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SEP 10 2019

JENNIFER LINDENZWEIG  
County Clerk, Hunt County, TX  
By: *J. Lindenzweig*

**COMPLETION AND SETTLEMENT AGREEMENT**

This Completion and Settlement Agreement (“Agreement”) is made by and between Hunt County, Texas (the “County”) and Bond Safeguard Insurance Company (“Bond Safeguard”) and is effective this 10 day of September, 2019.

**RECITALS**

- A. The County and Lone Oak Land Development Company, L.P. (“Lone Oak”) entered into a certain improvement agreement (the “Improvement Agreement”) in connection with the housing subdivision commonly known as the Villages at Lone Oak located in Hunt County (the “Subdivision”). The Improvement Agreement, among other things, required Lone Oak to construct certain site improvements (collectively “Public Improvements”) on the Subdivision;
- B. The Improvement Agreement required Lone Oak to provide surety bonds in connection with the Public Improvements. Lone Oak procured: (a) bond 5014105 in the penal sum of \$696,593.00, which was issued by Bond Safeguard, as surety, on behalf of Lone Oak, as principal, and the County, as obligee, the penal sum of which was reduced to \$352,248.48; and (b) bond 5021412 in the penal sum of \$125,000, which was issued by Bond Safeguard, as surety, on behalf of Lone Oak, as principal, and the County, as obligee; and (c) bond 5017147 in the penal sum of \$159,305.30, which was issued by Bond Safeguard, as surety, on behalf of Lone Oak, as principal, and the County, as obligee; and (d) bond 5021413 in the penal sum of \$209,591.74, which was issued by Bond Safeguard, as surety, on behalf of Lone Oak, as principal, and the County, as obligee; and (e) bond 5024062 in the penal sum of \$225,972.56, which was issued by

*[Signature]*  
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Bond Safeguard, as surety, on behalf of Lone Oak, as principal, and the County, as obligee (collectively the “Bond”);

- C. The County has declared Lone Oak in default of the Improvement Agreement alleging that Lone Oak has failed to complete certain Public Improvements;
- D. The County made a claim against the Bond for the completion of the Public Improvements; and
- E. The County and Bond Safeguard have worked together to prioritize the work remaining to be completed and have agreed that Bond Safeguard shall complete the improvements set forth in **Exhibit “A,”** attached hereto and made a part hereof as if set forth in full (hereinafter “Scope of Work”).

#### A G R E E M E N T

NOW, THEREFORE, in consideration of the terms and conditions set forth in this Agreement, and for other good and valuable consideration, the receipt and adequacy of which is acknowledged, the County and Bond Safeguard agree as follows:

- 1. The Recitals are incorporated herein.
- 2. Bond Safeguard shall complete the work as described and outlined in the Scope of Work (a copy of the Scope of Work is attached hereto as **Exhibit “A”**) and in accordance with the regulations as set forth in the Hunt County Subdivision Rule and Regulations as adopted and in force on the date the surety bonds for Public Improvements were procured by Lone Oak, a copy of said Hunt County Subdivision Rules and Regulations are attached hereto as **Exhibit “B.”**

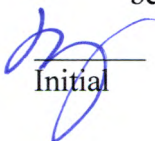
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3. Bond Safeguard shall hire a contractor to complete all items under the Scope of Work and in accordance with the regulations as set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak.

4. The Scope of Work shall be completed on or before December 15, 2019 (the "Completion Date"). In the event that the construction of the work is interrupted or prevented by acts of God, acts of war or rebellion, labor disturbances (other than those caused by Bond Safeguard or its contractor), acts of Government or governmental officers or any cause beyond the control of Bond Safeguard, the time for completion shall be extended by an amount of time equal to the number of days of delay.

5. Bond Safeguard's contractor will be submitting to the County lists of work items at intervals to be determined in the agreement between Bond Safeguard and its contractor. Each list of work items will show the contractor's calculation of the percentage of work completed for each portion of the Scope of Work as of the end of the period covered by the list of work items. Within four (4) business days of receipt of the contractor's list of work items, the County shall inspect the contractor's work covered by the list of work items to determine whether or not the contractor's work has been completed in accordance with the regulations set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak, and shall either:

a. Issue written approval of the contractor's list of work items to the contractor and Bond Safeguard, which approval shall constitute a representation by the County to Bond Safeguard, based upon the County's inspection of the work, that to the best of the County's knowledge, information and belief, the work has progressed to the

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point indicated in the list of work items, and the quality of the work is in accordance with the requirements of this Agreement and Scope of Work; or

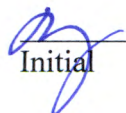
b. If in the County's opinion the representations to Bond Safeguard as stated in sub-paragraph (a), above cannot be made, the County will notify the contractor and Bond Safeguard in writing of its reasons for withholding approval of the list of work items, in whole or in part.

i. At such time as the contractor has corrected the reasons for the County's failure to approve the list of work items, the contractor shall notify the County and the County shall re-inspect the work within four (4) business days of receiving said notification.

ii. Upon completion of said re-inspection, the County shall either issue its approval or advise Bond Safeguard and the contractor in writing of its reasons for withholding approval in the manner set forth in subparagraphs (a) and (b), above.

6. Upon completion of the Scope of Work in accordance with the regulations as set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak as provided in paragraph 5, Bond Safeguard shall be entitled to full release of the Bond, and without further action required, the County shall release Bond Safeguard from any and all claims, causes of action, liabilities and damages, including attorneys' fees, arising out of or related to the Bond, the Subdivision, the Improvement Agreement and the Public Improvements.

7. Routine day-to-day operations and decisions as to the manner of performance of the Scope of Work will be made by the contractor hired by Bond Safeguard. It is acknowledged

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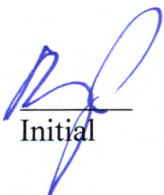
that no contractual relationship exists between the completing contractor and the County with regard to the work. In this regard, Bond Safeguard and the County understand and agree that any change orders or directions from the County that would have the effect of: (1) increasing the cost of performance; (2) increasing the contract requirements; or (3) changing the scope or manner of performance, shall not be allowed or be binding on the completing contractor or Bond Safeguard unless the direction is in writing and signed by an officer of the County with sufficient authority and agreed to, in writing, by Bond Safeguard.

8. Notwithstanding anything herein to the contrary, the parties agree that the liability of Bond Safeguard, as surety, under the aforesaid Bond is limited to the penal sum of \$1,072,118.08, and nothing in this Agreement constitutes a waiver of such penal sum or an increase of Bond Safeguard's liability or responsibilities under the aforesaid Bond. All payments made by Bond Safeguard to a contractor hired by Bond Safeguard to complete the Scope of Work as provided for in this Agreement regarding the improvements covered by the Bond shall serve to reduce the penal sum of the Bond and Bond Safeguard's liability thereunder.

9. This Agreement contains the entire understandings and agreements of the parties hereto. All oral or written agreements prior to the effective date of this Agreement and which relate to this Agreement and the matters set forth herein are declared null and void. Any modification of this Agreement must be made in writing and executed by the parties hereto

10. Any notice required to be made under the terms of this Agreement shall be deemed made if either party mails such notice by first class mail, postage prepaid, as follows:

As to the County:  
Katrina M. Pemberton, Esq.  
Scott, Ray & Sullivan, PLLC  
2608 Stonewall Street  
Greenville, Texas 75403

  
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Tel.: (903) 454-0044

As to Bond Safeguard:

Jeremy T. Sentman, PE PLS CFM  
Sompo International  
900 South Frontage Road  
Suite 250  
Woodridge, Illinois 60517  
Tel.: (630) 495-9380  
Fax: (630) 495-9272


with a copy to Attorney:  
Gavin M. Lankford, Esq.  
Harris Beach PLLC  
99 Garnsey Road  
Pittsford, NY 14534  
Tel: (585) 419-8662  
Fax: (585) 419-8812

11. It is understood and agreed by Bond Safeguard and the County that this Agreement shall be construed without any regard to any presumption or other rule requiring construction against the party drafting this Agreement.

12. This Agreement may be executed in counterparts. Signatures transmitted by facsimile or e-mail shall have the same legal effect as original signatures.

13. The parties agree that no third party shall have any rights under this Agreement. Nothing herein shall be considered to waive any rights or claims that the County or Bond Safeguard may have against Lone Oak.

14. This Agreement shall be governed by the laws of the State of Texas.

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IN WITNESS WHEREOF, the parties have executed this Agreement this 10 day of

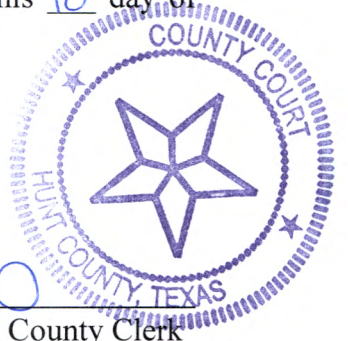
September, 2019.

HUNT COUNTY, TEXAS,  
a Texas, municipal corporation

ATTEST:

By: [Signature]  
Hunt County Judge: Judge Bobby Stovall

By: [Signature]  
Jennifer Lindenzweig, County Clerk



BOND SAFEGUARD INSURANCE COMPANY ATTEST:

By: \_\_\_\_\_  
Print name:

By: \_\_\_\_\_

[Signature]      \_\_\_\_\_  
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June 2019

**EXHIBIT A**  
**Bond 5014105, 5021412, 5017147, 5021413, 5024062**  
**The Villages at Lone Oaks**  
**Hunt County**  
**Lone Oak, Texas**

**SCOPE OF WORK**

The scope of work includes the work listed herein for Longview Lane and Bluffview Lane as shown on the attached exhibit.

**Right of Way**

- The contractor shall locate and mark the existing property corners on the street right of way and ensure that the pins are consistent with the approved plat.
- The contractor shall establish the centerline of the right of way to construct the improvements in accordance with the regulations as set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak.
- The contractor shall establish the centerline profile grade that meets the requirements of the Hunt County design standards in accordance with the regulations as set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak. Grades shall be set at centerline at 50 foot intervals to assist with the final grading operation.

**Grading**

1. The contractor shall remove all vegetation from the roadway area by spraying for removal of the root and then removal of the plant material.
2. The contractor shall locate the edge of pavement compared to the design width of the street and determine the thickness of the existing material.
3. If not to standard in accordance with the regulations as set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak, the contractor shall widen the roadway base to the depth and width required by the County's regulations.
4. The contractor shall grade the roadway cross section with a minimum of 2% cross slope.

5. Regrade the right of way from the edge of pavement to the right of way line with a maximum of 3:1 slopes and a 2 foot flat bottom. Culverts shall be installed at the low points to convey storm water.
6. Seed, restore the right of way and all disturbed areas with an acceptable stand of grass.
7. Install erosion control devices to Best Standards.

### **Streets**

8. Upon completion of final grading, the contractor shall place 2 layers of seal coat material in accordance with the regulations as set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak for bituminous material and aggregate. Bituminous prime, aggregate and seal coat bituminous material shall be applied at the standard rates. Rubber tire and steel wheeled shall be utilized as approved by the County.

### **Miscellaneous**

9. The contractor shall place traffic control devices in accordance with the regulations as set forth in the Hunt County Subdivision Rules and Regulations as adopted and in force on the date the surety bonds for the Public Improvements were procured by Lone Oak to protect the improvements and motoring public.
10. All driveways and access shall be maintained during the construction process.
11. As-built plans and survey notes will be prepared and submitted to the County for review.

ADOPTED BY THE HUNT COUNTY COMMISSIONERS COURT ON MARCH 25, 1991

ORDER # 4513, UNANIMOUS VOTE.

HUNT COUNTY SUBDIVISION REGULATIONS

as prepared by the Hunt County Attorney's office

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## HUNT COUNTY SUBDIVISION REGULATIONS

### SECTION 1. AUTHORITY

These regulations are adopted under the authority of the Constitution and laws of the State of Texas, as amended.

### SECTION 2. PURPOSE

The purpose of these regulation is to provide for the orderly, safe, and healthful development of the unincorporated areas of Hunt County.

### SECTION 3. DEFINITIONS

- 3.1 ALLEY: A minor public right-of-way which is used primarily for vehicular service access to the back, or sides of properties otherwise abutting on a Street and not intended to provide the primary means of access to abutting lots.
- 3.2 APPROVING AGENCY: A city within whose extraterritorial jurisdiction includes Subdivision or the County Commissioners' Court if the Subdivision is outside the extra territorial jurisdiction of the corporate limits of a city.
- 3.3 APPROVED SUBDIVISION: A Subdivision approved by the Approving Agency in accordance with 232 Local Government Code as amended.
- 3.4 BUILDING SETBACK LINE: The line within a property defining the minimum permissible horizontal distance between a building and a Lot line or a building and the adjacent Street or Alley R.O.W. line.
- 3.5 CITY: A municipality having primary Subdivision approval authorization.
- 3.6 CITY COMMISSION: The City Commission, City Council or Board of Aldermen of a City.
- 3.7 COUNTY: The Commissioners' Court of Hunt County, Texas.
- 3.8 COUNTY WASTE WATER ORDER: A waste water order officially adopted by a County in accordance with authorizing statutes.
- 3.9 COUNTY FLOOD PLAIN REGULATION: A Flood Plain Management Regulation adopted by a County in accordance with authorizing statutes.
- 3.10 DISTRICT: A conservation and reclamation or utility district created under Article XVI, Section 59, of the Texas Constitution.
- 3.11 DRINKING WATER: All water distributed by any agency or individual, public or private, for the purpose of human

consumption or which may be used in the preparation of foods or beverages or for the cleaning of any utensil or article used in the course of preparation or consumption of food or beverages for human beings.

- 3.12 ENGINEER: A person duly licensed under the provisions of the Texas Engineering Registration Act, as heretofore or hereafter amended to practice the profession of Civil Engineering in Texas.
- 3.13 EXTRA-TERRITORIAL JURISDICTION: The geographic area of a City may extend its control over subdivisions located outside its corporate boundaries. The area of the City's Extraterritorial Jurisdiction as provided under Chapter 42 (Article 970a) Local Government Code.
- 3.14 FINAL PLAT: The Plat submitted to the Approving Agency for final approval, before recording with the County Clerk's Office
- 3.15 LOT OR TRACK: An undivided tract or parcel of land having frontage on a public street or having public access and which is, or in the future may be offered for sale, conveyance, transfer or improvements; which is designated as a distinct and separate tract, and which is identified by a tract or Lot number or symbol in a duly approved Subdivision Plat which has been properly filed for record.
- 3.16 PAVEMENT WIDTH: The portion of a Street available for vehicular traffic where curbs are laid; it is the portion between the face of curbs. Where no curbs are laid it is the portion between the edges of payment.
- 3.17 PERSON: Any individual, association, partnership, business entity, firm, corporation, governmental agency, or political subdivision.
- 3.18 PLANNING COMMISSION: The Planning Commission of a City.
- 3.19 PLAT: A map, prepared by an Engineer, which depicts the tract of land a Subdivider intends to divide.
- 3.20 PLATTED: Recorded with the County Clerk in an official plat record.
- 3.21 POLITICAL SUBDIVISION: a County, municipality or district.
- 3.22 POTABLE WATER SUPPLIER: a City, Water Supply Corporation or Utility District or entity certified by the State of Texas to supply potable water, within the area of the County where a Subdivision is situated.
- 3.23 PRELIMINARY PLAT: The plat submitted to the Approving Agency pursuant to standards of the Approving Agency in accordance with Chapter 232 Local Government Code as amended.

- 3.24 PUBLIC WATER SYSTEM: A system for the provision to the public of piped water for human consumption, which includes all uses described under the definition for drinking water. Such a system must have a potential for at least fifteen (15) service connections or serve at least twenty-five (25) individuals at least sixty (60) days out of the year. This term includes any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and any collection or pre-treatment storage facilities not under such control which are used primarily in connection with such system. Two or more systems with each having a potential to serve less than fifteen (15) connections or less than twenty five (25) individuals but owned by the same person, firm, or corporation and located on adjacent land will be considered a public water system when the total potential service connections in the combines systems are fifteen (15) or greater or if the total number of individuals served by the combined systems total twenty-five (25) or more at least sixty (60) days out of the year.
- 3.25 PURCHASER: Shall include purchasers under executory contracts for conveyance of real property (contract for deed or lease purchase.)
- 3.26 SANITARIAN: A person registered as as Professional Sanitarian by the Texas Department of Health under the authority of Vernon's Ann. Tex. Civ. Stat. Article 4477-3
- 3.27 SEWERAGE FACILITIES: The devices and systems which transport domestic wastewater from residential property, treat the wastewater, and dispose of the treated water in accordance with the minimum state standards contained or referenced in these rules.
- 3.28 STREET: A way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, thruway, road, avenue, boulevard, lane, place, or however otherwise designated.
- 3.29 SUBDIVIDER: Any person who divides or proposes to divide a tract of land into a Subdivision.
- 3.30 SUBDIVISION: A tract of land located in Hunt County that is outside the limits of any City in Hunt County that is divided or proposed to be divided into two or more parts for the purpose of laying out any Subdivision of any tract of land or any addition intended by the subdivider for the sale of said parts for residential dwelling or residential dwellings and commercial buildings.
- A. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or



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. The plat is subject to the filing and recording provision of Section 12.002, Property Code. Subdivision includes re-subdivision, but it does not include the division of land for agricultural purposes in parcels or tracts of five (5) acres or more and not involving any new streets, alley or easements of access.

B. Any person who during a three (3) year period from the date of the first sale, sells three (3) parcels of land or less from a larger tract of land is not subject to these rules and regulations.

3.31 SUBDIVISION REGULATION: The Subdivision Regulations adopted by the Approving Agency in accordance with Chapter 232 Local Government Code as amended.

3.32 SUBDIVISION - RURAL: The division of tract of land as defined in 3.30 above located outside the extraterritorial jurisdiction of the city limits of any city.

3.33 SUBDIVISION - URBAN: The division of tract of land as defined in 3.29 above within the corporate limits of a City or within the statutory Extra-Territorial Jurisdiction of that City as defined in Chapter 42.

3.34 SURVEYOR: A registered Professional Land Surveyor licensed in the State of Texas.

3.35 TOTAL COSTS: The Total Costs that are to be incurred by a Subdivider in dividing a tract of land into a Subdivision, including but not limited to, cost of all construction, development, professional fees and expenses that are required for a subdivider to fully comply with the terms and conditions of the Subdivision Regulation.

3.36 UTILITY EASEMENT: An interest in land granted to the Approving Agency, to the public generally, and/or to a private utility corporation for the installation of and maintaining utilities across, over, or under private land, together with the right to enter thereon with machinery and vehicles necessary for the maintenance of said utilities.

#### SECTION 4 COMPLIANCE WITH SUBDIVISION REGULATIONS

4.1 Except as otherwise provided herein, no tract of land located outside the limits of a City in the County shall be divided in two or more parts for the purpose of a Subdivision by any method unless the Subdivider fully complies with the requirements and conditions of the Subdivision Regulations. The plat of any proposed Subdivision shall be submitted to and approved by the Approving Agency

prior to recording the plat and prior to the sale, or contract to sell, or transfer of any lot or tract of land.

- 4.2 No formal subdivision plat shall be required by these regulations for any property conveyed by a donor to a person by gift, devise or descent.
- 4.3 No formal subdivision plat shall be required by these regulations on any property divided or conveyed that is not intended to be a subdivision as it is defined in Section 3.30 et seq.

SECTION 5 SPECIAL PROVISIONS (for properties not covered under Section 4.2 or 4.3)

- 5.1 No permit shall be issued by the County or authorized agency unless the requirements of these rules and regulations have been complied with.
- 5.2 The County shall not repair, maintain, install or provide any Streets or services in any Subdivision for which a Final Plat has not been approved and filed for record, or which contains private roads.
- 5.3 If any Subdivision exists for which a Final Plat has not been approved or in which the standards contained or referred to herein have not been complied with in full, then the Commissioners' Court may (1) pass a resolution reciting the fact that such noncompliance or failure to secure Final Plat approval exists, and (2) recite the fact that the provisions of this section will apply to the Subdivision and the lots therein. (3) The County may then cause a certified copy of of such resolution to be filed in the Deeds Records of the County. (4) If full compliance and Final Plat approval are secured after the filing of such a resolution, the County shall file an instrument in the Deed Records stating that paragraphs 5.1, 5.2, and 5.3 no longer apply.
- 5.4 The provision of Section 5 shall not be construed to prohibit the issuance of permits on any Lots in a Subdivision that was recorded prior to passage of this Subdivision Regulation, or to prohibit the maintenance or installation of any Street or service to or abutting any lot, so long as the Subdivision, or Lot therein, recorded or unrecorded was in existence prior to the passage of the Hunt County Subdivision Regulations.

Notwithstanding any provision herein to the contrary, this Section does not relieve the applicant of compliance with the standards and specifications required by the County prior to the passage of these Subdivision Regulations, as set forth in County Waste Water Order, County Flood Plain Regulations, or subdivision requirements of the County.

- 5.5 Each purchase contract made between a Subdivider and a

purchaser of land in the Subdivision shall contain a statement describing the extent to which water will be made available to the Subdivision, how the water will be made available to the subdivision, and the date the water will be made available to the Subdivision.

- 5.6 Every Subdivision Plat must have included upon it or on a document attached to and filed therewith the description of the water and sewer service facilities that will be constructed or installed to serve a Subdivision and a statement of the date by which the facilities will be fully operable, prepared by an Engineer or Approved Water Supply Agency that also certifies that the water and sewer facilities described by the plat and document attached to the plat are in compliance with the model rules adopted under Section 16.343 Texas Water Code.

#### SECTION 6 VARIANCES

- 6.1 Variances may be authorized by the Commissioners' Court when evidence shows that undue hardship will result from requiring strict compliance. In granting variances, the Commissioners should prescribe only conditions that it deems necessary to or desirable for the public interest. In making their findings, the Commissioners' Court shall take into account (1) the nature of the proposed use of the land involved, (2) existing uses of land in the vicinity, (3) the number of persons who will reside or work in the proposed Subdivisions, and (4) the probable effect of such variance upon traffic conditions, drainage, public health, and the safety of the existing residents and those who will come in the future.

No variance will be granted unless the Commissioners' Court determine, from a written request:

- A. That there are special circumstances of conditions affecting the land involved such that the strict application of the provisions of these Subdivision Regulations would deprive the applicant of the reasonable use of his land; and
- B. That the variance is necessary for the protection and enjoyment of a substantial property right of the applicant; and
- C. That the granting of the variance will not be detrimental to the public health or safety or injurious to other property in the area; and
- D. That the granting of the variance will not have the effect of preventing the orderly division of other land in the area in accordance with these regulations.
- E. That the land is eligible for variance under Section 4.2

F. That the land is eligible for variance under Section 4.3

6.2 Such findings of the Commissioners, together with the special facts upon which the findings are based, shall be incorporated into the official minutes of the meeting at which the variance is granted. Variances may be granted only when in harmony with the general purpose and intent of these regulations and when they serve to secure the public health and safety. Financial hardship to a Subdivider, standing alone, shall not constitute undue hardship.

#### SECTION 7. THE PLATTING PROCESS

7.1 Preliminary Conference: Prior to the official submission of a Preliminary Plat to the Approving Agency, the Subdivider or his authorized representative should consult with and present a proposed plan of the Subdivision to Approving Agency for comments and advice on the procedures, specifications, and standards required by the Approving Agency.

7.2 Preliminary Plat and Accompanying Data:

A. General: The subdivider shall cause to be prepared a Preliminary Plat by a Surveyor in accordance with these Subdivision Regulations.

B. Time for filing and copies required: The Subdivider shall file twelve (12) blue or black line copies of the Plat, at least thirty (30) days prior to the date at which formal application for the Preliminary Plat approval is made.

1. the subdivider shall file the copies as follows:

- (A) Five (5) copies with the approving agency
- (B) One (1) copy to the nearest Independent School District
- (C) One (1) copy to the nearest Post Office
- (D) One (1) copy to the Water Supply Company to be used.
- (E) One (1) copy to the Electrical Supply Company to be used.
- (F) One (1) copy to the Tax Appraisal District
- (G) One (1) copy to the Local Fire Department
- (H) One (1) copy to the applicable Health Department



(I) One (1) copy to the nearest city, if the city subdivision is within the City's extraterritorial jurisdiction.

C. Plat Review: The Plat shall be accompanied by a filing fee in a sum of One Hundred dollars (\$100.00). No action by the Approving Agency shall be taken until the filing fee has been paid. This fee is not refundable even though the Subdivider fails to make formal application for Preliminary Plat approval or should the Plat be disapproved.

D. Form and Content: This Plat shall be drawn to a minimum scale of three hundred (300) feet to one inch or as determined by the Approving Agency. When more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire Subdivision at an appropriate scale shall show the following:

1. Subdivider, owners of record of land to be subdivided, and owners or record of adjoining land.
2. The Subdivision shall not be spelled or pronounced similarly to the name of any other Subdivision located with in the County.
3. A metes and bounds description of the Sub-division.
4. Primary Control Points, description and location and ties to such control points from which all dimension, angles, bearings, block numbers and similar data shall be referred. Control point designation shall meet all requirements of the appropriate state statutes.
5. Subdivision boundary lines, shall be indicated by heavy lines, and actual acreage of the Subdivision shown.
6. Existing conditions as follows:
  - (A) The exact location, dimensions, name and description of all existing or recorded Streets, Alleys, reservations, easements, or other public right-of-way within the Subdivision, or contiguous with its boundaries or forming such boundaries.
  - (B) The exact location, dimension, description and flow line of existing water courses and drainage structures within the

Subdivision or on contiguous tracts.

(C) The exact location, dimensions, description and name of all existing or recorded residential lots, parks, public areas, permanent structures and other sites within or contiguous with the Subdivision.

7. The exact location, dimensions, grade, description and name of all proposed Street, Alleys, drainage structures, irrigation lines; location of water, sewer, electric, gas telephone, television cable, parks; other public area reservations, easements, or other right-of-way, blocks, Lots and other sites within the Subdivision.
8. Every Subdivision Plat must have included upon it or a document containing the description the water and sewer service facilities that will be constructed or installed to serve a Subdivision and a statement of the date by which the facilities will be fully operable, prepared by an Engineer or approved water supply agency, in that also certifies that the water and sewer facilities described by the plat and document attached to the plat are in compliance with the model rules adopted under Section 16.343, Texas Water Code.
9. Date of preparation, scale of plat and north arrow.
10. Topographic information to be included is as follows:
  - (a) For lots or tracts larger than two (2) acres, contours shall be as shown on U.S.G.S. quadrangle sheets for the area being platted.
  - (b) For lots or tracts smaller than two (2) acres contours shall be shown at two feet vertical intervals which are based generally on an elevation grid of one hundred feet with existing features including but not limited to creeks, terraces, channels, ponds, etc., also shown.
  - (C) The preliminary drainage plan for the Subdivision shall be shown on the preliminary plat or on a separate sheet if necessary for clarity.
11. A number or letter to identify each Lot or site

and each block.

12. Building Setback Lines determined at the time of adoption of these regulations and incorporated herein as follows are:

Front Setback: Building shall be setback a minimum of one half of the width of the street right-of-way in which it faces.

Side Setback: Buildings shall be setback a minimum of six feet from side property lines.

Rear Setback: Buildings shall be setback a minimum of fifteen feet from the rear property lines

Corner Setback: Buildings shall be setback a minimum of ten feet from the side property line on corner lots.

13. Where applicable, location of a City's corporate limits lines and outer border of the City's Extra-territorial Jurisdiction, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary of the subdivision.

14. Topographic and utility details shall be shown on a separate Plat.

15. Restrictive covenants imposed on the land, by the Subdivider, if any, are to be shown on the Plat, or if on a separate document, which shall be attached to the plat.

16. Vicinity sketch or map approximately scaled which shall show existing Subdivisions, Streets, easements rights-of-way, parks, and public facilities in the vicinity, the general drainage plan and ultimate destination of water, and possible storm sewer, water, gas, electric, and sanitary sewer connections by arrows.

E. An inspection fee in a sum of Ten (\$10) Dollars per lot.

F. All subdivisions within the jurisdiction of the Lake Area Planning and Zoning Commission shall attach to the preliminary plat, a certificate of approval from the Planning and Zoning Commission.

### 7.3 Processing of Preliminary Plat:

- A. The approving Agency shall check the Preliminary Plat

as to its conformity with the general plan, major Street plan, land use plan, and the standards and specifications set forth herein or referred to herein.

- B. The Approving Agency shall review all proposed Subdivision Plats to determine if the proposed Subdivision is reasonably safe from flooding and that the grade inclinations for all Street, alleys, and Lots are established and recorded on the Plat to assure maximum drainage within the dictates of the general topography of the platted area and the areas surrounding the Subdivision. Commissioners shall determine whether or not a road is made of sufficient material and construction based upon the amount and kind of travel or expected travel over the said roads.
- C. The Approving Agency shall also determine that all public utilities and facilities are located and planned to minimize or eliminate flood damage.
- D. Mandatory referral: Subdividers shall forward a copy of the proposed preliminary plat to those entities or agencies referred to in Section 7.2 B, said agency must file a protest to the plat within 14 days to the approving agency or it will be deemed as accepted by the said agency.
- E. With thirty (30) days after the Preliminary Plat is formally accepted by the staff of the Approving Agency as complete, the Approving Agency shall: (a) approve or (b) disapprove the Preliminary Plat or (c) impose requirements for approval. The Approving Agency shall inform the Subdivider at the time such action is taken, unless the Subdivider is present at such meeting.
- F. Approval of a Preliminary Plat by the Approving Agency shall be deemed as an expression of approval of the layout submitted on the Preliminary as a guide to the installation of Streets, water, sewer, and other required improvements and utilities and to the preparation of final or recorded Plat. Approval or conditional approval of a Preliminary Plat shall not constitute an automatic approval of the Final Plat.
- G. Approval or conditional approval of a Preliminary Plat shall be effective for only one year unless reviewed by the Approving Agency in the light of new or significant information which would necessitate a revision of the Preliminary Plat. If the Approving Agency should deem changes in a Preliminary Plat as necessary, it shall so inform the Subdivider in writing.
- H. Approval of the Preliminary Plat may be considered



as approval of the Final Plat if no changes are required by the Approving Agency and all requirements herein are included on the Plat.

#### 7.4 FINAL PLAT

##### A. Form and Content of Final Plat

1. All Final Plats and accompanying data ready for recording, shall conform to the Preliminary Plat as approved or conditionally approved incorporating any and all changes, modification, alteration, corrections, and conditions.
2. The Final Plat shall be drawn at a minimum scale of three hundred (300) feet to one inch. Where more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire Subdivision at an appropriate scale shall be attached to the Plat.
3. The Final Plat shall be submitted in an original and thirteen (13) copies and shall contain all of the features and distributed to those entities as required for Preliminary Plats in Section 7 herein.
4. If the Subdivider has not completed the final plat after one year of effective approval, the Approving Agency may, upon the application of the Subdivider, extend the approval for an additional six (6) months. At the end of six (6) months extension, the preliminary approval is revoked.
5. In addition to the various requirements for the Preliminary Plat, the Final Plat shall also include the following:
  - (A) The exact locations, dimensions, name, and description of all existing or recorded Streets, Alleys, reservations, easements, or other public right-of-way, blocks, Lots, Lot Numbers, and other sites within the subdivision with accurate dimension, bearing or deflection angles, degree of curvature, tangent distance and length of all curves where appropriate.
  - (B) The exact location, grade, dimension, description, and name of all proposed Street, Alleys, parks, other public areas, recreations, easements or other public rights-of-way, blocks, Lots and other sites within the Subdivision with accurate dimensions, bearing or deflection angles and radii, area, central angles, degree of

curvature, tangent distance and length of all curves where appropriate.

- (C) The exact location, grade, dimensions, description and name of all proposed or existing drainage structures and irrigation lines; location of sewer, water, electric, gas, telephone and television cables.
- (D) Certification of the Surveyor responsible for surveying the Subdivision area, attesting to its accuracy:

State of Texas  
County of \_\_\_\_\_

I, the undersigned, a (Surveyor)  
\_\_\_\_\_ in the State of Texas,  
hereby certify that this plat is true and correctly made and is prepared from an actual survey on the property made under my supervision on the ground, and further certify that proper engineering consideration has been given to this Plat.

(Surveyor Seal)

\_\_\_\_\_  
Surveyor

Certification of the Mayor of the City of

- (E) I, the undersigned, Mayor of the City of \_\_\_\_\_ hereby certify that this Subdivision Plat conforms to all requirements of the Subdivision Plat conforms to all requirements of the Subdivision Regulations of this City wherein my approval is required.

\_\_\_\_\_  
Mayor, City of \_\_\_\_\_

- (F) Certification of the County Judge of \_\_\_\_\_ County

I, the undersigned, Judge of the County of \_\_\_\_\_ hereby certify that this Subdivision Plat conforms to all requirements of the Subdivision Regulations of this County wherein my approval is required.

\_\_\_\_\_  
County Judge, \_\_\_\_\_ County

(G) Approval by Water Supplier is required.

(H) The Engineer's or Surveyor's statement based upon F.E.M.A. or other agency published maps of the permissive floor elevation that will protect the improvements from flood and high waters.

(I) Approval by Electric Supplier is required.

(J) Approval by a natural gas company (if applicable) is required.

6. The Final Plat shall also include the following:

(A) Owners acknowledgment:

State of Texas  
County of \_\_\_\_\_

I (we) the undersigned, owner(s) of the land shown on this Plat, and designed herein as the \_\_\_\_\_ Subdivision to the City/County of \_\_\_\_\_, Texas, and whose name is subscribed hereto, hereby dedicated to the use of the public all Streets, Alleys, Parks Water Courses, drains, easements, and public places thereon shown for the purpose of consideration therein expressed.

\_\_\_\_\_  
(Record Owner & Lien Holder)

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 executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office, this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_.

\_\_\_\_\_  
County of \_\_\_\_\_, Texas .

(B) Certification by the Chairman of the Lake Area Planning and Zoning Commission of Hunt County (if applicable) is required.

I, the undersigned, Chairman of the Lake Area Planning and Zoning Commission of Hunt County

hereby certify that this Subdivision Plat conforms to all requirements of the Subdivision Regulations of the area wherein my approval is required.

Chairman, Planning Commission

7. (if applicable) A statement on the final plat in not less than ten (10) point bold type that the roads are privately maintained, they are not to be maintained by the County, and the name of the person or entity that will maintain said roads.
8. The names of all lien holders on the property that comprises the subdivision.
- B. Processing of Final Plat. The Final Plat may be considered officially approved when all fees and expenses incurred have been paid, and when all requisites of the Subdivision Regulations have been met and approved by Commissioner's Court.

#### SECTION 8. STANDARDS AND SPECIFICATIONS

##### 8.1 GENERAL

- A. Except as provided in Section 6 herein, no Plat or improvements thereon shall be approved or accepted by the Commissioners' Court unless it conforms to the minimum standards and specifications contained herein.
- B. If a tract is Subdivided into parcels larger than ordinary building Lots, such parcels shall be arranged to allow the opening of future Streets.
- C. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use.
- D. Number of Dwellings Per Acre. No more than one single family detached dwelling shall be located on less than 1 1/2 acres of land. A notation of this restriction shall be placed on the face of the final plat. This restriction shall be placed in all deeds and contacts for deeds for real real estate sold within the subdivision. Notice of this restriction must be given by the seller to purchasers prior to execution of any binding agreement for sale or conveyance of any real estate.
  1. If the subdivider can prove to the approving agency that less than 2 acres is sufficient for an adequate sewer system then the Approving Agency can grant a variance for the use of less than two acre tracts.



## 8.2 STREETS

- A. Street layout: Adequate Sheets shall be provided by the Subdivider and with the arrangement, character, extent, width, grade, and location of each considered in its relationship to existing and planned Streets, to topographical conditions, to public safety and convenience, and to the proposed uses of land to be served by them. The Street Layout shall be designed for the most advantageous development of the entire neighborhood.
- B. Relation to adjoining Street system: Where necessary to the neighborhood pattern, existing Streets in adjoining areas shall be continued and shall be at least as wide as such existing Streets and in alignment with them.
- C. Projection of Streets: Where adjoining areas are not subdivided, the arrangement of Streets in the subdivision shall make provision for the proper projection of Streets into un-subdivided areas.
- D. Street intersections: Street intersections shall be as close to right angles as practicable, giving due regard to topography, site distances and safety.
- E. Dead-end Streets: Dead-end Streets shall be prohibited except as short stubs to permit future expansion.
- F. Cul-de-sacs: cul-de-sacs in residential areas lengths, and shall have a turn-around of not less than one hundred (100) feet in diameter right-a-way with a pavement diameter of eighty (80) feet. In commercial and industrial areas, the right-of-way should be two hundred (200) feet and pavement diameter one hundred eight (180) feet.
- G. Pavement widths and right-of-way: Pavement widths and right-of-way shall be as follows:
1. All streets will have 24 feet wide base and 20 foot travel surface.
  2. Streets shall have a right-of-way width of not less than sixty (60) feet.
  3. Alleys shall have a right-of-way width of not less than twelve (12) feet.
  4. For a road to be accepted by Commissioner's Court the specification to be followed in the construction of any such streets within or bounding a Subdivision are listed below. All streets shown on the

plat shall be paved. Streets shall be paved at the property line and must meet the following specifications.

- (A) Asphalt streets/or Oil Sand Mix with subgrade and base.
- (1) The area on which roads are to be constructed shall be cleared and grubbed free of visible organic matter such as roots, stumps, or grass.
  - (2) The road bed is to be graded to and compacted to an approved level with V-type bar ditches sufficient to insure proper drainage.
  - (3) Subgrade levels requiring more than 8 inches of fill shall be rolled with a sheep foot roller before making the fill. The rolling shall be done on soil having optimum moisture content and shall be rolled until the soil is compacted to 95% proctor density to a thickness of 6 inches. Also a test of the compaction can also be made by use of a heavily loaded dump truck driving over the compacted surface without making ruts or surface sinking. Layers of twelve inch (12") thickness of loose earth material free of visible organic matter are to be placed and compacted as described hereinabove by use of a sheep foot roller until the required cross-section is obtained.
  - (4) The sub-base shall be crowned to a width of twenty-six (26') feet and shall be compacted and shaped to provide a hard subgrade over the entire twenty-six foot (26") width.
    - (a) Seep areas are to be marked by visual inspection by the contractor and the County Commissioner.
    - (b) Seep areas shall be drained to a depth of at least two (2') feet below subgrade elevation by use of subsurface drainage.
    - (c) After seep areas are drained, the subgrade is to be compacted as described hereinabove.
  - (5) The base shall be of good quality crushed rock or road gravel, compacted to a depth of eight (8") inches in thickness and twenty-four (24') feet in width with 90% proctor density. The base shall be shaped to provide a twenty (20') foot wide pavement and shall slope gradually on each side beyond the 20' width to support fully the the entire width of the pavement base shall be

allowed to set up.

- (a) A core test of the compacted base shall be done by the contractor at his expense and shall be presented to the Commissioner of the Pct. in which the subdivision is located before any asphalt is applied.
- (6) The wearing surface shall be hot mix or oils/sand mix.
- (B) Hot Mix Asphalt or Oil/Sand Mix
  - (1) The prime coat or tack coat shall be placed during proper weather conditions and shall be allowed to properly cure (one day)
  - (2) Hot mix asphalt or oil/sand mix shall then be applied during proper weather conditions to a compacted depth of two inches. The asphalt or oil/sand mix shall be rolled to a proper density. The asphalt or oil/sand wearing surface shall be twenty (20') feet wide constructed of a quality approved by the Commissioners for the County.
- (C) The land owner or developer will be required to install culverts under streets at all entrances and at drainage courses as specified by the County Commissioners' Court in accordance with Texas State Highway Specifications. All culverts shall be made of metal with a minimum of twenty four (24") feet in length at all entrances.
- (D) All utilities to be in place and stubbed out from under the street paving to the street right-of-way line so as not to disturb the road surface in the process of extending and connecting services to each property.
- (E) The land owner or developer will be required to contact the County Commissioners for an on-site inspection prior to the commencement of any work in the development or addition, in order that the Commissioners' Court may approve the same or make specific recommendations as to any drainage structures that may be required for the addition.
  - (1) A drainage plan showing drainage areas, culvert, sizes, slopes and types with accompanying drainage calculations which show the quantity of water to be carried by each culvert.
  - (2) The drainage plan is to show where water is to flow through the subdivision and away from said subdivision.

(3) The recorded plat shall show drainage easements of necessary width to accommodate water flowing in same.

(F) In order to insure that the streets and alleys in accepted and approved subdivisions are constructed in accordance with the above specifications, and to guarantee that they are maintained to the satisfaction of the County Commissioners' Court in a good state of repair for the period of one (1) year after the approval and acceptance of each street, or portion thereof, shown on said subdivision plat, the owner shall file a Construction Bond, each executed by a Surety Company or companies authorized to do business in this State, payable to the County Judge or Hunt County, Texas, or to his successors in office in the amounts to be fixed in the amount of the estimated costs of construction. A maintenance shall also be executed by a security company as described above in the amount of two hundred and fifty thousand dollars (\$250,000.00). Construction and Maintenance Bonds shall be provided before any construction begins.

(1) The condition of said Construction Bond shall be that the Owner of said approved and accepted subdivision shall begin construction of such streets and alleys as are shown on the subdivision plat within a period of ninety (90) days from the date of the letter of intent for approval of the plat of said subdivision by the Commissioner's Court of Hunt County, Texas, and prosecute and complete such construction in accordance with the specifications herein provided within a reasonable number of working days to be determined and agreed upon by the owner and the County Commissioners' Court, and said Construction Bond shall remain in full force and effect until all of the streets and alleys in said approved and accepted subdivisions have been completed to the satisfaction of the Commissioners' Court.

(2) In the event any or all of the streets and alleys as constructed by the Owner fail to meet the requirements of the specifications herein provided and are not accepted and approved by the Commissioner's Court, and said Owner fails or refuses to correct the defects called to his attention in writing by said County Commissioner's Court, the unfinished improvements shall be completed with whatever funds are available from the maintenance bond.

(G) The condition of said Maintenance Bond shall be that the Owner shall guarantee to construct and maintain, to the satisfaction of the County Commissioners' Court all of the streets and alleys shown on an acceptance



and approval subdivision plat, in a good state of repair for the period of one year from the date of such acceptance and approval.

(1) The maintenance Bond by its terms shall provide that liability thereunder shall begin on any or all of the streets and alleys shown on an accepted and approved Subdivision plat and remain in full force and effect for the period of one (1) year thereafter from the date of the acceptance of the construction of each street or portion thereof, but the County Commissioners' Court in writing. Periodical inspection of all of the streets drainage structure, and alleys that have been approved and accepted in an approved subdivision will be made by the Commissioner during the period of liability covered by the Maintenance Bond and in the event any or all of said streets, drainage structures, and alleys are not being maintained in a good state of repair, the Owner will be so advised in writing and if after a reasonable time he fails or refuses to properly maintain said streets, alleys, and drainage structures, they shall then be maintained at the cost and expense of the the obligers as in said orders provided.

(H) Maintenance: One year after acceptance of the streets the Commissioners' Court will assume the maintenance of the streets within the subdivision, after said streets have been constructed in accordance with the specifications set forth herein; at such time any bond proceeds remaining shall be returned to the developer.

5. Privately Maintained roads are to be constructed of materials deemed reasonable by the subdivider based on the amount and kind of travel over the road, subject to the requirements of Section 8.2 G1, G2, and G3.

(1) The Subdivider shall state, on the final plat, as to each existing road or proposed road the type of material used or to be used in the construction of said roads.

### 8.3. DRAINAGE

A. A detailed drainage plan, prepared and executed by an Engineer registered in the State of Texas, shall be submitted in addition to and along with any Final Plat. This shall contain, but not be limited to, the following

1. A topographical map showing existing contours within the proposed Subdivision and five hundred (500) feet outside of it. It shall depict the existing elevations at ten foot contours and one hundred (100) foot intervals, and spot elevations at one foot and all existing drainage facilities within each area covered by the Plat.

2. A drainage plan for the proposed Subdivision must be illustrated

on the same map, depicting:

- (A) Proposed finished elevations of the center line, edge of pavement, or edge of right-of-way of each Street;
  - (B) Proposed drainage facilities to be constructed by the subdivider, including the depth, width, and the materials to be used in the construction of said facilities
  - (C) The one hundred (100) year storm contour elevations as illustrated on F.E.M.A. maps;
3. Every subdivision shall comply with any plans concerning the one hundred (100) year food plain in Hunt County.

#### 8.4 WATER UTILITIES

- A. In any area of the County that potable water is supplied or eligible to be supplied by a Potable Water Supplier, each Subdivision shall contain and each Subdivider shall provide construct and install all water lines, to insure access to water for each lot unless a variance is obtained by the Approving Agency that the Potable Water Supplier has agreed to supply and has the ability to supply potable water to all Lots located within the Subdivision.
- B. Subdividers shall comply with Chapter 341 of the Health Code.
- C. Where drinking water is to be supplied to a subdivision from a central system, the water quality and system design, construction and operation shall meet the minimum criteria set forth in 25 TAC 337.201-337.212, "Rules and Regulations for Public Water Systems", and 25 TAC 337.1-337.18, "Drinking Water Standards Governing Drinking Water Quality and Reporting Requirements for Public Water Supply Systems.:
- D. Subdividers who propose to supply drinking water by Connecting to an existing central system must provide a written agreement with the public water supplier. The agreement must accommodate the total flow anticipated from the ultimate development and occupancy of the proposed subdivision.
- E. Transportation of potable water, The conveyance of potable water by transport truck or other mobile device to supply the domestic needs of the subdivision is not an acceptable method, except on an emergency basis. Absence of a water system meeting the standards of these rules due to the negligence of the subdivider does not

constitute an emergency.

- F. Where water supplies are to be provided by an existing political subdivision of the state, including a city, municipal utility district, water control and improvement district, nonprofit water supply corporation, special utility District or an existing investor-owned water supply corporation, the subdivider shall furnish a certificate of necessity and convenience. Before final approval, plans and specifications for the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed project. Entities having jurisdiction, in this instance, may include the political subdivision in addition to the Texas Department of Health and the County Health Department. If wellwater is to be the source of the water supply, the final engineering report shall include a wellwater availability study which shall include comments regarding the long term (30 years) quantity and quality of the available wellwater supplies relative to the ultimate needs of the subdivision.

#### 8.5. SEWER UTILITIES

- A. All Subdividers shall comply with the provisions of this Ordinance and Article 4477-7e.
- B. Subdivisions served by a City Water and Sewer system shall provide for individual Lots having surface areas not less than the minimum Lot size required by the City serving the Subdivision.
- C. Subdivisions served by a Potable Water Supplier but utilizing individual subsurface absorptive-type methods for sewage disposal shall provide for individual Lots having surface areas of at least one acre or 43,560 (net) square feet, or the Standards adopted by the Texas Department of Health, whichever is greater.
- D. Subdividers who propose the development of an organized wastewater collection and treatment system must obtain a permit to dispose of wastes from the Texas Water Commission in accordance with 31 TAC Chapter 305 "Consolidated Permits" and obtain approval of engineering planning materials for such systems under 31 TAC Chapter 317 "Design Criteria for Sewerage Systems" from the Texas Water Commission.
- E. Subdividers who propose to dispose of wastewater by connecting to an existing permitted facility must accommodate the total flow anticipated from the ultimate development and occupancy of the proposed subdivision for a minimum of thirty (30) years. Engineering plans for the proposed wastewater collection lines just be approved by the Texas Water Commission prior to construction.



- F. On site facilities which serve single family or muting-family residential dwellings with anticipated wastewater generations of one thousand (1,000) gallons per day must be designed by a registered professional engineer or registered professional sanitarian.
- G. Proposals for on-site sewerage facilities for the on-site disposal of sewage in the amount of five thousand (5,000) gallons per day or greater must be presented to the Texas Water Commission for determination of the necessity for a wastewater permit from the agency. Each such disposal facility must be designed by a registered professional engineer.
- H. On-site sewerage facilities not required to obtain a wastewater permit from the Texas Water Commission must apply for and receive a permit from the Texas Department of Health or other authorized agent as required by the procedures established in 25 TAC 301.101 through 301.109.
- I. On-site Sewage Disposal Near Lakes. On-site sewerage facilities proposed near lakes must be license and installed in strict accordance with requirements established by the Texas Water Commission in their rules 31 TAC Chapter 285.
- J. On-site Wastewater Disposal in Recharge Zones. On-site sewerage facilities proposed within aquifer recharge zones must be licensed and installed in strict accordance with requirements established by the Texas Water Commission in 31 TAC Chapter 313 and applicable Texas Department of Health regulations.
- K. Review, Inspection and Permitting of On-Site Sewerage Facilities. The Texas Department of Health or its authorized agent shall review proposals for on-site sewage disposal systems and make inspections of such systems as necessary to assure that the system is in compliance with Chapter 355 of the Texas Health and Safety Code and rules 25 TAC Sections 301.11 through 301.17 and any additional applicable sections, "Construction Standards for On-site Sewerage Facilities." In addition to the unsatisfactory on-site disposal systems listed in 25 TAC 301.16, pit privies and portable toilets are not acceptable waste disposal systems for lots platted under these rules.
- L. Organized or Municipal Sewerage Systems. Any proposal



for sewage collection, treatment and disposal for sewage collection, treatment and disposal which includes greywater shall meet minimum criteria of 31 TAC, Chapter 310.01-310.17, f "Use of Reclaimed Water," promulgated and administered by the Texas Water Commission. On-site Sewerage Facilities. Any proposal for on-site sewage disposal which includes provisions for greywater use shall meet the minimum criteria of 25 TAC, Chapter 301, Section 301.17, contained within the "Construction Standards for On-Site Sewerage Facilities" promulgated by the Texas Department of Health.

- M. Sludge Disposal. The disposal of sludge from water treatment and wastewater treatment facilities shall meet the criteria of 25 TAC, Chapter 325, Subchapters N and X, and 31 TAC Chapter 317.
- N. Where wastewater treatment capacity is to be provided by a political subdivision of the state, including a city, municipal utility district, water control and improvement district or nonprofit water supply corporation, or an existing investor-owned water supply corporation, the subdivider shall furnish evidence of a contractual agreement between the subdivider and the governing board of the entity or owner of the utility to the effect that necessary arrangements have been made by the subdivider and the entity for the provision of sufficient wastewater treatment capacity to serve the ultimate full buildout needs of the subdivision for a term of not less than thirty (30) years. Before final plat approval, an appropriate permit to dispose of wastes shall have been obtained from the Texas Water Commission and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project.
- O. Where there is no existing entity or owner of construct and maintain the proposed wastewater treatment and collection facilities, the subdivider shall establish an investor-owned utility by obtained a Certificate of Convenience and Necessity (CCN) from the Texas Water Commission. Before final plat approval, a wastewater treatment permit authorizing the treatment of the wastewater for the ultimate build-out population of the subdivision shall have been obtained from the Texas Water Commission and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project.
- P. Where septic tanks are the only means of sewage disposal, percolation tests, spaced every 4th lot throughout the Subdivision, shall be conducted by an Registered Engineer. A written report of soil conditions and minimum drain

fields shall be furnished prior to approval of a Final Plat. Percolation tests conducted by an authorized County or state health and or water quality agency or individual.

- Q. The Final Plat shall contain a statement, signed by the Subdivider stating the (1) building and septic tank permits are required prior to construction of any improvements on the Lot, and (2) that an adequate drinking water source is immediately available to each Lot in the subdivision of the type, quality and quantity to enable each person purchasing a Lot to have adequate water to comply with the provisions of these Subdivision Regulations and the County Waste-Water Order and the laws of the State of Texas.

#### 8.6 MISCELLANEOUS PROVISIONS

- A. Irrigation canals: No open irrigation canals, except main canals, shall be permitted within a Subdivision. The Subdivider shall place said canal underground if its continued use is required by the Irrigation of Water District.
- B. Subdivider must furnish tax certificates from the School District, State, County, City and, if applicable, the Irrigation or Water District in which the Subdivision is located, showing that all taxes have been paid on the property being Subdivided.
- C. If the subdivision is to have private maintenance roads the deed or other document reflecting a transfer of interest in property located within subdivision shall state that the roads in the subdivision are private by maintenance and not to be by the County.
- D. If the subdivision is to have privately maintained roads, the subdivider shall furnish and install a permanent sign of at least 18 inches by 24 inches.
1. The said sign shall state that the roads in the subdivision are privately maintained, they are not maintained by the county, and the name of the the person or entity who will maintain the roads.
  2. said sign (s) shall be prominently displayed, and maintained by the person maintaining the road at all entrances to subdivision
- E. Prior to any construction of streets, utilities, or or drainage facilities the developer shall submit to the approving agency, the detailed plans for safe construction for the approving agency approval
- F. Privately maintained roads that comply with these rules

and regulations are permissible.

## SECTION 9 PRIVATE SEWAGE FACILITIES

### 9.01 SUBDIVISION CONSTRUCTION AUTHORIZATION.

Any person desiring to create a subdivision, including mobile home parks, that will utilize on site sewage facilities, in whole or in part, must obtain a Subdivision Construction Authorization from the licensing authority prior to commencing or continuing construction in the subdivision.

### 9 .02 APPLICATION

A. An applicant for a Subdivision Construction Authorization shall submit an application to the licensing authority containing information that is adequate to establish:

1. That it is not feasible for the applicant to provide sewer service to the subdivision by means of an organized disposal system, and
2. That private sewage facilities may be used in the specified subdivision without causing, or threatening to cause, individually or collectively, pollution, injury to the public health, or nuisance conditions. This information will include as a minimum:

(A) A map locating the subdivision relative to on and off-site:

- (1) Surface Water,
- (2) Watersheds,
- (3) Floodplains,
- (4) Existing and proposed individual and public water supply wells, and
- (5) Existing and proposed organized disposal systems.

(B) An accurate plat of the subdivision that details the size and intended use of each lot and that details roads and utility right-of-ways. This Plat shall show all areas of the subdivision where the ground water table is less than six (6) feet below the surface as the surface exists or as it will be after grading and filling that may be required in the subdivision development.

(C) A list that specifies that type and maximum size (floor-space, bedrooms, seating, etc.) of the intended construction that will be allowed on each lot. Based on this list, the applicant shall provide further information to confirm that a private sewage facility that meets all of the requirements of these Rules and the Standards can be constructed on each lot. This information shall

include:

- (1) Preliminary locations and distances between sewage generating units, treatment units, disposal units, treatment units, disposal units, water wells, and lot boundaries. These distances shall be shown between these items on each lot and to any existing or proposed water supply wells on adjacent lots.
  - (2) Average daily wastewater volume to be generated by the specified maximum size construction.
  - (3) Capacity and/or size of the treatment (tank) and disposal (drainfield) units. The disposal area size shall be calculated assuming a specific type of drainfield (absorption trench or bed or evaporation bed) and using adequately documented permeability measurements taken at or in reasonable proximity to the drainfield locations.
- (D) At the discretion of the licensing authority and in consideration of the size and density of the proposed subdivision, one or more geological cross-sections may be required from the applicant. These cross-sections shall illustrate the geologic formations that make up the subsurface below the subdivision down to the first acquire that supplies, or may be used to supply, drinking water in the area. These cross-sections shall illustrate the primary dip and characteristics (permeable, impermeable, water bearing, etc.) of each formation and the elevation of any water table.
- B. The required fee shall accompany the application.
- C. Within forty-five (45) days after a proper and complete application has been made, the licensing authority shall make a recommendation on the issuance of a Subdivision Construction Authorization, based upon the information contained in the completed application and any other information available to the licensing authority. when made, said recommendation for approval, with appropriate restrictions, if any, or denial shall be submitted to the applicant within five (5) days.
- D. When a recommendation is submitted, the Clerk of the Commissioners Court shall notify the County Judge who shall place the matter on the Agenda of the Commissioners Court for review at the next meeting of the Commissioners Court that is at least ten (10) days after the date of the submission of the recommendation. The Clerk of the Commissioners Court shall notify the licensing authority and the applicant that the matter is on the agenda.
1. Upon the approval of a Subdivision Construction



Authorization by the Commissioners Court, the authorization by the Commissioners Court, the authorization shall be issued to the applicant. A Subdivision Construction Authorization does not constitute either a Permit to Construct or a License to Operate a specific private sewage facility. An approved Subdivision Construction Authorization, however, is a prerequisite for obtaining a permit or license for a specific private sewage facility in a subdivision.

2. Upon the disapproval of a Subdivision Construction Authorization by the Commissioners Court, the licensing authority shall so notify the applicant in writing within ten (10) days of the disapproval and shall include the reasons for denying the approval of the authorization.

### 9.3 NOTICE.

A. Upon the approval of a Subdivision Constructing Authorization, the authorization, the application therefor, and any other critical evaluation information shall be filed as a deed record for the subdivision lots.

B. Any person, or his agents and assignees, desiring to create a subdivision that will utilize private sewage facilities, in whole or in part, and sell, lease, or rent the lots therein shall inform each prospective purchaser, lessee, or renter:

1. That the subdivision is subject to all of the terms and conditions of these Rules, ;
2. That a Permit to Construct shall be required before a private sewage facility can be constructed in the subdivision,
3. That a License to Operate shall be required for the operation of such a private sewage facility, and
4. That an application for a Subdivision Construction Authorization has been made and whether or not it has been approved, including any restrictions placed on any such approval.

## SECTION 10 CONTRACT FOR CONSTRUCTION AND UPGRADING OF COUNTY ROADS IN A SUBDIVISION BY PRIVATE CITIZENS

10.1 Roads that had previously been all weather roads but, have reverted back to dirt roads prior to January 1, 1990, will no longer be returned to all weather roads at county expenses.

10.2 A person may enter into a private contract for the

construction and or upgrading of a county road. Prior to any work being performed under the contract the approval at least thirty (30) days before work is to begin.

- A. The contract shall provide for preparation of the road bed, including ditches, culverts, or bridges as required by the specifications existing in Hunt County, Texas. If there is a question as to the need or adequacy of a plan it shall be brought before the Commissioners Court and shall be divided upon by a majority of the Commissioners.
- B. The Contractor shall fully comply with all local, state, and federal laws, including all codes, ordinances and regulations applicable to the construction of roadways which exist or which may be enacted later by governmental bodies having jurisdiction or authority for such enactment.
- C. The contractor shall provide a bond which shall be submitted to the Commissioners Court for approval at least thirty (30) days before work is to begin. The amount of the bond shall be determined by the Commissioners Court and may be satisfied with a cash deposit. The bond shall be held until the road is finally approved by the Commissioners Court and upon approval of the roadway the the bond shall be returned to he contractor. In the event road is not accepted by the Commissioners Court the bond shall be forfeited to Hunt County, Texas to bring the roadway within specification.
- D. The Commissioners shall inspect the road upon completion and may inspect the road during construction. One (1) year after completion the road shall be reinspected and either accepted by the Commissioners Court or rejected. The contractor and/or persons contracting for the construction and/or upgrading of a county road shall be responsible for maintenance upon the work done for one year after construction is complete. After final approval the County shall assume responsibility for maintenance upon the roadwork.
- E. Before construction begins, contractors performing work on county roads shall provide evidence of liability insurance in an amount determined by the Commissioners Court to protect the county against any injury, damages, or other claims involving their activity during the period of the contractor's responsibility.
- F. Dirt roads may be changed to all weather roads at county expense in order to connect other all weather roads which will help the overall community or area, and not specific landowners or homeowners. This decision shall be made by the commissioners in each individual precinct.

SECTION 11. CONFLICT WITH OTHER REGULATIONS OR WITH CITY ORDINANCES

Whenever the standards and specifications in the regulation conflict with those contained in other regulations or City ordinances, the most stringent or restrictive provisions shall apply.

SECTION 12. CONFLICTS OF INTERESTS

- 12.1 If a member of the Commissioners' Court of a County has a substantial interest in a subdivided tract, the member shall file, before a vote or decision regarding the approval of a plat for the tract, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter. The affidavit must be filed with the County Clerk.
- 12.2 A member of the Commissioners' Court of a county commits an offense if the member violates 11.1 above. An offense under this subsection is a Class A misdemeanor.
- 12.3 The finding by a court of a violation of this section does not render voidable an action of the Commissioners' Court unless the measure would not have passed the Commissioners' Court without the vote of the member who violated this section.
- 12.4 In this section, "subdivided tract" means a tract of land, as a whole, that is subdivided. The term does not mean an individual lot in a subdivided tract of land.
- 12.5 A person has a substantial interest in a subdivided tract if the person:
- A. has an equitable or legal ownership interest in the tract with a fair market value of \$2,500 or more;
  - B. acts as a developer of the tract;
  - C. owns 10 percent or more of the voting stock or shares of or owns either 10 percent or more or \$5,000 or more of the fair market value of a business entity that:
    - 1. has an equitable or legal ownership interest in the tract with a fair market value of \$2,500 or more; or
    - 2. acts as a developer of the tract; or
  - D. receives in a calendar year funds from a business entity described by subsection 12.5.3 that exceed 10 percent of the person's gross income for the previous year.
- 12.6 A person also is considered to have a substantial

interest in a subdivided tract if the person is related in the first degree by consanguinity or affinity to another person, who, under 12.5 above, has a substantial interest in the tract.

#### SECTION 13 SEVERABILITY CLAUSE

If any word, phrase, clause, sentence, section, provision or part of the Subdivision Regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining portions, and it is hereby declared to be the intent of Commissioners' Court that these Regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

#### SECTION 14. PENAL PROVISIONS

14.1 At the request of the Commissioners' Court, the County Attorney or other prosecuting attorney representing the County may file an action in a court of competent jurisdiction to:

- A. Enjoin the violation or threatened violation of a requirement established by or adopted under these Subdivision regulations; or
- B. Recover damages in an amount adequate for the County to undertake any construction or other activity necessary to bring about compliance with a requirement established or adopted under these Subdivision Regulations, and attorneys fees.
- C. A person commits an offense if the person knowingly or intentionally violates a requirement established by or adopted under these Subdivision regulations is a Class B misdemeanor.

14.2 Oversight. The owner, by submitting a plat, acknowledges the authority of the County and state agencies to lawfully enter and inspect property for purposes of execution of their statutory duties. Such inspection will not release the owner from any obligation to comply with the requirements of these rules. Any such inspection or review will not subject the County of State of Texas to any action for damages.

- A. Legal Action. At the request of the Commissioners' Court, a County Attorney or other prosecuting attorney may file an action in a court of competent jurisdiction to:
  - 1. enjoin the violation or threatened violation of a requirement established by or adopted by the Commissioners' Court under Chapter 232 of the Local



Government Code; or

2. recover damages in an amount adequate for the County to undertake any construction or other activity to bring about compliance with a requirement established by or adopted by the Commissioner's Court under Chapter 232, and Attorney's fees for the Attorney bringing the action.
- B. Offense. A person commits an offense if the person knowingly or intentionally violates a requirement established by or adopted by the Commissioner's Court under Chapter 232. An offense under this section is a Class B misdemeanor.
- 14.3 Civil Penalty. A person who violates a rule adopted by a County pursuant to Section 16.343 of the Water Code is subject to a civil penalty of not less than \$50 nor more than \$100.00 for each violation and for each day of a continuing violation not to exceed \$5000 per day
  - 14.4 Criminal Penalty. A person commits an offense if the person knowingly or intentional violates a rule adopted pursuant to Section 16.343 of the Water Code by a County or municipality. A member of the Commissioners' Court commit an offense if the member violates Section 12.1 of these rules.
  - 14.5 Offense Class. An offense under subsection 14.4 of this Section is a Class B misdemeanor. An offense under Section 12.1 of these rules is a Class A misdemeanor.
  - 14.6 Injunction. In addition to other remedies, the attorney general, the county or district attorney of the County in which the violation occurred, or other local officials are authorized to apply to the district court for and the court in its discretion may grant the state or political subdivision without bond or other undertaking, any injunction that the facts may warrant including temporary restraining orders, temporary injunction after notice and hearing, and permanent injunctions enjoining a violation of the rules.
  - 14.7 Enforcement of Model Rules by Attorney General. In addition to enforcement by political subdivision, the attorney general may bring suit to enforce a rule adopted under Section 16.350 of the Water Code, to recover the penalty provided by Section 16.352 of the Water Code, to obtain injunctive relief to prevent the violation or continued violation of a political subdivision's rules, or to enforce the rules, recover the criminal penalty, and obtain injunctive relief.
  - 14.8 Attorney General Action. The attorney general may take any action necessary to enforce a requirement imposed by or under Section 232.0035 or 232.0036 of the Local Government Code, or to ensure that the water and sewer service facilities are

constructed or installed to service a subdivision in compliance with the model rules adopted under Section 16.343, Water code.

- 14.9 Civil Penalty. A person who violated Section 232.0035 or 232.0036 of the Local Government Code, or fails to timely provide for the construction or installation of water or sewer service facilities that the person described on the plat or on the document attached to the plat, as required by Section 232.0035 is subject to a civil penalty of not less than \$500 nor more than \$1,000 plus court costs and attorney's fees for the Attorney bringing the action.
- 14.10 Offense. An owner of a tract of land commits an offense if the owner knowingly or intentionally violates a requirement imposed by or under Section 232.0035 or 232.0036 of the Local Government Code or fails to timely provide for the construction or installation of water or sewer service facilities that the person described on a plat or on a document attached to a plat, as required by Section 232.0035. An offense under this subsection is a Class B misdemeanor.
- 14.11 Definition. A reference in this section to an "owner of a tract of land" does not include the owner of an individual lot in a subdivided tract of land.

#### SECTION 15 DUTY OF THE COUNTY CLERK

- 15.1 The County clerk or a deputy of the clerk with whom a plat or replat of a subdivision of real property is filed for recording shall determine whether the plat or replat is required by law to be approved by a County or Municipal authority or both. The clerk or deputy may not record a plat or replat requiring approval unless it is approved as provided by law by the appropriate authority and unless the plat or replat has attached to it the documents required by Section 212.0105 or 232.0035 Local Government Code and Hunt County Subdivision Regulations is applicable if a plat or replat does not indicate whether land covered by the plat or replat is in the extraterritorial jurisdiction of the municipality, the County Clerk may require the person filing the plat or replat for recording to file with the clerk an affidavit stating the information.
- 15.2 A person may not file for record or have recorded in the County Clerk's office a plat or replat of a subdivision of real property unless it is approved as provided by law by the appropriate authority and unless the plat or replat has attached to it the documents required by Section 212.0105 or 232.0035, Local Government Code, if applicable.
- 15.3 A person who subdivides real property may not use the Subdivision's description in a deed of conveyance, a contract for a deed, or a contract of sale or other executory contract to convey that is delivered to a purchaser unless the plat or replat of the subdivision is approved and is filed for record

with the County Clerk of the County in which the property is located and unless the plat or replat has attached to it the documents required by section 212.0105 or 232.0035, Local Government Code, if applicable.

15.4 A County Clerk or a deputy of the Clerk commits an offense if the clerk or deputy knowingly and intentionally violates this Section in regard to a plat or replat required to be approved by a County or municipal authority or both. An offense under this subsection is a misdemeanor punishable by a fine of not less than \$50.00 or more than \$200.00.

A. The County Clerk or a deputy may rely upon an affidavit from a person who is subject to these regulations, to the effect that the person has compliance with these regulations.

#### SECTION 16. EFFECTIVE DATE OF ENACTMENT

The provisions of the Subdivision Regulation shall become effective on the 25th day of March, 1991.

8-14-95

DEPUTY  
8/12/95  
B...

July 7, 1995

Attention: Hunt County Judge Joe Bobbitt  
Precinct 1 Commissioner Johnny Lyon  
Precinct 2 Commissioner Ralph Green  
Precinct 3 Commissioner Jim Hart  
Precinct 4 Commissioner Allen Martin

From: Subdivision Rule Change Committee; Harold Curtis, Eddie Daniel,  
Mike Heine, Sam Johnson, Charlie Patterson, and Bobby Stovall

RE: Subdivision rule changes....

Page 17

(A) Asphalt Streets with sub-grade & base

Paragraph 4 there should be a (d) added to read:

The sub-base shall be compacted to 95% Proctor Density before any base material can be layed. This compaction is to be tested by an independent lab with results given to the Precinct Commissioner.

Paragraph 5

We think the compacted base depth should change from 8" inch to 6" inch with these exceptions. Add a (B) 4" inch of compacted base 24' feet wide with 90% proctor density on developments with less traveled roads (one way in and one way out should be acceptable).

add (c) If the road is left as a gravel road it must have 6" inch compacted rock 24' feet wide. The rock shall be of good quality crushed rock or road gravel and compacted too 90% Proctor Density.

On page 18 Paragraph (6) should be changed to read:

The wearing surface shall be Hot Mix, Oil/Sand Mix, Seal Coat, or Gravel.

excluded  
Order #5993

On page 19 in Paragraph F there should be a change that reads.

A maintenance bond shall also be executed by a security company as described above in the amount of the tot. cost of the road.

PAGE 1

\*\*\*NOTE: PLEASE CONTACT YOUR COMMISSIONER BEFORE DOING ANYTHING REGARDING ROADS. \*\*\*\*



On Page 20 Paragraph 5 should read as follows:

Maintenance of roads may be reserved to the developer and to properly organized homeowners associations provided:

1. All privately maintained roads must be constructed pursuant to the same specifications and requirements as are set out in these regulations for roads to be maintained by Hunt County.
2. Proctor Density tests must be made as otherwise required and submitted to the appropriate precinct commissioner.
3. Approval of the Commissioner's Court must be secured as with other roads.
4. The developer must provide for a properly organized homeowners association which clearly and unequivocally assumes the duty for maintenance of the roads within the subdivision and is afforded the right under the homeowners association organization to levy and assess dues for the maintenance of the roads with adequate enforcement procedures.
5. All provisions of a subdivision with privately maintained road must be approved as in other subdivisions including the organization of the homeowners association.

These are the recommendations of the committee. If any of you have any questions or you would like to discuss any of this prior to Commissioners Court Monday, please call any of us at the numbers listed below.

Harold Curtis - 455-8113 (Attorney)  
Eddie Daniels - 883-2695 (Cash Water Supply)  
Mike Heine - 454-6565 (Real Estate Developer)  
Sam Johnson - 455-0800 (Colonial Bank)  
Charlie Patterson - 455-9414 (Century 21)  
Bobby Stovall - 455-8258 (Sabine Title Co.)



**COPY**

# 9537  
FILED FOR RECORD  
LINDA BROOKS  
COUNTY CLERK HUNT CO., TX  
05 SEP 12 PM 1:10  
BY: S. Brack  
DEPUTY

AMENDMENT  
TO HUNT COUNTY SUB-DIVISION  
RULES AND REGULATIONS

Any plat for sub-division of land which fronts or is in any way connected to a state highway must first be approved by Texas Department of Transportation before it will be considered for approval by Hunt County Commissioner's Court.

Approved September 12, 2005

Joe A. Bobbitt  
Joe A. Bobbitt  
County Judge

Kenneth P. Thornton  
Kenneth Thornton  
Commissioner Pct. 1

Phillip A. Martin  
Phillip A. Martin  
Commissioner Pct. 3

Ralph Green  
Ralph Green  
Commissioner Pct. 2

Jim Latham  
Jim Latham  
Commissioner Pct. 4

# HUNT COUNTY SUBDIVISION WORKSHEET

(Hunt County Subdivision Regulations Order #4513)  
(TCEQ – Title 30, TAC Chapter 285.4 Facility Planning)

1. Meet with Precinct County Commissioner  
(Discuss plans, roads, permits, and regulations.)
2. Obtain copy of County Subdivision Regulations Order 4513.
3. Meet with surveyor and lay out plat. (concept drawing)
4. Determine if interior roads will be necessary.
5. Distribute copies of **preliminary plat**. (see check list on back)
6. Present preliminary plat to the Commissioner's Court for approval.
7. Secure a contractor.
8. Obtain a road bond payable to the county for the amount of the cost of road to be held for  
one year from the time of the road completion.
9. Present **final plat** to court for approval.
10. Upon approval pay all fees and distribute copies. (Check list on back page)
11. File with county clerk.

## (TCEQ Regulations for Subdivisions Using On-Site Sewage Facilities)

1. Site Plan - (Should state overall reason for subdivision. Being developed for  
commercial, residential, RV park, mobile home park, etc.)
2. Topographic map.
3. 100 year flood zone.
4. Soil Survey.
5. Location of water wells.
6. Location of easements (utility).
7. Comprehensive drainage plan.
8. Type of OSSF systems that would be compatible to the area.

## Preliminary Plats

1. Submit twelve (12) blue or black line copies of the plat at least thirty (30) days prior to  
the date at which formal application for the Preliminary Plat approval is made.
2. Subdivisions within the jurisdiction of the Lake Area Planning and Zoning Commission  
shall attach to the plat, a certificate of approval from the Planning and Zoning  
Commission.

## Fees

Health Department: \$100.00 plus \$10.00 per lot.

County Clerk: File approved final plat, \$56.00 for 1 page, \$6.00 per extra page.

## Check List

The check list can be used for preliminary and final plat procedure. The developer needs to keep the list with signatures throughout this process. When a copy of the preliminary or final plat is submitted to an agency, the agency must sign off on the check list to show they received the copy. When all copies have been distributed and signed off on, then the plat can be placed on the agenda. The Final Plat can not be filed until all signatures are acquired and signed off by the County Commissioner's Office.

## Preliminary and Final Plat Check List

Name of Subdivision: \_\_\_\_\_

**Preliminary Plat - 12 copies provided to:**

- \_\_\_\_\_ 5 copies to Commissioner's Office.
- \_\_\_\_\_ Independent school district property lies in.
- \_\_\_\_\_ Post Office serving that area.
- \_\_\_\_\_ Water Supply Company.
- \_\_\_\_\_ Electric Supply Company.
- \_\_\_\_\_ Local Fire Department.
- \_\_\_\_\_ Health Department.
- \_\_\_\_\_ Nearest city, if it falls within the cities  
extraterritorial jurisdiction.

After all signatures are collected, the Commissioner's office must sign off below before being placed on the agenda.

\_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_ Date

**Final plat - 12 copies provided to:**

Note: These 12 copies do not include the original plat submitted to Commissioner's Court for final approval and filed with the County Clerks Office.

- \_\_\_\_\_ 5 copies to Commissioner's Office.
- \_\_\_\_\_ Independent school district property lies in.
- \_\_\_\_\_ Post Office serving that area.
- \_\_\_\_\_ Water Supply Company.
- \_\_\_\_\_ Electric Supply Company.
- \_\_\_\_\_ Local Fire Department.
- \_\_\_\_\_ Nearest city, if it falls within the cities  
extraterritorial jurisdiction
- \_\_\_\_\_ Health Department. (Pay fees and submit all material  
required under TCEQ regulations. TAC Chapter 285.4)

After Commissioner's Court approval, copies are distributed and signatures obtained. The Commissioner's office signs off below, and then the plat can be filed with County Clerks Office.

\_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_ Date