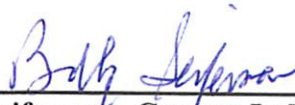


Order to adopt the Subdivision Policy for Matagorda County, as revised, with the Form for Subdivision Amending/Cancelling Form for immediate use

BE IT REMEMBERED, that on this 13th day of November, 2023, the Commissioner's Court of Matagorda County, Texas met in **Regular Session**, with a quorum in attendance, and upon motion duly made by Judge Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to adopt the Subdivision Policy for Matagorda County, as revised, with the Form for Subdivision Amending/Cancelling Form for immediate use.

PASSED IN OPEN COURT this 13th day of November, 2023.



**Bobby Seiferman, County Judge
Matagorda County, Texas**

AGENDA REQUEST
COMMISSIONERS COURT
MATAGORDA COUNTY, TEXAS

For agenda of November 13, 2023

Originating Dept. County Attorney

Date Submitted: November 8, 2023

SUBJECT:

Matagorda County Subdivision Policy

Actions Required:

Consideration and possible action to adopt the Subdivision Policy for Matagorda County, as revised, with the Form for Subdivision Amending/Cancelling Form for immediate use.

MATAGORDA COUNTY SUBDIVISION REGULATIONS

**ADOPTED BY
MATAGORDA COUNTY COMMISSIONERS COURT**

**ADOPTED SEPTEMBER 13, 2004
1ST REVISION: MAY 12, 2008
2ND REVISION: AUGUST 11, 2008
3RD REVISION: November 13, 2023**

SECTION A – GENERAL

1.0 Plat required

- A. According to Local Government Code Chapter 232.001, the owner of tract of land located outside the limits of a municipality who divides the tract into two or more paths to lay out a subdivision of the tract, including an addition; lots; or streets, alleys, squares, parks, or other parts must have a Plat of the Subdivision prepared.
1. A division of a tract under this subsection includes any division, regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.
 2. In accordance with Local Government Code Section 232.0015, a Subdivision Plat is not required if the owner of a tract of land divides that tract into two or more paths and does not lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, square, parks, or other parts, and:
 - a. The land is used primarily for agricultural use as defined by Section I-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use, within the meaning of Section I-d-1, Article VIII, Texas Constitution; or
 - b. The tract is divided into four or fewer parts and the parts are sold, given, or otherwise transferred to an individual who is related to the owner within the third degree of consanguinity or affinity, as determined under Chapter 573, Government Code; or
 - c. All of the lots of the subdivision are more than ten acres in area, provided that each lot has adequate legal access, including road frontage, and where no infrastructure is created, and no roads or public improvements are planned or implemented; or
 - d. All of the lots are to veterans through the Veterans' Land Board program; or
 - e. The tract is owned by the state or other state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state; or
 - f. All of the following apply:
 1. The owner of the tract of land is a political subdivision of the state,
 2. The land is situated in a flood plain, and
 3. The lots are sold to adjacent landowners; or
 - g. One new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of these regulations; or
 - h. All parts of the tract are transferred to persons who owned an undivided interest in the original tract, and a plat is filed before any further development of any part of the tract.

3. If the tract described in Sections 2a, b, c, d, e, f, g, or h ceases to meet the exemption described therein, then platting requirements shall immediately apply.
- B. Subject to exemptions in section A 1.0 A 2a-h, no land shall be divided and sold or conveyed until the Subdivider:
1. Has received approval of a Final Plan of the tract; and
 2. Has filed with the County Clerk, a legally approved plan for recording in the Map Records of the County.
- C. These rules shall apply to land which has been divided on or after September 13, 2004. The former rules/policies apply to land which is divided before such date.
- D. Approval of a Plat by the Commissioners Court shall not be deemed an acceptance of the proposed dedications, if any shown thereon, and shall not impose any duty upon the County concerning maintenance or improvements of any such dedications. The Owner shall remain responsible for all maintenance and repair of streets within a subdivision until the Commissioners Court, by formal written action or order, accepts the obligation to maintain and repair such streets. Acceptance of the road(s) and street(s) into the County Road Maintenance System will only constitute acceptance of roads, streets, bridges, open ditch drainage and their related appurtenances. Matagorda County does not accept or assume maintenance, liability or responsibility of sidewalks, utilities, storm sewer systems or related construction located within public right-of-way.
- E. **Manufactured Home Rental Communities.** A property developed as a manufactured home rental community and not subdivided from another tract as defined in Section A 1.0 of these Regulations is not subject to these subdivision regulations established herein. However, the owner who intends to use the land for a manufactured home rental community must have an infrastructure development plan prepared that complies with the minimum infrastructure standards established in Section A 3.0 of these Regulations. **Manufactured Home Rental Community** is a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as residences.
- F. Before the developer begins showing property to prospective buyers, the developer must post a sign at least 4 feet x 4 feet' at the entrance of the subdivision with the following wording:

The lettering size on the 4'x 4' sign must be a minimum of 3.75" to 4" tall". The developer must also display the same wording on a poster at least 8.5"x 11" on the wall in the subdivision office. The point size on the office sign must be no smaller than 48pt. Both signs must be continuously displayed beginning when work on the subdivision starts and ending six months after the plat is approved by Matagorda County Commissioners Court.

2.0 Plat Processing

- A. Timely Approval of Plats. Plats are to be reviewed in an expeditious manner by the Environmental Services Director. The following establish requirements for timely approval:
1. All documents and other information identified on the Final Plat Submission Checklist of these Regulations shall be provided to the Environmental Services Director.
 2. A Plat Application Fee of \$250.00 for the costs of the county's review of the subdivision plat and inspection of street, road, and drainage improvements described by the plat. This fee does not include filing fees assessed by the Matagorda County Clerk's Office or fees charged by any other entity
 3. If a person submits a Plat application to the Environmental Services Director that does not include all the documentation or other information identified on the Final Plat Submission Checklist, the Environmental Services Director shall, not later than the 15th business day after the date of receipt of the Plat, notify the applicant of the missing documents or other information.
 4. An application that contains all the documents and other information listed on the Final Plat Submission Checklist is considered complete and ready for review.
 5. Final action shall be taken on the Plat application not later than the 60th day after the date the completed Plat application is received by the Environmental Services Director.
 6. If the Commissioners Court disapproves a Plat application, the applicant shall be given a complete list of the reasons for disapproval.
 7. The 60 day period:
 - a. May be extended for a reasonable period, if agreed to in by the applicant and approved by the Environmental Services Director;
 - b. May be extended 60 additional days if a takings impact assessment is required in connection with a Plat application as per Chapter 2007, Government Code; and
 - c. Applies only to a decision wholly within the control of the Commissioners Court.
 7. The Environmental Services Director shall make a determination on Section A2.0 A.6 of whether the 60 day period will be extended not later than the 20th day after the date a completed Plat application is received by the Environmental Services Director.
 8. If the Commissioners Court fails to approve, approve with conditions, or disapprove a Plat application as required by Subchapter 232 of the Texas Local Government Code, then:
 - a. The Commissioners Court shall refund the unexpected portion of the Plat application fee of 50 percent (50%) of the Plat application fee.

- b. The Plat application is granted by operation of law; and
- c. The applicant may apply to district court in Matagorda County for a writ of mandamus to compel the Commissioners Court to issue documents recognizing the Plat's approval.

9. Section A 2.0 of these regulations applies only to a Plat application submitted to the County on or after September 13, 2004. The former rules/policies apply to Plat applications submitted before such date.

B. **Approval Procedure: Conditional Approval or Disapproval Requirements.** If the Commissioners Court or designee conditionally approves or disapproves of a plat application, the Commissioners Court shall provide the applicant a written statement of the conditions for the conditional approval or the reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval. The written statement must be directly related to the requirements of the Texas Local Government Code 232, include a citation to the law, including a statute or order, that is the basis for the conditional approval or disapproval, if applicable, and may not be arbitrary. After the conditional approval or disapproval of a plat application, the applicant may submit to the Commissioners Court or designee that conditionally approved or disapproved the application a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The Commissioners Court or designee may not establish a deadline for an applicant to submit the response.

1. Once the Commissioners Court or designee receives a response under this section, a determination to approve or disapprove the previously conditionally approved or disapproved plat application shall be made no later than the 15th day after the date the response was submitted.
2. A Commissioners Court or designee that conditionally approves or disapproves a plat application following the submission of a response must comply with Section 232.0026 of the Texas Local Government Code and may disapprove the application only for a specific condition or reason provided to the applicant for the original application under that subsection.
3. A Commissioners Court or designee that receives a response shall approve a previously conditionally approved or disapproved plat application if the applicant's response adequately addresses each condition for the conditional approval or each reason for the disapproval.
4. A previously conditionally approved or disapproved plat application is approved if:
 - i. the applicant filed a response that meets the requirements of Texas Local Government Code 232.0028(c) and the Commissioners Court or designee that received the response does not disapprove the application on or before the date required by these regulations.

C. Every Plat shall be duly acknowledged by Owners/Developers, Surveyors and Engineers in the format provided herein and the Plat recorded in the Office of the County Clerk of the County of Matagorda.

- D. The Commissioners Court shall have the authority to renew, approve, issue variance or disapprove of any Plat submitted under this order.
- E. Any developer of a subdivision planned within the extra territorial jurisdiction of the City of Bay City, shall comply with the Agreement Providing for Subdivision Regulation by Bay City within the Extraterritorial Jurisdiction of the City of Bay City recorded in the Matagorda County Commissioners Court Records for October 20, 2003, under Motion I.D. 14-899, in the Office of Matagorda County Clerk. Any developer of a subdivision planned within the extra territorial jurisdiction of the City of Palacios within the Extraterritorial Jurisdiction of the City of Palacios recorded in the Matagorda County Commissioners Court Records for October 20, 2003, under Motion I.D. 14-898 in the Office of the Matagorda County Clerk.
1. Sixty (60) days prior to action requested by the Commissioners Court the Owner/Developer shall submit the following:
 2. A copy of the Subdivision Plat, construction drawings, design information and other pertinent information of the County Commissioners Court in whose precinct the subdivision is proposed.
 3. A copy of the subdivision plat to the County Floodplain Administrator approval concerning flood data.
 4. A copy of the subdivision plat and information required by “ Rules of Matagorda County, Texas for Private Sewage Facilities” to the Matagorda County Health Officer for approval.
 5. After approval has been received from those indicated above the Subdividers/Owner will submit the proposed Plat and the required bonds to the Commissioners Court for their consideration.

A letter from the appropriate drainage district certifying that all drainage district requirements have been met.

- F. After approval by the Commissioners Court and the fulfillment of all the requirements of this Ordinance, the Subdividers/Owners will have an original of the approval plat filed in the office of the County Clerk of the County of Matagorda.

3.0 Plat requirements

- A. Title and Survey: A certification by registered Texas Land Surveyor certifying to the accuracy of the survey and plat. A title opinion by an attorney- at – law, licensed to practice in the State of Texas, who finds the fee simple title to the surface estate of said premises to be vested in the subdivider of his principals.
- B. Form and Content: The plat shall be drawn with ink on 3 mil or greater Mylar material of 18 inches wide and 24 inches long, with margins of not less than one-half inch (1/2”). When more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an approximate scale shall be attached to the plat. The plat shall show the following:
1. Name and address of the Subdivider, record owner Engineer and Surveyor.

2. Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision located within Matagorda County.
3. Name of contiguous subdivisions and other owners of contiguous parcels of unsubdivided land, and an indication of whether or not contiguous properties are platted.
4. Metes and bounds description of the subdivision.
5. Primary control of descriptions, and ties to such control points or descriptions, to which all dimensions, angles, bearings, block numbers and similar data shall be referred.
6. A key location map located in the upper right hand corner of on a cover sheet, showing the location of the subdivision with respect to well-known points, highways, etc., within the county.
7. Subdivision boundary lines, indicated by heavy lines and the computed acreage of the subdivision.
 - a. Existing site as follows: The exact location, dimension, name and description of all existing or recorded streets, alleys, reservation, easements, or other public right-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries.
 - b. The exact location, dimension, description and name of all existing or recorded residential lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision.
 - c. The exact locations, dimension, description and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservations, easements or other rights- of- ways, block, lots, and other sites with the subdivision.
8. The exact location, dimension, description and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservations, easements or other rights-of-way, blocks, lots, and other sites within the subdivision.
9. Date of preparation, scale of plat and North arrow.
10. Scale not less than one inch equals one hundred feet (1'=100').
11. A number or letter to identify each lot or site and each block and street designations.
12. Front building set-back lines on all lots and set-back requirements.
13. All of elevations taken at the center of the lot.
14. Site evaluation in accordance with Texas On-Site Sewage Facilities (Chapter 285, Texas Admin. Code), if not served by Public Sewer Systems.
15. Designated location for potable water wells, septic tanks and drain fields when not provided by an organization disposal system as defined in "Rules of Matagorda County, Texas for Private Sewage Facilities".
16. Permanent Benchmark at the two extremes of the subdivision with the elevation being based on National Geodesic Survey, latest date.
17. Flood plain designation with all lots lower than 100 year Flood Elevation so designated.
18. The final plat must also be submitted in digitized format (using a digitized format approved by the Environmental Health Director).

19. The plat must allow adequate space for clerk's certificate information including:
"Filed in Slide NO. _____ Of the Plat Records of Matagorda County, Texas."

C. Acknowledgments: The following Acknowledgments will be placed on the plat or on the cover sheet if required in the format indicated below. The County Clerk will not accept the plat for filing until all such Acknowledgments have been completed.

1. Owners Acknowledgment

THE STATE OF TEXAS
COUNTY OF MATAGORDA

I, _____ Owner, acting herein individually, do hereby adopt the foregoing plat as a correct subdivision of _____ acres of land out the _____ Survey, Abstract No. _____, in Matagorda County, Texas, and will cause the lots herein shown to be sold and conveyed by lots as shown on this plat, and I hereby dedicate to the use of the public forever all streets, easements, and public places shown for the purpose and consideration herein.

WITNESS MY HAND this _____ day of _____, 20__.

Owner

INDIVIDUAL ACKNOWLEDGMENT

STATE OF TEXAS
County of _____

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 he/she executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office on this _____ day of _____, 20__.

Notary Public, Sate of Texas

OR:

CORPORATE ACKNOWLEDGMENT

STATE OF TEXAS

County of _____

Before me, the undersigned authority, on this day personally appeared _____
President of _____ a corporation, known to me to be the
person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she
executed the same for the purposes and consideration therein expressed, in the capacity therein
stated and as the act and deed of said corporation.

Given under my hand and seal of office on this _____ day of _____, 20 _____.

Notary Public, State of Texas

2. County Clerk Certificate

THE STATE OF TEXAS
COUNTY OF MATAGORDA

I, _____, Clerk of the County Court of Matagorda County, Texas do hereby certify
that the foregoing Plat was approved by the Commissioners Court of said County on the__
____ day of _____, 20 __, as recorded in the Minutes of said Court in Volume _____, Page__
_____.

GIVEN UNDER MY HAND AND SEAL the _____ day of _____, 20 ____.

County Clerk

THE STATE OF TEXAS
COUNTY OF MATAGORDA

I, _____, Clerk of the County of Matagorda County, Texas do hereby certify the
foregoing Plat was filed in my office on the _____ day of _____, 20 __, at _____ o'clock
_____, in Plat File Number _____ of the Plat Records of Matagorda County, Texas.

County Clerk

3. Surveyors Certificate

STATE OF TEXAS

COUNTY OF MATAGORDA

This is to certify that I have platted the above subdivision from an actual survey made of the ground, and that all lots are properly marked with iron rods, and this plat correctly represents that survey made under my supervision.

Registered Public Surveyor
No. _____

- B. Filing fees: A filing fee payable to the County Clerk in an amount shown in the County Clerk's fee schedule, must be paid for each sheet filed.

4.0 Bond Requirement

The Owner/Developer of any subdivisions or an addition outside the corporate limits of any town or city or for laying out suburban lots or building lots and for the purpose of laying out drainage utilities, streets, alleys, parks, shall provide Matagorda County with a good and sufficient bond, irrevocable letter of credit, or cash deposit for the proper construction and maintenance of all such construction affected with such sureties as may be approved by Commissioners Court. In the event a surety bond by a corporate surety is submitted, such bond shall be executed by a surety company authorized to do business in the State of Texas. Such bonds shall be made payable to the County Judge or his successors in office, and conditioned that the owner or owners of any such tract of land to be subdivide will be constructed and maintained for two(2) years any roads or streets within such subdivision in accordance with the specifications promulgated by the Commissioners Court. The sureties shall be in such an amount as may be determined by the Commissioner of the precinct in which the subdivision is sited and shall be set at a minimum of 110% of the estimated cost of constructing such roads, streets, drainage improvements, utilities or other required facilities. All roads, streets, drainage improvements, utilities or other required facilities shall be constructed and completed within one year after approval of the Plat by the Commissioners Court. The bond, irrevocable letter of credit, or cash deposit for the proper construction and maintenance of all such construction shall be made at the time the plat is approved.

5.0 Subdivision Requirements

A. Minimum Lot Sizes

- 1. All lots in a subdivision platted for single family residences with both potable water and sewage disposable facilities provided by onsite units shall contain a minimum useable surface are of one(1) acre of land (easements, right-of-ways, and floodways are not considered useable surface).
- 2. All lots in a subdivision platted for single family residences served with public water system and on lot disposal of sewage shall contain a minimum useable surface area

of one-half acre(21,780 square feet) (easements, right-of-ways, and floodways are not considered useable surface).

3. Single family residences in a platted subdivision served by both public water and public sewage disposal system shall be exempt from the minimum size requirements provided above.
4. All lots for condominium, townhouse or other multi-family developments shall be reviewed by the Commissioners Court to insure adequate property size for parking, fire protection, emergency vehicles or other required services.
5. All mobile home lots shall conform to the same requirements as single family residents contained herein. Unless the lots are located in a Manufactured Home Rental Community.
6. In addition to the minimum required in Items 1-5 above, all lots shall have the minimum requirements as outlined by “rules of Matagorda County, Texas for private Sewage Facilities” and the standards for “Private Sewage Facilities” as published by the Texas Commission on the Environmental Quality, latest addition.

B. Utilities

1. All public utilities serving part or all of any proposed subdivision shall be approved by the appropriate local or State Agency and shall be constructed as shown on the plans.
2. Utility easements shall be a minimum of ten feet (10’) in width and normally located along a property or lot line. It shall be the duty of the developer to insure that all easements are of the proper width and location to serve the using utility companies.

C. Drainage Design

1. Prior to the submission of any plat of a proposed subdivision to the Matagorda County Commissioners Court, the Applicant must submit their plat to the applicable Drainage District for review and written approval prior to submitting the plat to the Commissioners Court for approval.

D. Setback

In areas that lack water lines for fire protection, setbacks from roads and right-of-ways shall be a minimum of 10-feet, setbacks from adjacent property lines shall be a minimum of five feet, and shall not conflict with separation or setback distances required by rules governing public utilities, on-site-sewerage facilities, or drinking water supplies. Setbacks lines required elsewhere in the rules or orders of the county shall to the extent greater setbacks are therein required.

6.0 Streets and Roads

All public roads or street to be conducted in platted subdivisions shall be constructed in accordance with the following design requirements:

1. General:
 - a. All roads and streets to be built upon a minimum right-of-way width of sixty (60) feet.

- b. All drainage ditches, bridges, drainage pipes and water courses shall be designed in accordance with the section entitled Drainage and shall be subject to inspection and approval of Matagorda County prior to any acceptance of any dedication.
 - c. All street cross sections shall conform to the drawings, entitled "Matagorda County, subdivision Roads" as attached.
 - d. When Texas Highways Department Standard Specifications are mentioned it shall mean latest addition.
 - e. To insure compliance with this policy, subdivider will provide copies of lab test results from an approved testing laboratory as required by the commissioner whose in precinct the subdivision is located.
2. All two-course surface treatment Subdivision roads/streets shall conform to the following specifications:
- a. Subbase
 - 1. All subbase for County roads with a plasticity index greater then fifteen (15) shall be stripped of all existing vegetation and line stabilized of six (6) inches with six (6) percent lime will reduce plasticity index to less than fifteen (15). In no case shall less than four (4) percent be utilized.
 - 2. Any subbase with a plasticity index less than fifteen (15) shall be stripped of all existing vegetation, roots, etc., prior to compaction.
 - 3. Lime stabilization shall conform to Texas Highway Department Standard Specifications Item 260, with all lines being added dry unless otherwise approved by the commissioner.
 - 4. Compactions of subbase material shall be provided by sheep foot rollers or other methods approved by the Commissioner to provide a uniform compaction of 95% modified density in accordance with ASTM Standard 1557 at a moisture content between optimum moisture and five (5) percent above optimum moisture.
 - b. Base Material:
 - 1. Base for all County subdivision road/streets shall be flexible base consisting of limestone in accordance with Texas Highway Department Standard Specifications Item 247 type A or gravel base, Item 247 type B that is lime stabilized in accordance with Texas Highway Department Standard Specifications.
 - 2. Thickness of the base material shall not be less than eight (8) inches compacted in place.
 - 3. Compaction of the base material shall be by utilizing the necessary pneumatic, sheep foot or flatwheel rollers to prove a uniform compaction 95% modified density and a smooth, graded surface satisfactory to the Commissioner. Moisture content of the compacted base shall be between optimum moisture and five (5) percent above optimum moisture.
 - c. Two Course surface Treatment:
 - 1. Primer coat for County subdivision roads/streets shall be MC-30 Cutback asphalt in accordance with Texas Highway Department

- Standard Specifications Item 300 and installed in accordance with Item No. 310 at rate of 0.20 to the full width of the base material.
2. Asphalt used for the first and second "Tack Coat" shall AC-5 in accordance with Texas Highway Department Standard Specifications Item 300 with installation in accordance with Item 310, at the rates indicated below.
 3. Aggregation for surface treatment shall be pre-coated Natural Limestone Type PE in accordance with Texas Highway Department Standard Specifications Item 304 with installation in accordance with Item 322 at the rates indicated below.
- d. Rates:
- | | | | |
|------------------------|--------------|------------------------|--------------|
| Course 1 st | Rate | Course 2 nd | Rate |
| Asphalt AC-5 | .25gals/s.y. | AC-5 | .20gals/s.y |
| Aggregate #3PE | 1:75C.T:S.Y. | #4PE | 1:95C.Y:S.Y. |

3. All Asphalt Concrete (HMAC) and Portland Cement Concrete Pavement (PCC) Subdivision roads/streets shall conform to the following specifications:
 - a. Pavement Design Requirements - All streets shall be constructed on a compacted or stabilized subgrade, and shall consist of a base layer and hot mix asphaltic concrete (HMAC) surface layer, and/or a portland cement concrete (PCC) pavement, designed by an engineer. All streets and roads must meet minimum design requirements regarding subgrade, base and pavement; but additional subgrade, base and pavement may be required depending on the engineering design, environmental conditions, and specific criteria. All major collectors, minor and major arterial streets shall be designed by an engineer using the AASHTO Guide for Design of Pavement Structures. This design procedure is available in hard copy from American Associates of State Highway and Transportation Officials and in automated form (DARWin® program) available from AASHTOW are. Although the pavement section for each street should be designed for its specific conditions and uses, the following tables summarize the minimum criteria to be used for the pavement thickness design process. Table A.1 summarizes minimum traffic levels. Table A.2 summarizes general pavement design criteria.

Table A.1 Summary of Minimum Design Traffic Requirements

Traffic Parameter	Residential Local	Residential Collector	Major Collector	Minor Arterial	Major Arterial
Min. Two-way Design ADT	800	800	2,500	12,500	24,000
Min. ADT Growth Rate, %/year	3	3	3.5	3.5	4
Min. Percent Heavy Trucks, %/day	2	2	3	3.5	4
18-kip ESAL Truck Factor-Rigid Pvt	0.46	0.58	0.58	0.66	0.97

18-kip ESAL Truck Factor –Flexible Pvt	0.4	0.53	0.53	0.62	0.84
--	-----	------	------	------	------

Table A.2 Summary of General Pavement Thickness Design Parameters

Design Parameter	Residential Local	Residential Collector	Major Collector	Minor Arterial	Major Arterial
Initial Serviceability	4.2	4.2	4.2	4.2	4.2
Terminal Serviceability	1.5	2	2.5	3	3
Reliability Level	80	80	85	85	90

The following tables (A.3 and A.4) include parameters broken down into urban and rural. For the minimum thicknesses recommended in these tables, designs were performed with DARWin® assuming the subgrade strength, resilient modulus value, was 4,000 psi. The minimum PCC thickness of 6 inches is based on past experience. The minimum subgrade thickness is interpreted as moisture controlled compacted or stabilization determined for site-specific conditions.

Table A.3 Summary of Urban Street Pavement Thickness Requirements

Design Parameter – Urban Conditions	Residential Local	Residential Collector	Major Collector	Minor Arterial	Major Arterial
Min. PCC Thickness (in.)	6	6	7	8	10
Min. Subgrade Thickness (in.)	8	8	10	10	12

Table A.4 Summary of Rural Street Pavement Thickness Requirements

Design Parameter – Rural Conditions	Residential Local	Residential Collector	Major Collector	Minor Arterial	Major Arterial
Min HMAC Thickness (in.)	3	3	3.5	3.5	4
Min. Flexible Base Thickness (in.)	8	8	10	10	12
Min. Subgrade Thickness (in.)	8	8	10	10	12

- b. **Material Testing Requirements** - Construction materials and operations shall be under controlled testing and inspection by a recognized laboratory. A recognized laboratory means that the laboratory must be accredited by the American Association for Laboratory Accreditation (A2LA) in the field of construction materials testing. All laboratory personnel shall be NICET approved and certified, Level II minimum for soils and ACI approved and certified for concrete. Testing costs will be paid by the property owner and/or developer.

Upon completion of the work and prior to acceptance by the County, the recognized laboratory shall submit to the County Commissioner

a written certification sealed by an engineer, certifying that all construction materials and operations as specified above were under controlled testing and inspection by the laboratory and same complies with all specifications applicable to the project.

c. Testing Requirements for Flexible Base Pavement – Thickness of flexible base pavement shall conform to requirements provided in Table A.4.

Subgrade - Densities shall be made on each 300 linear feet or less as conditions may require and 95% modified proctor density (ASTM 1557) shall be uniformly achieved.

In the event of rainwater standing on the subgrade after the densities are made, or other conditions beyond property owner and/or developer's control, additional densities as specified above will be required prior to progressing with the work.

In no case shall there be less than three (3) density tests made for each day's activity and there shall be a minimum of three (3) density tests made for each street, unless approved otherwise by the County.

The contractor is required to have subgrade density test reports in his possession at the construction site at the time of placement of base material. Date of same shall be clearly marked.

Base Materials - Approved base material shall be spread and uniformly compacted to 95% modified proctor density (ASTM 1557) prior to commencing surfacing. Testing shall be done in accordance as set out above.

Surfacing - Surfacing shall be in accordance with Appendix N.

Roadway – Roadway sections shall conform to provisions contained in Tables A.1, A.2, A.3, A.4 and Appendices N and Q.

All applicable portions contained herein shall be strictly followed without exception.

d. Testing Requirements for Concrete Pavement

Subgrade – Densities shall be made on each 300 linear feet or less as conditions may require. Preparation of the subgrade shall be in accordance with applicable County specifications and TxDOT Specification Item No. 260 or 275. A minimum of 95% modified proctor density (ASTM 1557) shall be uniformly achieved. Gradation shall be 1¾ inches – 100%, ¾ inches – 85%, No. 4-60%. In the event of excessive rain water standing on the subgrade after densities are made and before concrete is placed on the prepared subgrade or other conditions beyond contractor's control, additional

densities as specified above will be required prior to placement of the concrete.

In no case shall there be less than three (3) density tests made for each day's activity and there shall be a minimum of three (3) density tests made for each street, unless approved otherwise by the County. The contractor is required to have density test reports in his/her possession at the construction site prior to placement of concrete. Date of same shall be clearly marked.

Concrete Test Requirements (General) - The testing laboratory shall review the mix design for each project. Proportioning of concrete shall be in accordance with all applicable portions of the TxDOT Specification Item No. 360, "Concrete Pavement."

Unless otherwise permitted, the concrete mix design shall be proportioned to provide a slump of 4"+1" when tested. A slump test will be made for each new concrete load or when consistency of the mix changes, at the point of discharge.

The laboratory shall inspect and confirm batch design proportions at the plant site each day prior to placement of that day's concrete. Pavement mix designs shall meet compressive strength requirements of 4000 psi at 28 days.

Traffic will not be allowed until 3500 psi is achieved.

Testing Requirements (Cylinders) - A minimum of four (4) cylinders shall be made for each 750 square yards, or less, of pavement placed each day. Samples are to be taken and molded and cured in accordance with TxDOT standards. Any deviations from these requirements shall be recorded on the test report.

Test specimens in accordance with TxDOT standards are as follows: One (1) specimen shall be tested at seven (7) days and two (2) shall be tested at 28 days. The acceptance test results shall be the average of the strengths of the two (2) specimens tested at 28 days. If one (1) specimen in a test manifests evidence of improper sampling, handling, molding or testing, it shall be discarded and the strength of the remaining specimens shall be considered the test result. Should both specimens manifest evidence of any of the above defects, the entire test shall be discarded and cores from the area in question may be required by the County in accordance with "Method of Obtaining and Testing Drilled Cores and Sawed Beams of Concrete" (ASTM C42). These cores and tests will be at the expense of the property owner and/or developer. If the average seven (7) day break and the 28 day breaks do not meet minimum requirements, even though

evidence of improper procedures are not apparent, the County Engineer may, again, require cores from the area in question in accordance with ASTM C42.

In the event low strength concrete is confirmed, pavement in the area in question will not be accepted.

Concrete Test Requirements (Cores) - After pavement has been in place for a minimum of 14 days, one (1) core shall be taken for each 1000 square yards of pavement, or portions thereof, except that not less than one (1) core shall be taken on each street. Cores shall be taken alternately in each one-half section of the pavement in order to obtain a representative sample for thickness. Location of cores shall be selected by the County Engineer.

Paving Thickness: Pavement thicknesses contained herein and in the Pavement Design Section are minimums. Therefore, there will not be any tolerance for pavement that is too thin, or less than plan requirements. However, in the event pavement thickness is less than plan requirements, the following shall apply:

The thickness of individual cores shall be determined in accordance with ASTM C174 by averaging no less than three (3) such measurements. Any core with thickness equal to or greater than 1/4 inch less than the thickness shown on the approved drawings shall be considered one of deficient thickness. Cores drilled for thickness measurements shall be a minimum of 4 inches in diameter.

If a core is determined to be deficient in thickness, additional cores shall be taken at 10-foot intervals on either side of the deficient core to establish the length of the deficient section. The length of the deficient section shall be the distance between the nearest cores of satisfactory thickness, and the width shall be the entire width of the pavement. That pavement shall be removed and replaced with concrete that meets or exceeds requirements. This shall be done at the cost of the property owner and/or developer.

Defective Concrete: Any defective concrete discovered, after the forms have been removed, shall be removed immediately and replaced. If the surface of the concrete is bulged, uneven, shows excessive honeycombing, or form marks, which the developer's engineer and the County Engineer determine cannot be repaired satisfactorily, the entire section shall be removed or renewed in a manner which is satisfactory to the County.

Cores shall be broken at minimum 28 days in accordance with ASTM C42. A minimum compressive strength of 4000 psi is required. In

the event low strength concrete is confirmed, pavement represented by the sample will not be accepted.

Thickness shall conform to minimum requirements contained in Table A.3. In the event minimum thickness is not attained, pavement will not be accepted.

If a core fails to meet minimum strength requirements, additional cores may be required by the County Engineer and tested in accordance with the procedures outlined in ASTM C42.

- e. Testing Requirements (Structures) - Bridges and box culvert testing shall be in accordance with TxDOT Specification Item No. 420 "Concrete Structures" and other TxDOT specifications, as they apply.

Copies of all test reports are to be submitted to the County Commissioner in an expeditious manner.

- 4. All of the above road requirements are minimum specifications with approval of commissioners court. Specifications for a given road may be increased by the County Commissioner as warranted.

7.0 Amendment or Cancellation of Subdivision

- A. A person owning real property in this state that has been subdivided into lots and blocks or into small subdivisions may apply to the Commissioners Court for permission to cancel all or part of the subdivision, including a dedicated easement or roadway, to reestablish the property as acreage tracts as it existed before the subdivision. If, on the application, it is shown that the cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision, or it is shown that the purchaser agrees to the cancellation, the commissioners court by order shall authorize the owner of the subdivision to file an instrument canceling the subdivision in whole or in part. The instrument must describe the subdivision or the part of it that is canceled. The court shall enter the order in its minutes. After the cancellation instrument is filed and recorded in the deed records of the county, the County Tax Assessor-Collector shall assess the property as if it had never been subdivided.
- B. A person filing a partial cancellation or full cancellation of a subdivision shall submit a fully completed Application for Cancellation of a Subdivision, along with the applicable filing fee of \$250.00, fees for the publication costs, fees payable for tax certificates, as well all required documentation, to the Commissioner upon who's jurisdiction the property is located within. The Commissioner shall then submit the Application for Cancellation of a Subdivision to the Commissioners Court for consideration.
- C. The Commissioners Court shall first accept the Application for Consideration, Set a date for setting of the Public Hearing on the Application of Cancellation of a Subdivision, and authorize the publishing of a Notice of an Application of the Proposed Cancellation Application for at least three weeks prior to the date of the Public Hearing if the Public

Hearing is the same date upon which the Commissioners Court shall also take action in a regular session regarding the Application.

- D. On application for Cancellation of a subdivision or any phase or identifiable part of a subdivision, including a dedicated easement or roadway, by the owners of 75 percent of the property included in the subdivision, phase, or identifiable part, the Commissioners Court by order shall authorize the cancellation in the manner and after notice and a hearing as provided by Local Government Code 232.008(b-c). However, if the owners of at least 10 percent of the property affected by the proposed cancellation file written objections to the cancellation with the court, the grant of an order of cancellation is at the discretion of the court.
- E. A person owning real property in the subdivision may apply to the Commissioners Court for permission to cancel an existing subdivision plat in whole or part and to reestablish the property using lots and blocks descriptions that, to the extent practicable, are consistent with the previous subdivision plat if a plat has been filed for 75 years or more, the most recent plat describes at least a portion of the property as acreage tracts, or a previous plat described at least a portion of the property as lots and blocks; and the County Tax Assessor-Collector lists the property in the subdivision on the tax rolls based on the description in the previous plat and assesses taxes on the basis of that description.
- F. After notice and hearing, the commissioners court may order the cancellation of the existing subdivision plat and the reestablishment of the property in accordance with the application submitted if the court finds that:
 - (1) the cancellation and reestablishment does not interfere with the established rights of:
 - (a) any owner of a part of the subdivision; or
 - (b) a utility company with a right to use a public easement in the subdivision; or,
 - (c) each owner or utility whose rights may be interfered with has agreed to the cancellation and reestablishment.
 - (d) The commissioners court shall publish notice of an application for the cancellation and reestablishment. The notice must be published at least three weeks before the date on which action is taken on the application and must direct any person who is interested in the property and who wishes to protest the proposed cancellation and reestablishment to appear at the time specified in the notice. The notice must be published in a newspaper that has general circulation in the county.
 - (e) If the commissioners court authorizes the cancellation and reestablishment, the court by order shall authorize the person making the application under this section

to record an instrument showing the cancellation and reestablishment. The court shall enter the order in its minutes.

8.0 Variances

- A. The Matagorda County Commissioners Court shall have the authority to grant variances from these Regulations when the public interest or the requirements of justice demands relaxation of the requirements of these regulations.
- B. Any person who wishes to receive a variance should apply to the Precinct Commissioner, using the Matagorda Variance Request Form, who will place the matter on the agenda of the Commissioners Court and present it with his or her recommendation whether the variance should be granted, along with an application fee of \$250.00.
- C. The decision of the Court whether to grant or deny a variance is at its complete discretion, and will be final.
- D. Matagorda Variance Requests forms are available through the Office of the Matagorda County Attorney.

SECTION B

1.0 Manufactured Home Rental Communities

- A. In accordance with Local Government Code Section 232.007, an Infrastructure Development Plan (IDP) is required for all manufactured home rental communities, as defines in Section A 1.0 E of these regulations.
 - 1. The development shall have a minimum of sixty (60) feet fronting a street or roadway which has been previously dedicated to the public for the public's use and benefit as a street or roadway. Access roads to the individual rental spaces must be constructed and paved to a minimum width of 25 feet with a 1 1/2 inch thick Hot Mixed Asphaltic Concrete (HMAC) paved surface or Two Course Surface Treatment as in sections 6.2c and 6.2d. 8 inch thick crushed stone base, and, if located in clay or sandy soils, a 6 inch thick treated subgrade as in 6.2a and 6.2b.
 - 2. No space may contain more than one single family residential unit. No common driveways shall be allowed. Each space shall have a separate and individual access
 - 3. A survey of the property shall be submitted to the Environmental Services prior to the request by the owner or occupier of the lot for any permit and/or utility services.

4. The owner shall submit a letter of application, signed by the owner that stipulates the intention of the owner; name, address, phone number of the owner; names of water and electricity providers; and name of wastewater provider or type and usage of onsite sewage facilities.

B. The Manufactured Home Rental Community Infrastructure Development Plan (IDP) shall show at a minimum the following:

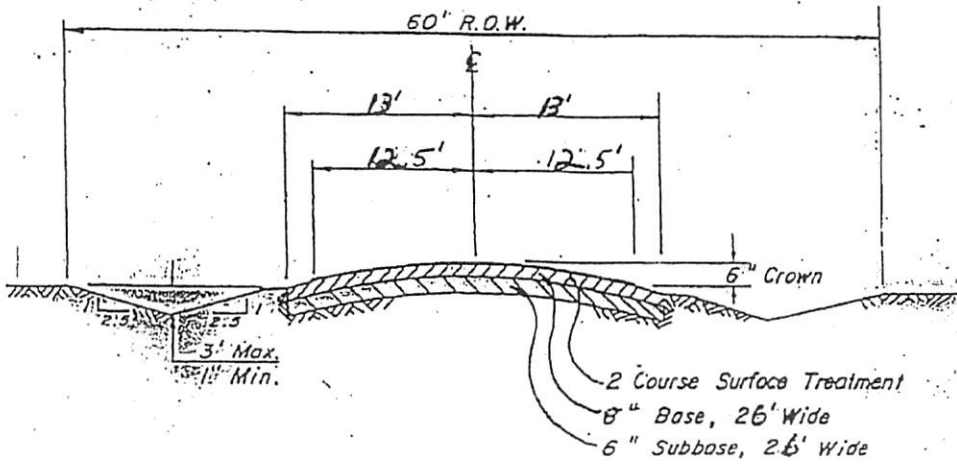
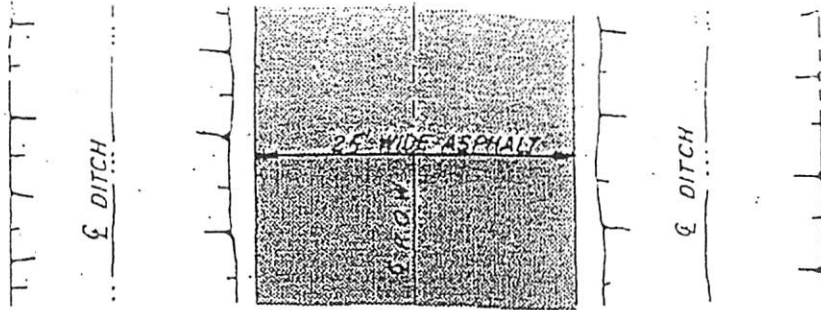
1. Only 18" x 245" sheets will be acceptable at a minimum scale of 1" = 200' (1" = 100' preferred), or as approved by the County Clerk. An index on the first sheet is required when more than two sheets are required for the IDP.
2. Names, locations, dimensions (bearing and instances), and layouts of existing and proposed streets, alleys, easements, and other public right-of-ways and public/private encumbrances (deed restrictions, etc.) on the property and any proposed street right-of-way, easement, alley, park, or other public dedication.
3. Dimensions, bearings and distances, of the proposed rental spaces.
4. Signatures and date of approval and certifications on the IDP. These approval signatures shall be not more than six (6) months prior to the submission. Examples of the required Acknowledgments and certifications are as contained in the exhibits attached hereto.
5. Legal description, acreage, and name of the proposed Development. The Development's name shall not be spelled or pronounced similarly to the name of any existing Development or Subdivision within the County.
6. The boundary of the Development indicated by a heavy line and described by bearing and distances.
7. Scale, legend, north arrow, spot elevations on 100' or an appropriate grid, with two foot (2.0') contour lines. Alternate contour intervals may be submitted, baes on terrain, with approval from the Environmental Services Department.
8. Deed record, name of owner, volume and page number of adjoining properties.
9. Dates of survey and preparations of IDP.
10. Identification code, location, description, and elevations of the USGS or appropriate benchmark used in the survey.
11. Front building setback lines. Back and side building setback lines by note.

12. Location of any City's corporate limit line or extra territorial jurisdiction line if applicable.
13. Vicinity map with streets, ditches, general drainage flow directions to the ultimate outfall, city limits and ETJs, and other major land features.
14. Net area (gross area less easements) of rental spaces to the nearest 1/100 of an acre for lots using On Site Sewage Facilities and/or well water.
15. Limits of flood hazard areas as defined by the appropriate FEMA FIRM panel and the proposed finished floor elevation of buildings within these flood hazards areas on each space.
16. A certification by a Surveyor or Engineer describing any area of the Development that is in a Floodplain or stating that no area is in a Floodplain, as delineated by the appropriate FEMA FIRM panel date.
17. A surveyor's signature and seal on the IDP for certification.
18. The description of the water and sewer facilities, electricity and gas utilities, and roadways and easements dedicated for the provision of water and sewer facilities that will be constructed or installed to serve the Development and a statement of the date by which the facilities will be fully operable, prepared by an Engineer (may be included in an attached document). A Certificate must be included that the water and sewer facilities described by the IDF, or document attached to the IDP, are in compliance with these Regulations.
19. Approvals by other regulatory and governing bodies, as required.

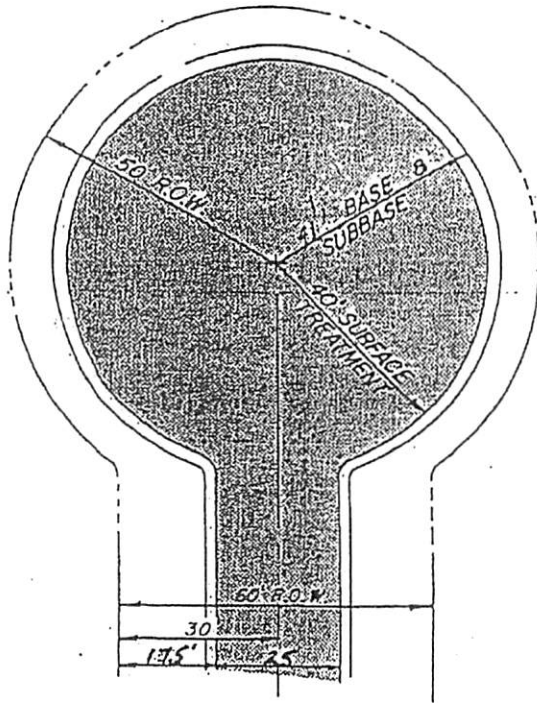
C. The IDP submission shall also include the following documents:

1. Letters signed and dated from water, wastewater, and electric utilities of service commitment and availability and statement of approval existing and proposed utility easements, or letter of certification as required by the Environmental Services Director.
2. A tax certificate showing that all taxes currently due with respect to the original tract have been paid.
3. Results of soils analysis certified by a qualified site evaluator (as defined by 30 TAC Chapter 285) for on-site sewage facilities (OSSF).
4. Engineering Design Construction Plans for roadway to each rental space for fire and emergency vehicles.

5. Drainage design plans to ensure adequate drainage off of the rental spaces to drainage channels and out of the Development, including the design of drainage structures, culverts, and/or systems using a 10 year storm frequency, such that the drainage out of the Development does not have negative drainage impact on neighboring properties. If additional right of way (ROW) is required for existing County road drainage and access as determined by the Commissioners Court to achieve a 60 foot wide Right of Way or to meet requirements of Section 3A.
 6. The Engineering Report, as describes in Section A4.0 of these Regulations.
- D. Inspection of Improvements. Construction of a proposed Manufactured Home Rental Community may not begin before the date the Environmental Services Director approves the IDP. Periodic inspection of improvements may be required, as directed by the Environmental Services Director. If the Environmental Services Director directs that a final inspection is required it must be completed not later than the second business day after the date the Environmental Services Director receives a written confirmation from the owner that the construction of the infrastructure is complete. If the inspector determines that the infrastructure improvements comply with the IDP, then the Environmental Services Director shall notify the developer.
- E. Timely Approval of Infrastructure Development Plans. Not later than the 60th day after the date the owner of a proposed manufactured home rental community submits an infrastructure development plan for approval, the Environmental Services Director shall approve or reject the plan in writing, If the plan is rejected, the written rejection must specify the reasons for the rejection and the actions required for approval of the plan. The failure to reject a plan within the period prescribed herein constitutes approval of the plan.

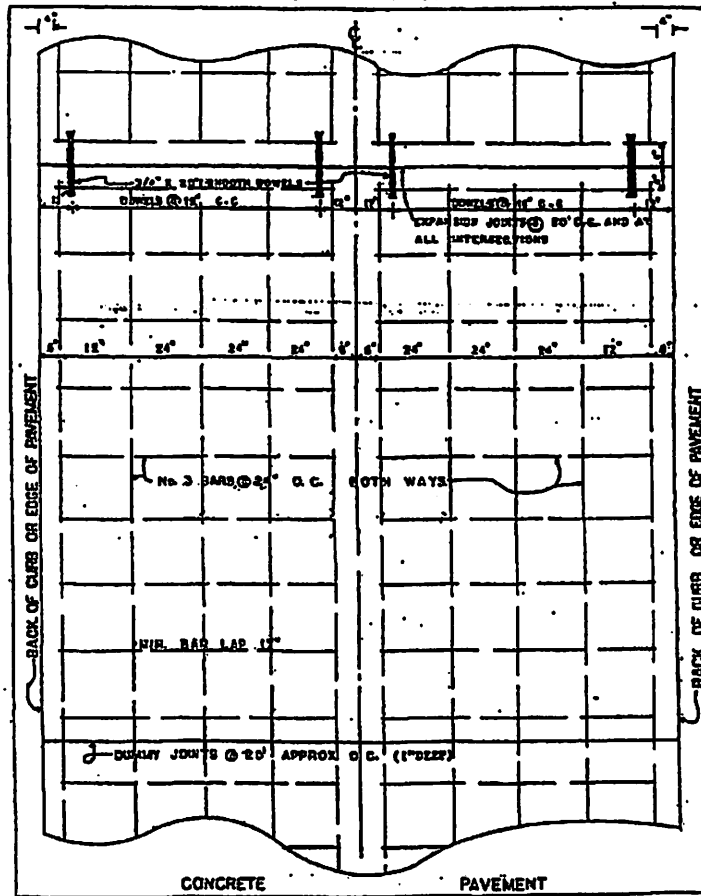


TYPICAL COUNTY
SUBDIVISION
ROAD SECTION
MATAGORDA COUNTY



TYPICAL CUL-DE-SAC

25' minimum



Plat Acknowledgments- (Required)

(Per Commissioners Court Minutes Vol. 8 Page 419)

Acknowledgements: The following acknowledgements will be placed on the plat or on the cover sheet if required in the format indicated below. The County Clerk will not accept the plat for filing until all such acknowledgements have been completed.

1. Owners Acknowledgment

THE STATE OF TEXAS §
COUNTY MATAGORDA §

I, _____ Owner, acting herein individually, do hereby adopt the foregoing plat as a correct subdivision of _____ acres of land out the _____ Survey, Abstract NO. _____, in Matagorda County, Texas, and will cause the lots herein shown to be sold and conveyed by lots as shown on this plat, and I hereby dedicate to the use of the public forever all streets, easements, and public places shown for the purpose and consideration herein.

WITNESS MY HAND this _____ day of _____, 20____.

Owner

2. Individual acknowledgment

THE STATE OF TEXAS §
COUNTY MATAGORDA §

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 he/she executed the same for the purposes and consideration therein expressed.

GIVEN MY HAND AND SEAL of office on this _____ day of _____, 20____.

Notary Public, Sate of Texas

Office of County Clerk Matagorda County

1700 Seventh Street, Room 202

Bay City, Texas 77414-5094

(979)-244-7680

Requirements to file a Plat

To comply with state statues and/or ensure archival quality plat records the following items are required to file a plat:

1. Plat size shall be no larger than 18" x 24"
2. One 8^{1/2}" x 14" Reduced Copy of Plat to be filed with Bond in Real Property Records
3. All drawings, printing and signatures must be in permanent black ink
4. 3 mil or greater mylar material- matte finish on both sides
5. An engineering or surveying firms must prepare the plat. We will not accept architectural plans
6. Require engineering or surveying firms= name and address and the engineer= s or survey=s signature and seal
7. Owner=s printed name and notarized signature
8. Key Map reference
9. Provide two (2) or more originals of each plat page. One (1) original will be retained by the county clerk=s office for official use, the remaining will be returned to the filer.
10. Provide adequate space for the clerk=s certificate information including: A Filed in slide No. _____ of the Plat Record of Matagorda County, Texas (volume and page are not used as the clerk=s file reference number)
11. Municipal approved plats must include the following or similar wording: All of the property subdivided in the foregoing plat is within the incorporated boundaries of the City of _____, Texas
12. Current original tax certificates from all the property=s taxing entities. A letter from the person or company filing that lists all taxing entities and sates it is a complete list. The signer must print their name and title under their signature
13. Application Fee
14. Filing fee payable to the Matagorda County Clerk is \$121.00 for the first plat page and \$100.00 each additional plat page; due at the time of filing
15. **Plats should be submitted to the County Clerk for review to confirm meeting plat requirements before the plat is submitted to the County Commissioners Court or City Council**

Note: A plat will be rejected if any of the above requirements are not met.

**For Information On All
Required Permits & Building
Regulations Contact
Matagorda County
Environmental Health
979-244-2717**

COUNTY OF MATAGORDA

**SUBDIVISION PLAT APPLICATION
AMENDING/CANCELLING PLAT**

This section for staff use:

Date / Time Received

Initials

Instructions: Complete or indicate as Not Applicable (NA) all items.

SECTION I.

a. EXISTING SUBDIVISION PLAT BEING AMENDED, including recording information: _____

b. PROPOSED AMENDING PLAT TITLE: _____

c. Total acreage of lots: _____

d. Total number of lots: _____

CONTACTS:

Property Owner(s): _____

Email: _____

Phone: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Applicant/Authorized Agent: _____

Email: _____

Phone: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

SECTION II.

APPLICATION REQUIREMENTS

Review fees for this plat application is \$250.00. Recording fees will be collected prior to plat approval.

- a. **Application Form** (this form, completed and signed)
- b. **Proposed Plat**--5 paper copies (18" x 24") -OR- 2 paper copies plus 1 high quality PDF copy on disk
- c. **Recorded Deeds** (copies) indicating current ownership of all property within plat boundary
- d. **APPROVAL signed by Matagorda County Environmental Department**
- e. **Tax Certificates**--sealed by Tax Office--showing current year's taxes paid in full (ORIGINAL--no copies)
Additional documentation of property tax payment may be required after Sept. 1 of any given year, per Property Code § 12.002(e).
- f. **Lienholder Acknowledgement** (ORIGINAL--no copies) -OR- letter stating "no liens on plat property"
- g. **Property Owner's Statement regarding Subdivision Covenants & Restrictions** (plus POA/HOA correspondence, if applicable)

I affirm that I have provided all information required for my plat type and that this submission constitutes a complete plat application. I understand that within 10 business days of receipt of this application, Matagorda County will notify me of any missing documents and/or information necessary to complete this application. Furthermore, I consent to the online posting/public release of my email address associated with this plat application.

Applicant Signature	Printed Name	Date
---------------------	--------------	------

Property Owner(s) Signature(s)	Printed Name(s)	Date
--------------------------------	-----------------	------

LIENHOLDER ACKNOWLEDGEMENT

I/We, _____ (mortgagee(s)),
owner(s) and holder(s) of a lien (or liens) against the property described in the plat known as

said lien(s) being evidenced by instrument(s) of record in Document(s) No. _____
of the Official Public Records of Matagorda County, Texas, do hereby in all things subordinate to
said plat said lien(s), and I/we hereby confirm that I am/we are the present owner(s) of said
lien(s) and have not assigned the same nor any part thereof.

The lienholder acknowledges that a foreclosure of said lien(s) will require the preparation of a subdivision plat if the foreclosure results in a division of a tract of land, pursuant to applicable state, county, and municipal regulations. The lienholder also acknowledges that the foreclosed tract may not comply with applicable subdivision regulations without significant modification, additional access, or other requirements.

By: _____
(Signature(s) of Lienholder(s))

(Name(s) and Title(s), printed)

STATE OF _____ §

COUNTY OF _____ §

Sworn to and Subscribed before me by _____

on the _____ day of _____, 20_____.

(Notary)

seal

(Printed name)

Property Owner's Statement regarding Subdivision Covenants and Restrictions

Please check the appropriate box below and enter the subdivision name.

1. I am aware that this proposed amending plat within _____ (subdivision)
is regulated by covenants and restrictions; AND
- the proposed amending plat does not attempt to remove recorded covenants or restrictions; AND
 - I have attached correspondence from the subdivision's Property/Home Owners Association confirming the above statement.

2. I am aware that this proposed amending plat within _____ (subdivision)
is regulated by covenants and restrictions; AND
- the proposed amending plat does not attempt to remove recorded covenants or restrictions; AND
 - no active Property/Homeowners Association exists for said subdivision.

3. (a) This proposed amending plat is within _____ (subdivision); AND
- no recorded covenants or restrictions exist for said subdivision.

I affirm that the statements that I have marked above are true and correct to the best of my knowledge.

Signature of Property Owner/Authorized Agent

Date

Printed name (and relationship, if not property owner)

NOTES required on Amending Plats*

1. In accordance with the Texas Local Government Code, Chapter(s) 232.0095 and/or 232.011, the purpose(s) of this Amending Plat is/are to relocate the lot line(s) between adjacent Lots _____, and/or to _____ (purpose(s) from list on next page under Chapter 232.011, if applicable).
2. Property Owner(s): _____, Lot(s) _____
Lienholder: (Name & Address, or "None")
Deed of Trust (or Warranty Deed with Vendor's Lien) Doc. # _____,
Matagorda County Official Public Records

Lienholder Acknowledgment Doc. # _____ (Leave blank, to be entered at time of plat recording.)
3. (Enter additional owner(s) & lienholder(s) information, as above, if applicable.)
4. Date of plat preparation: _____

Place the following note prominently under the plat title:

This Amending Plat controls over the preceding plat, (Plat Title), recorded in (Volume & Page/Document#, Matagorda County Map & Plat Records), without the vacation, revision, or cancellation of the preceding plat.

**Notes from the plat being amended are not necessary. The original plat notes remain in effect, per the statement above.*