly-most right-of-way limit, a distance of 221.25 feet, to an iron rod found marking the Northwest corner hereof;

THENCE North 71 Degrees 00 Minutes 00 Seconds East, a distance of 2,145.33 feet, to an iron rod found in an existing fence line, said iron rod marking the Northeast corner hereof;

THENCE South 16 Degrees 31 Minutes 30 Seconds East, as fenced, a distance of 54.52 feet, to a fence post found for corner;

THENCE South 19 Degrees 10 Minutes 50 Seconds East, as fenced, a distance of 156.56 feet, to the POINT OF BEGINNING and containing some 475,836 square feet, or 10.924 acres of land, more or less.



REV. 4-4-93
REV. 3-25-95

CYRUS C. BARCUS, R.R.S.	
R.R. 3 - BOX 138	
BURNET, TEXAS 78611	
(512) 355-3195	
10.924 ACRES	
DAVID HARMON LEAGUE, SURVEY 4	
ABSTRACT NO 386	
BURNET COUNTY, TEXAS	
DATE: 2-24-95	SCALE: 1"=300'

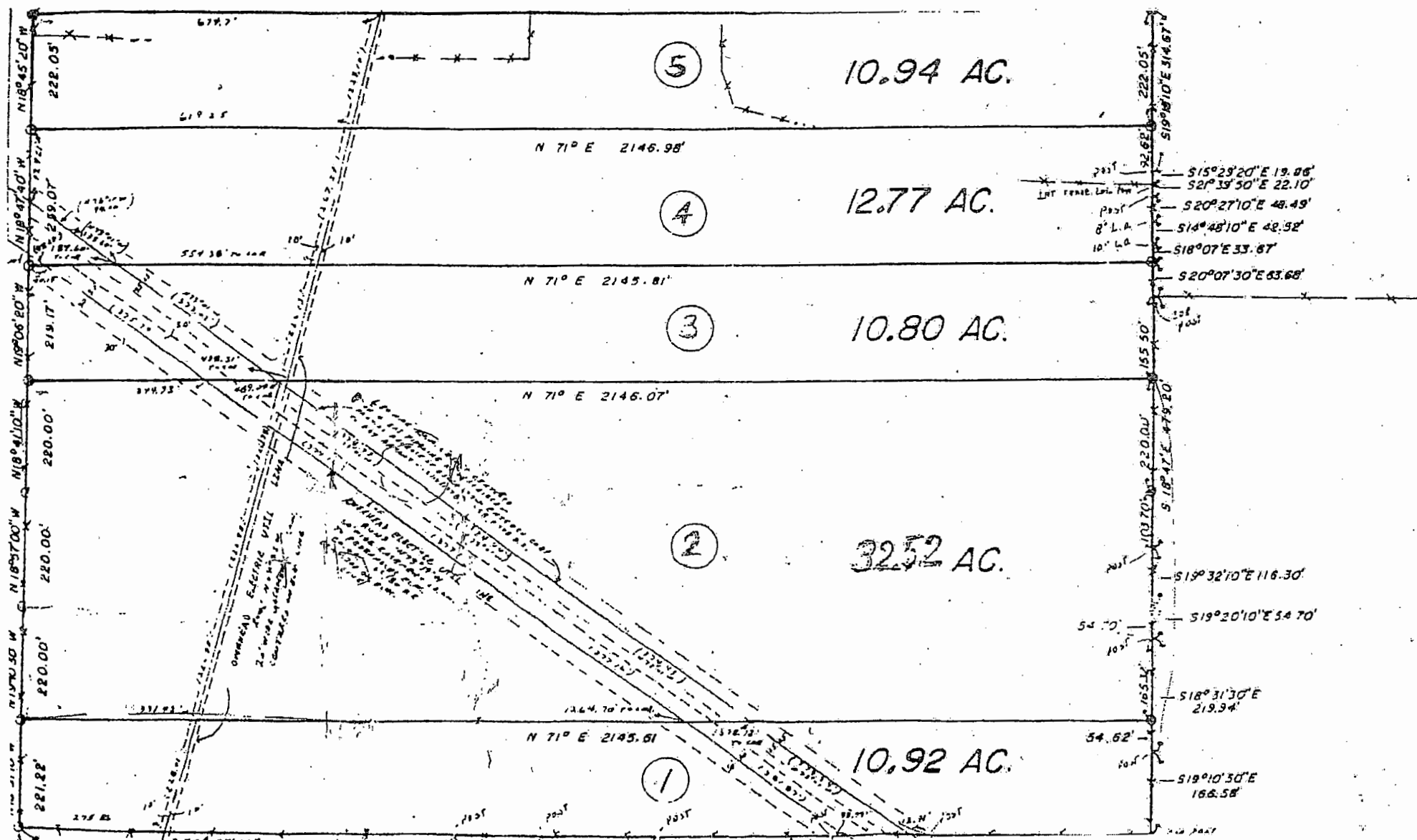


EXHIBIT "A"
LEGAL DESCRIPTION

LOAN NUMBER: 3484565040

DATE: January 10, 1994

NAME and Address of Borrower
Richard Smith
Mary J. Smith
Rt. 2 Box 315 County Road 258
Bertram, TX 78605

NAME and Address of Seller
Mary L. Jamar
PROPERTY LOCATION:
Rt. 2 Box 315 County Road 258
Bertram, TX 78605

NAME and Address of Lender
Plaza Home Mortgage
16701 Greenspoint Park Drive
Suite 100
Houston, TX 77060

LEGAL DESCRIPTION AS FOLLOWS:

Being 32.531 acres of Land in the David Harmon League Survey No. 4, Abstract No. 386, Burnet County, Texas; being composed of tracts No. 2 & No. 4, described as each containing 10.84 acres out of that same 77.80 acre tract recorded in Vol. 257, Pg. 146 et. seq. and tract No. 3, that 10.84 acre conveyed by Raymond A. Bryant and wife, Mary B. Bryant to Hillis Lee Jamar by deed recorded in Vol. 436, Pg. 515 et. seq., Deed Records, Burnet County, Texas; and, being more particularly described as follows:

COMMENCING at the southeast corner of said 77.80 acre tract, said point being also the Southeast corner of that tract of land conveyed by C.C. Higgins to J.H. Sullivan by deed recorded in Vol. 57, Pg. 206, D.R.B.C.;

THENCE North 19 Degrees 10 Minutes 50 Seconds West, a distance of 166.58 feet, to an iron rod found for corner;

THENCE North 18 Degrees 31 Minutes 30 Seconds West, a distance of 54.62 feet, to an iron rod marking the Southeast corner of tract No. 2 herein, and the POINT OF BEGINNING of this survey;

THENCE South 71 Degrees 00 Minutes 00 Seconds West, for a distance of 2,145.65 feet, to an iron rod found in an existing fence marking the Southwest corner of tract No. 2 herein;

THENCE North 19 Degrees 10 Minutes 30 Seconds West, as fenced, a distance of 220.00 feet, to an iron rod found for the Northwest corner of tract No. 2, and the Southwest corner of tract No. 3 herein;

THENCE North 18 Degrees 57 Minutes 00 Seconds West, as fenced, a distance of 220.00 feet, to an iron rod found for the Northwest corner of tract no. 3; and, the Southwest corner of tract No. 4 herein;

THENCE North 18 Degrees 41 Minutes 10 Seconds West, as fenced, a distance of 220.00 feet, to an iron rod found for the Northwest corner of tract No. 4 herein.

THENCE North 71 Degrees 00 Minutes 00 Seconds East, as fenced, a distance of 2,145.69 feet, to an iron rod found for the Northeast corner of tract No. 4 herein;

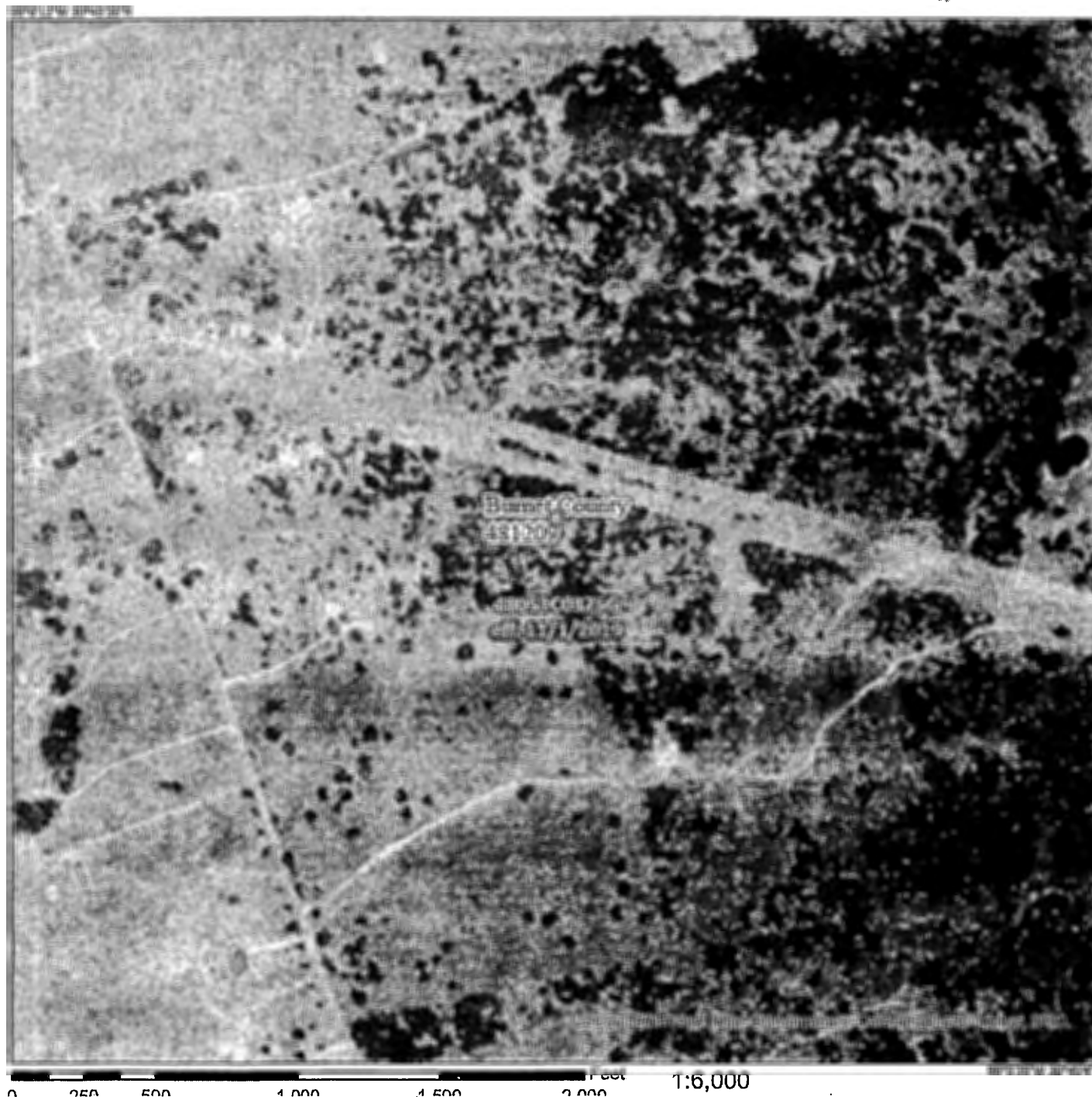
THENCE South 18 Degrees 47 Minutes 00 Seconds East, as fenced, at 220.00 feet an iron rod marking the Southeast corner of tract No. 4; and, the Northeast corner of tract No. 3 herein, in all 323.75 feet an iron rod found for corner;

THENCE South 19 Degrees 32 Minutes 10 Seconds East, as fenced, a distance of 116.45 feet, to an iron rod found for the Southeast corner of tract No. 3 herein; and, the Northeast corner of tract No. 2 herein;

THENCE South 19 Degrees 20 Minutes 10 Seconds East, as fenced, a distance of 54.72 feet, to an iron rod found for corner;

THENCE South 18 Degrees 20 Minutes 25 Seconds East, as fenced, a distance of 165.10 feet, to the Southeast corner of tract No. 2 herein; the POINT OF BEGINNING; and, containing some 1,417,045 square feet or 32.531 acres of land, more or less.

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99
	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone J
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes, Zone X
	Area with Flood Risk due to Levee Zone D
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X
	Effective LOMRs
GENERAL STRUCTURES	Area of Undetermined Flood Hazard Zone
	Channel, Culvert, or Storm Sewer
OTHER FEATURES	Levee, Dike, or Floodwall
	Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS	Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature
	Digital Data Available
	No Digital Data Available
	Unmapped

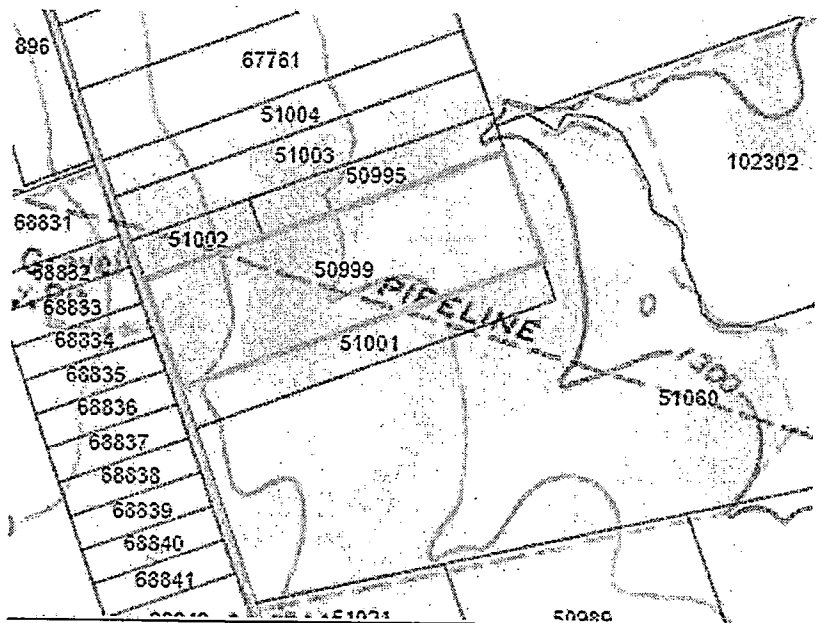


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

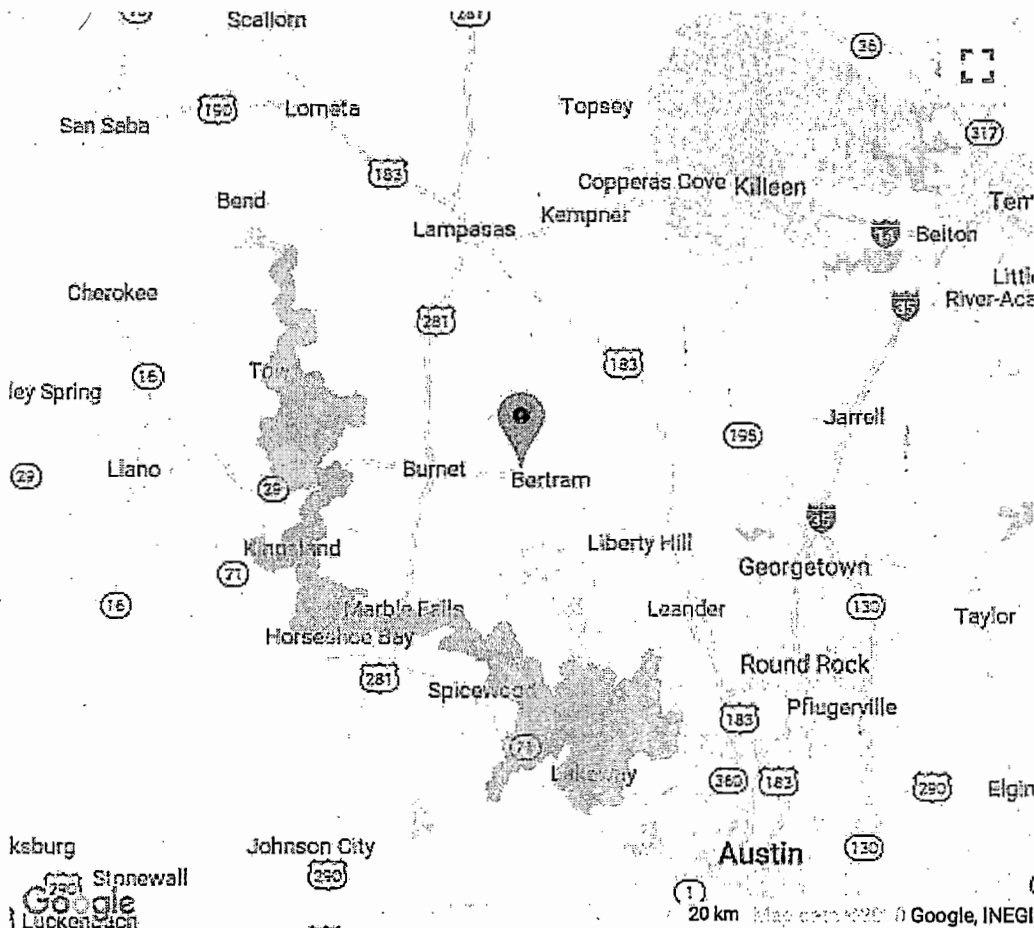
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/2/2020 at 7:09 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





On-Site Sewage Facility Jurisdiction



The red area on the map represents where LCRA regulates the installation and operation of septic systems. Enter a street address or a ZIP code to find out whether a property is likely located in this area. In cases where it is unclear whether a property is located within LCRA's jurisdiction, contact LCRA at 512-578-3216 or 800-776-5272, ext. 3216 - option 1, for a determination. For more information about septic system rules, read frequently asked questions.

DISCLAIMER: LCRA strives to provide accurate data according to the resources available. However, LCRA does not warrant or guarantee that the information provided is complete, accurate or current. LCRA shall not be liable for any deficiency in the information.

Street Address:

801 County Road 258

City: bertram

Zip: 78605

[Find address](#)

[Clear marker\(s\)](#)

[Reset map](#)

20 km Map data ©2007 Google, INEGI

