

APPLICATION TO CANCEL SUBDIVISION

THE STATE OF TEXAS)

COUNTY OF BROWN)

This Application to Cancel Subdivision is filed pursuant to Section 232.008 of the Texas Local Government Code, by Brownwood Marina Venture, LLC, concerning the subdivision known as "The Lodges at Mountain View" recorded in Volume 5, Page 159, Plat Records of Brown County, Texas, a copy of which is attached to this Application for reference. In support of this Application, Applicant would submit to the Honorable Commissioner's Court of Brown County, Texas, the following:

I.

Applicant is the owner of all lots designated on the Plat of The Lodges at Mountain View.

II.

It is the intent of Applicant to re-subdivide the property formerly known as The Lodges at Mountain View into a new subdivision of ten (10) lots known as "Mountain View Estates" to be considered by the Court contemporaneously with consideration of this Application to Cancel Subdivision.

III.

The Plat of The Lodges at Mountain View makes note of two lanes, one referenced as "County Road Mountain View Lane" and the other designated as "County Road." The plat also indicates a "30 foot easement" and "easement boat ramp." It is the intention of Applicant to slightly adjust the location of the public roads and easements indicated on the original plat, but not close the roads. It is also the intent of Applicant to maintain the easements in the South end of the Subdivision for private easements for property owners, and not dedicate those easements to public use. In order for Applicant to be able to make slight adjustments in the location of the dedicated roads, Applicant requests the Court to close the roads as described in the Plat of The Lodges at Mountain View, then approve the dedication of the roads on the new Plat of Mountain View Estates.

IV.

The cancellation of the subdivision will not interfere with the established rights of any purchaser who owns any part of the subdivision, for the reason that the owner of all lots in the subdivision is Applicant, who is urging its cancellation.

December 3, 2018
(Exhibit #2)

V.

There are no property owners other than Applicant who will be affected by the cancellation.

VI.

At the time this Application is considered, Applicant will have run the published notice required by Section 232.008(c) of the Texas Local Government Code.


VII.

All ad valorem taxes assessed against the affected Lots have been paid.

Dated 11 16 18, 2018.

BROWNWOOD MARINA VENTURE, LLC

By:


Tommy Hendrix, Member

**GS LONG SUR NO 12
ABSTRACT NO 1076**

**THE LODGES
AT MOUNTAIN VIEW**

**DEVELOPER
ROSS SETZLER
CONTAINING 10 LOTS
BEING PART OF A 891 ACRE TRACT
1742/287
OWNERS CERTIFICATE**

HOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT I, KATHY WARDHAM, BEING KNOWN AS THE OWNER OF THE PROPERTY, DO HEREBY ADVERTISE AND SPLIT UP THE LODGES AT MOUNTAIN VIEW TRACT AS SHOWN ON THE MAP HEREON, AND DEPOSIT ALL RECORDS AND STREET PLAT AND SUBDIVISION PLAT TO THE PUBLIC.

[Signature]
SECRETARY OF DENVER/CO AGENT
DATE: 6-15-2011

THE STATE OF TEXAS:
COUNTY OF BROWN:

BEFORE ME, the undersigned Public Agent for said County, and State, on this day of June, 2011, KATHY WARDHAM, known to be the person or persons named in the foregoing instruments and authorized by the power of attorney on file in the public records of the County of Brown, State of Texas, appeared in my presence and acknowledged to me that she executed the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed on in the capacity therein stated.

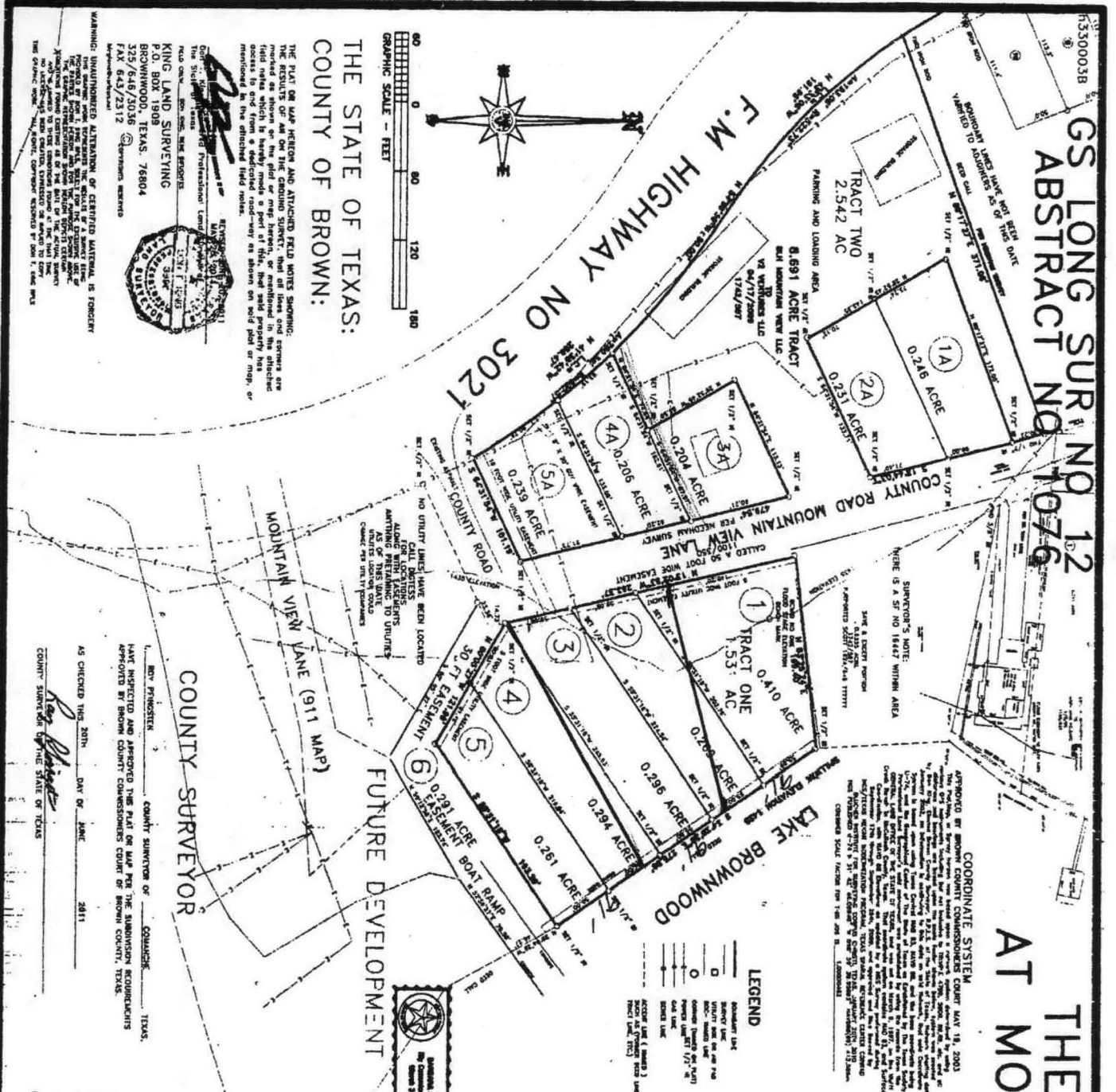
Given under my hand and seal of this office this 15th day of June, 2011.
COUNTY PUBLIC AGENT FOR THE STATE OF TEXAS, W. SCAL DEWRIES 3-31-2013

DESIGNATED REPRESENTATIVE
This subdivision is in compliance with the laws governing transfer regulations for non-alle streets, utilities and T&E.
Transferor's Identification: _____
Date: 6-15-11 Approved by: *[Signature]*

COUNTY COURT

This Plat or Map is hereby approved by the Commissioners Court of the County of Brown, Texas, and that the County Surveyor is hereby authorized to file the same in accordance with the provisions of Article 574a, Venetian Amendment Civil Statutes and Article 872b, Penal Code of Texas, as amended.
DATE: June 20, 2011. COUNTY JUDGE: *[Signature]*

COUNTY SURVEYOR
I HEREBY CERTIFY THAT THE PLAT OR MAP DESCRIBED ON SHOW HEREON WAS FILED FOR RECORD ON _____ PAGE _____ PLAT RECORDS
VALUE _____ FILE NO. _____
DENY _____
COUNTY SURVEYOR _____



THE STATE OF TEXAS:
COUNTY OF BROWN:

THE PLAT OR MAP HEREON AND ATTACHED FIELD NOTES SHOWING THE RESULTS OF AN ON THE GROUND SURVEY, THAT ALL LINES AND FIELD NOTES WHICH IS HEREBY MADE A PART OF THIS, AND SAID PROPERTY HAS BEEN RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF BROWN, TEXAS, AS MENTIONED IN THE ATTACHED FIELD NOTES.



KING LAND SURVEYING
P.O. BOX 1908
BROWNWOOD, TEXAS 76804
FAX 643/2312
www.kingsurveying.com
www.kingland.com

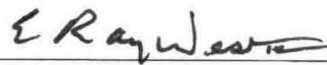
NOY PRINCE, COUNTY SURVEYOR OF BROWN COUNTY, TEXAS.
HAVE INSPECTED AND APPROVED THIS PLAT OR MAP FOR THE SUBDIVISION RECORDS AS APPROVED BY BROWN COUNTY COMMISSIONERS COURT OF BROWN COUNTY, TEXAS.
AS CHECKED THIS 20TH DAY OF JUNE 2011
[Signature]
COUNTY SURVEYOR OF THE STATE OF TEXAS

ORDER CANCELLING SUBDIVISION KNOWN AS
"THE LODGES AT MOUNTAIN VIEW"

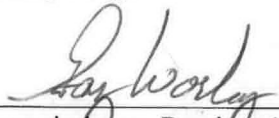
On this day came on to be considered by the Commissioner's Court of Brown County, Texas, at a regular meeting on which a quorum was present, the Application to Cancel Subdivision of The Lodges at Mountain View. Upon consideration of the Application, and following notice published in the Brownwood Bulletin as required by Section 232.008 of the Texas Local Government Code, and having heard no objection thereto, the Court finds that the Application as presented should be GRANTED, and does hereby ORDER that the subdivision known as The Lodges at Mountain View according to the Plat recorded in Volume 5, page 159, Plat Records of Brown County, Texas, is hereby ORDERED cancelled and terminated.

IT IS FURTHER ORDERED that all roads and public easements dedicated in the Plat of The Lodges at Mountain View are hereby closed, in lieu of newly dedicated roads in the Plat of Mountain View Estates being filed contemporaneously with the Application to Cancel The Lodges at Mountain View.

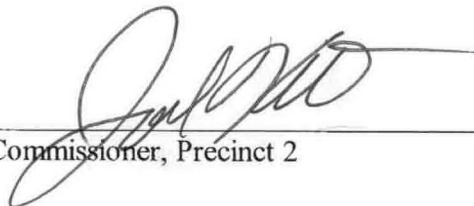
Dated 12-3, 2018



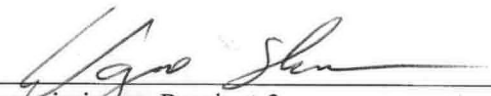
County Judge



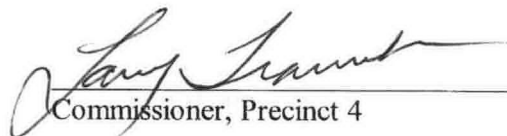
Commissioner, Precinct 1



Commissioner, Precinct 2



Commissioner, Precinct 3



Commissioner, Precinct 4