



Aransas County

Subdivision

Regulations

Rev. September 4, 2009

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Article I GENERAL PROVISIONS

A. Authority:

The following rules and regulations are hereby adopted as the subdivision regulations of Aransas County, Texas, and shall be applicable to the filing of plats and the subdivision of land, as that term is defined herein and in Chapter 232 of Texas Local Government Code, and as authorized by provisions of Title 13, Local Government Code; by Title 6 of the Transportation Code; by Title 7, Subtitle B, et. Seq. Local Government Code; Title 12, Subtitle C, Chapter 395, Local Government Code; Health and Safety Code, Chap 366, and Title 13, Subtitle B, Chapter 411, Local Government Code. The rules and regulations in the following pages shall supersede all previous orders of the Commissioners' Court pertaining to lot subdivision.

1. Findings

- a. The Commissioners' Court hereby finds that compliance with the provisions of the National Flood Insurance Program requires that a system of development permits be established to ensure the proper location, placement, development, flood proofing, and elevation of all structures in the County.
- b. The Commissioners' Court hereby finds that manufactured home rental communities require special regulation to assure the health and safety of lessees, tenants, and transitory occupants and therefore must meet a minimum standard for infrastructure.
- c. The Commissioners' Court hereby finds that all of Aransas County is a flood prone area influenced by the Gulf of Mexico and its tidal influenced bays, estuaries and water bodies and those minimum standards for construction and use of buildings is necessary to comply with the National Flood Insurance Program.
- d. The Commissioners' Court hereby finds that the health, safety, and welfare of the citizens and landowners of Aransas County will best be advanced and protected by joint regulation of public utilities, drainage and flood control. The Commissioners' Court therefore adopts and incorporates by reference the regulations, policies and procedures of the Aransas County Stormwater Management & Design Manual and the Aransas County Engineering Design Manual.

B. Interpretation and purpose:

In the interpretation and application of the provisions of these regulations, it is the intention of the Commissioners' Court that the principles, standards and requirements provided for herein shall be minimum requirements for the subdivision and development of land in Aransas County within the unincorporated portions of the county and within the Extra-Territorial Jurisdictions of those cities which have elected to have Aransas County enforce the provisions of the various statutes, regulations, and authorities that apply under state law. These regulations shall apply to all unincorporated land that lies beyond the territorial boundary set by agreement between Aransas County, the City of Rockport and the City of Aransas Pass. Parcels bisected by the boundary will fall entirely under the authority of the adjacent city.

The subdivision of land is the first step in the process that makes property available for sale, lease, or development. The establishment of rules and regulations to control the division and development of land is a necessary exercise of the powers of the public to protect and enhance public safety, the environment, and to ensure quality utilization of land, water and air resources.

The procedure and standards for the development, layout and design of subdivisions of land within Aransas County are intended to:

- Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the adopted Comprehensive Plans of Aransas County, Aransas County Navigation District, the City of Rockport, the Town of Fulton, the City of Aransas Pass or any governmental entity that develops such a plan.
- Protect the public interest by supervising the location, design, class and type of streets, sidewalks, utilities and essential areas and services required;
- Assist orderly, efficient and coordinated development within Aransas County;
- Protect the public from flooding and preserve wetlands and conservation areas of the county;
- Protect and preserve the shorelines, bays and estuaries of the county;
- Establish adequate and accurate records of land subdivision;
- Ensure that public or private facilities are available and will have a sufficient capacity to serve proposed subdivisions and developments;

- Protect and provide for the public health, safety, and general welfare of the county and;
- Protect and conserve the value of land throughout the county and the value of buildings and improvements upon the land.

C. Application of Standards for Development:

Minimum standards for subdivision and development are contained herein and in the Aransas County Engineering Design Standards and Aransas County Stormwater Design Manual, private and public utility agencies, the Texas Department of Transportation, the National Flood Insurance Program, and state and federal regulations as applicable to land within Aransas County. Developers shall become familiar with the aforementioned manuals and criteria prior to the submission of plans.

The developer of a subdivision is responsible for all costs of design, construction, inspection and fees required for the review and approval of all plans and specifications for facilities intended to be dedicated to the public or used by purchasers or lessees of the lots or tracts being subdivided. Reimbursement cost participation by Aransas County may be provided only for oversize or extension of facilities required of the developer to comply with the relevant Master Plans of such facilities. Such reimbursement shall be made in accordance with the policies in effect at the time of processing of the Conceptual Plan.

D. Acronyms:

BMP- Best Management Practice
LGC- Texas Local government Code
HSC- Texas Health and Safety Code
OSSF- Onsite sewage facility
PUD- Planned Unit Development
TAC- Texas Administrative Code
TCEQ- Texas Commission on Environmental Quality
TXDOT- Texas Department of Transportation

E. Definitions:

For the purpose of these regulations, the following terms, phrases, words and their derivations shall have the meaning given below.

Amending plat: A plat which is controlling over the preceding plat without vacation of that plat which is submitted for approval of certain dimensional and notational corrections and lot line adjustments under the provisions of the Texas Local Government Code. An amending plat is a Final Plat.

Certificate of Approval: A Permit issued by the designated County Official or City Official that approves and certifies all necessary public services have been installed and tested to meet current standards; and that all fees and sureties have been properly submitted and accepted. Certificate of Approval (or "C.A.") includes the terms "Authorization to Construct", "Notice of Approval" and "Customer Service Inspection". Such certificates are issued by Aransas County, municipalities and other public service providers.

County Engineer: This term shall apply only to such Registered Professional Engineer or firm of registered professional consulting engineers that has been specifically designated as such by the Aransas County Commissioners' Court.

Comprehensive Plan: The Comprehensive Plan of the county, cities and towns as adopted by the Commissioners' Court and the cities and towns in Aransas County, including all revisions. The comprehensive plan may also be defined as the series of plans such as the Major Thoroughfare Plan, Water and Sewer Plan, Master Drainage Plans, among others.

Conceptual Plan: A map or drawing of a proposed subdivision illustrating the features of the development for review and approval by the Commissioners' Court but not complete or suitable for recordation in the county records.

Condominium: Joint ownership and control, as distinguished from sole ownership and control ownership, of specified horizontal layers of air space; each condominium unit is individually owned, while the common area is jointly owned. Condominiums may be commercial, industrial, recreational, or residential and are governed by a home owners association.

Cul-de-sac: A circular right-of-way in which a vehicle can turn one hundred eighty (180) degrees around a center point or area.

Design standards: The current Commissioners' Court adopted document which provides the technical and planning requirements for the design of public improvements, private improvements that connect to or affect the public infrastructure and the supporting documents for approval in Aransas County.

Development: A planning or construction project involving the installation of public and/or private infrastructure for the purpose of lot subdivision.

Developer: Any person wishing to subdivide property for the purpose of sale or redistribution.

Easement: This term shall mean an area for restricted use on private property upon which a specified public entity or utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements. That specified public entity or utility shall at all times have the right of ingress and egress to and from and upon the easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone although reasonable notice and consent will be a priority.

Edge of Pavement: The outermost point of pavement on a street that has been clearly maintained as evidenced by the presence of asphalt or seal coat.

Engineer: A person duly authorized and registered under the provisions of the Texas Engineering Registration Act to practice the profession of engineering and who is specifically qualified to design and prepare construction plans, specifications and documents for subdivision development.

Final Plat: A map or drawing of a proposed subdivision prepared to meet all of the requirements for approval by the Commissioners' Court and recordation in conformance with the requirements of these regulations. The Final Plat of any lot, tract, or parcel of land shall be recorded in the records of Aransas County, Texas.

Grandfathered Lot: Any lot or parcel that was legally subdivided prior to the adoption of this order by the Commissioners' Court.

Headright: A legal grant of land, usually to settlers moving into an uninhabited area.

Infrastructure: The basic facilities, services, and installations needed for the functioning of a community or society, such as transportation and communications systems, water and power lines, and public necessities.

Letter of Availability: A letter issued by a public utility provider as herein defined, that certifies that adequate utility services are available and will be reserved for the development proposed to be subdivided. Such Letter may be issued upon application and approval in accordance with the policies and regulations of the utility provider.

Letter of Plat exemption: A letter issued by the County Engineer exempting a tract of land from these regulations in accordance with the exemptions provided in state law for property that is exempt from platting requirements.

Lot: A legally subdivided parcel of land that is intended for sale or use. A lot can be defined as “buildable” or “non-buildable” based on water and wastewater availability or assurances.

Minor Plat: A subdivision of land of four or fewer lots that will require no new access, utility services requiring easements, or which are not in conflict with the Comprehensive Plan, master plan or component plans of the county, any city in which the land is situated and which does not involve the re-subdivision or revision of an existing subdivision that would change or abolish any deed restrictions.

Mobile Home: A manufactured dwelling that is constructed on a frame and is intended to be movable using trucks and which can be permanently or semi-permanently installed on a plot and fitted with public or private utilities.

Mobile Home Rental Community: Also called a Manufactured home rental community. A plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for occupancy as residences. For the purpose of compliance an RV Park will fall under this definition.

Mobile Home Subdivision: A subdivision designed and arranged for the permanent installation of mobile homes or manufactured homes on individual lots having public or private utility services and including common open space and master planned for the unique features and requirements of mobile home residents.

Non-buildable : A parcel that is not authorized for the construction of any facility or structure that requires connection to any public utility.

No Impact: A term which describes the effect of stormwater releases generated from the increase in impervious surfaces on land; the alteration of the absorptive and permeability qualities of land; or the alteration of natural or man-made drainage facilities and structures to manage stormwater in such a way that stormwater released from a site neither increases downstream velocities within defined floodplains or increase the water surface elevation of those floodplains under the 100 year frequency rainfall event. The term also includes the requirement that any

development must not result in any increase in water surface elevations or floodplain area on or affecting upstream property or other lands within the watershed that are hydraulically related or whose water surfaces or floodplains would be enlarged by the proposed development. The “No Impact” condition is demonstrated by the use of Engineering Models prepared by a competent Registered Professional.

Onsite Sewage Facility: A sewage system designed by an engineer or a state licensed septic designer that enables the occupancy of a piece of property without connection to public sewer.

Outlot: Any part of a subdivision plat meeting all of the minimum requirements but being set aside for future development.

Patio home or zero lot line home: A single-family detached dwelling unit with a zero building line on one side and a minimum ten-foot side yard on the other. There shall be right to access from the adjoining side yard for main

Pavement width: The portion of a street available for vehicular traffic from face of curb to face of curb on streets constructed with curbs and gutters, or from the edge of the pavement on streets constructed with open ditches.

Planned Unit Development: A form of development which promotes the development of a tract of land in a unified manner and which may allow for certain variances from the established development standards for lot sizes, lot width, building lines, as established in these regulations. Town Homes, Patio Homes, Cluster Homes, Condominiums and Multifamily Developments may be considered as Planned Unit Developments. PUDs are an optional contract to enter into with the county when the developer feels that the standard subdivision regulations do not provide enough flexibility for their project.

Plat certificate: A certificate issued by the County Engineer upon request certifying to the approval and recordation of the subdivision certifying that the subdivision has met all the requirements for a plat.

Private Street: Any street constructed by a developer that is restricted access by virtue of gates or signage and is maintained by a private entity such as a homeowner’s association.

Public Street: Any street that is free for use by the general public and is maintained by Aransas County or any other state or municipal government.

Radial lot: A lot fronting onto a curvilinear street with side lot lines radial to the street curvature.

Record plat: A plat of any lot, tract or parcel of land that is recorded with the Aransas County Clerk following final approval by the Commissioners' Court, the municipal authority empowered to approve plats or both as applicable under state law.

RV Park: Also known as a Recreational Vehicle Park, is a master planned facility designed for the temporary lodging of travelers in Recreational Vehicles, Motor homes, 5th wheel trailers, and similar vehicles but not including mobile homes, manufactured homes or structures not certified and licensed for roadway operation by a state. RV Parks offer short term lodging rental usually not exceeding 3 to 6 months for travelers, tourists and seasonal visitors. For the purpose of compliance an RV Park will fall under the regulations of a Manufactured Home Rental Community.

Regional drainage improvements means the stormwater drainage improvements and facilities proposed to be constructed by the public on the effective date of this article to meet the future storm drainage requirements of the flood hazard area.

Replat: The re-subdivision of all or any part or all of any block or lots of a previously platted subdivision.

Reserve: A reserve is the same as a lot and subject to the same platting requirements. Reserve lots are also non-buildable.

Right-of-way: The area designated on a plat for the placement of public utilities and public access to the associated lots.

Right-of-way width: The shortest perpendicular distance between property lines which delineate the right-of-way of a street.

Sketch Plan: An informal drawing showing a lot layout in a proposed subdivision.

Subdivision Regulation Agreement. An agreement between incorporated cities and towns in the county that provides for county enforcement and administration of subdivision regulations as provided for under Chapter 242, Texas Local Government Code, as amended.

Subdivision (also addition): A division of a lot, tract, or parcel into two (2) or more lots, tracts, or parcels or other divisions of land for sale or development. Subdivision shall include the dedication of public right-of-way, public streets, access easements, utility easements and fire lanes.

The re-subdivision or replatting of lots in a previous subdivision is also a subdivision.

Surveyor: A Registered Professional Land Surveyor, as authorized by statutes, to practice the profession of surveying.

Thoroughfare Plan: A plan adopted by the Commissioners' Court or governing body of a city or town which identifies the general routing and classification of proposed streets and thoroughfares. The plan may also establish the function and capacity of the various thoroughfares as they relate to the land uses they are proposed to serve.

Townhouse: A residential unit that shares at least one common or party wall with another unit. Each unit and the land upon which it stands are individually owned, subject to a party wall agreement with the adjacent owner. Townhouse developments generally are cluster developments or planned unit developments in which the land surrounding the house units is owned in common by the townhouse owners.

Tract: A tract is the same as a large lot or parcel of land and shall be subject to the same platting requirements.

Utility: A public common carrier organized as private or non profit to provide a widespread service to the general public. Such utilities can include but are not limited to water, sewer, electricity, gas, telephone and cable.

Water Service Provider: The agency or organization, either public or private, that is responsible by contract, regulations, franchise or charter for providing water, sewer and drainage, or any of the three, within a particular geographic area of Aransas County. The Water Service Provider serves the public with potable drinking water; collects and treats sanitary and/or industrial sewage and may regulate, maintain and constructs all such facilities. As used in these regulations the Water Service Provider is that agency that has been recognized by the Aransas County Commissioners' Court as a public utility regardless of the form of ownership or operations.

F. Lands Subject to Platting:

1. Applicable:

The provisions of these subdivision regulations shall apply to:

- a. The division of land into two (2) or more lots, tracts, reserves, sites or parcels for the purpose of sale, lease, or development.

- b. The division of land previously subdivided or platted into tracts, lots, sites or parcels not recorded, that were subject to and not in accordance with adopted subdivision regulations in effect at the time of such subdividing or platting.
- c. The dedication to public use of streets, parks, schools, open spaces, easements providing services to lots or tracts that are occupied, fire lanes and alleys, through any tract of land regardless of the area involved.
- d. Any project that is classified as a condominium.
- e. The vacation of a previously recorded subdivision plat or a street that has been closed by action of the Commissioner's Court.
- f. The creation of building sites that includes any means of access or egress or lands that will be used, dedicated or intended for the benefit of purchasers or users.

2. Exempt:

The provisions of these subdivision regulations shall not apply to:

- a. Land legally platted and approved prior to the effective date of these subdivision regulations except as otherwise provided herein (construction of facilities shall conform to the current Aransas County Engineering Design Standards in effect at the time of construction).
- b. The lot is divided into four or fewer parts and is deeded to a relative according to Sec. 232.0015 of the Local Government Code.
- c. All of the lots in the subdivision are 10 acres or larger and front an existing state or county road.
- d. Land owned by a political subdivision of the state.
- e. Land that is being sold to veterans through the Veterans' Land Board and do not lay out streets or alleys.
- f. Divisions of land created by order of a court of competent jurisdiction.
- g. Subdivision development that is exempt by state law.

G. Lot Layout and Policies.

The following guidelines are intended to aid the developer or engineer in designing the proposed subdivision in conformance with the Aransas County Subdivision Regulation and all relevant state and federal regulations.

1. Lot size:

- a. If no public water supply or public sewer is available, lots will be one acre minimum per Title 30 TAC Sect. 285.4.
- b. If public water is available but public sewer is not available, lots will be one-half (1/2) acre minimum per Title 30 TAC Sect. 285.4.
- c. If public water and sewer are both available lots will be a minimum of one-quarter (1/4) acre. Lots smaller than one-quarter acre are only available through negotiations with the county in establishing a PUD.
- d. The plat will contain a statement that each lot is limited to one single family detached dwelling. Title 31 TAC Part 10 Sec. 364.2

2. Roads:

- a. All new roads built to accommodate new subdivisions will conform to the standards set forth in the Aransas County Engineering Design Manual regardless if they are public or private.
- b. All newly subdivided lots will abut a paved road.
- c. New subdivisions abutting unpaved or undeveloped county roads shall provide a paved section per county standards from the farthest front corner of the subdivision boundary to the nearest paved public road. In order to accommodate development of good roads, the owner may utilize the county's "Undeveloped Street Policy" whereby the county absorbs one-third of the cost per policy in force at the time of request.
- d. Names of new roads are at the discretion of the developer but will not be similar in sound to existing names as to confuse emergency personnel. Final approval of road names will be made by Commissioner's Court.
- e. All lots being subdivided that abut an existing county road having a right-of-way width less than sixty feet shall plat additional right-of-way along the road frontage of the subject lots to bring the total up

to thirty feet from the centerline to edge of the new property boundary.

3. Stormwater Management:

Stormwater management is the systematic methodology used to manage the impacts of stormwater runoff. Stormwater runoff is that portion of rainfall produced by a storm event that neither infiltrates nor evaporates, but becomes surface water and is ultimately conveyed to the wetlands, estuaries or bays of Aransas County. The impacts of uncontrolled stormwater runoff can be the loss of life, health and property due to severe flooding; and the loss of our valuable ecologic resources due to pollution. As stormwater flows across roof-tops, pavement and lawns, it can carry contaminants; such as oils, nutrients and sediments, to our bays, damaging the aquatic habitat that defines the uniqueness of Aransas County. It is the County's policy that new development manages both the quantity and quality of stormwater before it leaves the site.

The Regional Stormwater Management Plan (RSMP) is adopted by the County to document policy for stormwater management; establish criteria and standards for design and construction of new developments; and identify a master drainage plan for the conveyance and treatment of stormwater throughout the County. These Subdivision Regulations require that before a final plat is approved, the applicant shall:

1. Review and comply with the County's most current policies, guidelines and criteria regarding stormwater management.
2. Review the County's most current master drainage plan and incorporate any applicable stormwater facility into the site plan. Stormwater facilities include, but are not limited to, drainage easements, channels, detention ponds, water quality facilities and drainage structures.

The County's current stormwater management policies, guidelines, design criteria and drainage plans may be obtained from the County Engineer's office during normal business hours or online at the Aransas County website.

4. Lot dimensions and Set Backs:

- a. Lot frontages will be minimum 50' on a new or existing paved road. Frontages on cul-de-sacs can be a minimum of 30'. LGC Sect. 232.103. Alternatives may be negotiated in a PUD.
- b. All lots will have a minimum front set-back of 25', a minimum side yard set-back of 8' on each side and a minimum rear yard set-back of 25'. Alternatives may be negotiated in a PUD.

5. Utilities:

- a. Electric service will be required to be provided to all new lots or a reasonable explanation by the service provider why it cannot be made available.
- b. Water connection to a public water supply will be required if water is within 750 feet of the subdivision per LGC Sect. 232.029(c)(2)(a). Construction will be completed or bonded prior to platting.
- c. Lots designed to be served by existing water and sewer lines shall require a letter from the utility stating that there is available capacity and that the utility pledges to provide service for the specified number of lots on the plat.
- d. Water systems that are able to support fire flow, as determined by the provider, will have one fire hydrant installed for every 500' of line.
- e. Water provided by well water will be certified to be potable per state standards and have sufficient quantity for thirty years per LGC Sect. 232.032(1). Developers not able to provide this service shall mark each lot on the plat as "non-buildable".
- f. Developers proposing septic service by an approved OSSF shall provide the county with the designated location on the plat for the system along with a design plan suitable to accommodate three hundred (300) gallons per day per LGC 232.032(2). Developers not able to provide this service shall mark each lot on the plat as "non-buildable".
- g. Connection to public utilities on new construction such as electricity, water or sewer shall be denied by the utilities until applicant provides a Certificate of Approval from the County. TAC Sec. 364.11-364.18

Note: Lots platted as “non-buildable” can be later submitted to the county for replat as “buildable” once private water and sewer service has been ascertained per LGC 232.032 (1) & (2) or public water and sewer service is available. Lots that are served by OSSFs will have a notation on the plat that the owner will be required to hook up to sewer whenever it is made available.

H. Application of Regulations.

These regulations shall apply to the subdivision of lands as authorized by Chapter 212 and Chapter 232, Texas Local Government Code and applicable ordinances that may apply in the unincorporated portions of Aransas County and within the extra-territorial jurisdiction of those cities and towns that have entered into an agreement with Aransas County to have these regulations apply.

1. For purposes of this subsection only, the following definitions shall apply:
 - a. “County” shall mean the County Engineer or other appropriate official, as designated from time to time by the Commissioners’ Court.
 - b. “Public utility” shall mean any entity, other than a municipality, that provides water, sewer, electricity, drainage, gas or other utility service.
2. Upon written request of an owner of land or a public utility, the county shall make the following determinations regarding the owner’s land or the land in which the public utility is interested and that is located within the county’s platting jurisdiction:
 - a. Whether a plan, plat or Replat is required by law; and
 - b. If a plan, plat or Replat is required, whether it has been prepared as required and reviewed and approved by Commissioners’ Court.

Such request must identify the land by metes and bounds, address or other adequate legal description, that is the subject of the request.

3. If the County determines that a Plan, Plat or Replat is not required, the County shall issue a written certification of that determination to the requesting party. If the county determines that a plan, plat or Replat is required, that such a document has been prepared, reviewed and approved by Commissioners’ Court, the county shall issue a written certification of that determination to the requesting party.

4. The County shall make its determination within twenty (20) days after the date it receives the request and shall issue the certificate within ten (10) days after the date the determination is made.
5. Final Plat required. No plat of a subdivision within Aransas County or extraterritorial jurisdiction of those cities and towns that have agreed to have Aransas County regulate subdivision in the extra territorial jurisdiction of their cities or towns shall be recorded until a Final Plat has been prepared in accordance with these subdivision regulations and approved by the Commissioners' Court.
6. Permits, Acceptances and Improvements. No building permit, or Certificate of Approval, or plumbing permit, or electrical permit, or floodplain reclamation permit, or utility tap or acceptance of required public improvements within the unincorporated limits of the county shall be issued without a recorded plat or letter of plat exemption issued by the Commisioners' Court.
7. Conformance with Regulations and Standards. Any subdivision within the county and the extraterritorial jurisdiction of those cities and towns that have entered into a subdivision agreement with the county shall conform to these subdivision regulations, the county's current design standards and other applicable regulations and standards.
8. Plat approval certification is required before any utility service connection, including, but not limited to, water, gas, sewer and electricity, may be made or any such utility service provided:
9. The enforcement of plat or deed restrictions is the responsibility of the developer and other owners in the subdivision; however, the Commissioners' Court of Aransas County shall have the right and authority to enforce plat restrictions through appropriate legal procedure to prohibit the construction or connection of utilities, or issuing of permits unless or until the requirements of the plat restrictions have been achieved.
10. The County will assume no responsibility for drainage ways or easements in the subdivision, other than those running on or along the public roads within the dedicated right-of-way or those easements specifically dedicated and accepted by the County as a part of the plat.
11. Maintenance and liability of landscaped areas within the right-of-way as approved by the Commissioners' Court will be the responsibility of the developer, the municipal utility district, neighborhood/home owners association, or any other legal entity. Said landscaping will in now way

impede the vision entering or leaving the subdivision. Landscaping that ceased to be maintained and creates a nuisance will be removed by the county.

Draft

Article II PROCEDURES and REQUIREMENTS

A. Purposes:

The purpose of this article is to establish the procedures and requirements for the submittal, review, consideration and action by the Commissioners' Court and to provide the necessary details and orderly processing of the subdivision of land in the county and the extraterritorial jurisdiction of those cities and towns which have executed a Subdivision Regulation Agreement with the County.

B. Plan or Plat Submittal:

Aransas County recommends but does not require a pre-conference with the County Engineer and the Environmental Health Officer so that a sketch plan of the proposed subdivision can be discussed with the developer. The purpose of the meeting is to avoid possible delays or costly revisions to the project.

The following subheadings describe the different levels of platting requirements and procedures necessary to successfully subdivide property for sale or conveyance in Aransas County.

C. Minor Plat:

A Minor Plat as defined herein is not required to go through the full review and approval process and may, at the discretion of the County Engineer, be administratively approved. Upon approval a Minor Plat will be recorded as a Final Plat provided all required fees have been paid.

1. A Minor Plat procedure may be requested if the final plat is authorized by the County Engineer and meets the following requirements:
 - a. No more than four (4) lots, tracts or reserves are included;
 - b. The area to be platted lies within an existing public street circulation system already approved by the Commissioners' Court;
 - c. The plat does not propose to vacate public street rights-of-way or easements;
 - d. The plat does not propose creation or extension of public rights-of-way;
 - e. The proposed development does not require any significant drainage improvements and if contained wholly or partially within

the 100-year floodplain, conforms to Federal Emergency Management Agency floodplain management rules;

- f. The proposed development creates no variance requests, and
 - g. Plats shall be drawn on sheets at a size of eighteen inches by twenty four inches (18" X 24") and drawn to a minimum scale of one hundred feet to the inch (1" = 100').
2. This procedure shall not be available if there is evidence of previous repeated use by the owner of the short form procedure in a manner to circumvent the intent of these regulations or the requirements for larger scale development.
 3. The Minor Plat shall meet all of the technical and graphic requirements of a Final Plat.
 4. The Minor Plat provision may also used for consolidation of grandfathered lots or to create larger lots from a combination of an existing lot and a lot split whose combination does not meet the minimum lot acreage and the net result is an enhancement to the neighborhood and the community.
 5. Upon the County Engineer's approval the County Judge may be authorized to sign a plat involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of public facilities. The County Engineer may, for any reason, elect to present the minor plat to the Commissioners' Court for approval or disapproval, as in the case of other plats. The County Engineer may not disapprove a minor plat. If the County Engineer refuses to approve the plat, he shall refer it to the Commissioners' Court, as in the case of other plats, within the time period applicable to other plats.

D. Minor Plat Submittal:

1. Minor Plats, Amended Plats, Replats and Final Plats shall contain the following information:
 - a. Boundary lines drawn in heavy lines dimensioned with calls and distances and at least two corners identified by Texas State Plane Coordinates (NAD 1983);
 - b. North arrow with north shown to the top or right side of the sheet;

- c. Headright Survey name with a survey tie to a known corner of the survey in which the land is being divided; *(Note: The state law required tie to an original Headright corner is not required to be actually found on the ground. It may be a computed course and distance derived from Headright Maps or other references obtained by the surveyor. The source of the calculation such as a county map or other plat must be noted beside the course and distance shown on the plat.)*
- d. Location, rights of way, pavement widths and names or designations of all roads, alleys, streets or access/egress easements;
- e. Names of all adjoining subdivisions, or if not subdivided, the owners of all properties abutting the proposed subdivision;
- f. Location and owners of all easements adjacent or within the property being subdivided;
- g. Location and right of way description of all roads, easements and reservations with dimensions;
- h. Location of any existing structures, wells and septic systems. Every well shall show a 50' radius circle for pressure cemented and 100' radius circle for non-cemented in order to show compliance with TCEQ requirements.
- i. Dimensions of all lots and reserves with lot numbers, addresses and block numbers, setbacks, corner cuts and number of square feet in each lot or reserve;
- j. Restrictions on land uses if being deed restricted and purpose of any reservations or bulk parcels;
- k. Road and highway setbacks and proposed or required dedications for rights of way for widening or relocation of roadways;
- l. Metes and Bounds description of the subdivision prepared from a survey made on the ground by a Registered Professional Land Surveyor or Licensed State Land Surveyor, including signature and seal with the date of preparation of the survey;
- m. Dedication statement by owner in accordance with the requirements herein;

- n. Statement of lien holder(s) as appropriate agreeing to the subdivision;
- o. Notary acknowledgments for all signatures;
- p. Tax Certificates from all tax jurisdictions showing all taxes are current;
- q. Flood Hazard Statement and depiction on the plat by Surveyor identifying the location of 100 year flood plain and any floodways referenced to the latest FEMA Flood Rate Map(s);
- r. Approval and Recording Blocks in accordance with the requirements herein;
- s. A title block containing:
 - 1) Proposed name of subdivision;
 - 2) Date;
 - 3) Graphic Scale;
- t. A Subdivision Title that includes;
 - 1) The Name of the Subdivision drawn at a size no less than 3 times the height of the size of lettering on the plat;
 - 2) The Headright Survey Abstract of which it is a part;
 - 3) Total number of lots, blocks and reserves;
 - 4) Total acreage in the plat; and
 - 5) Owner, Engineer, Surveyor and Planner, if applicable with company name, address and telephone numbers.
- u. Plats shall be drawn annotated using a consistent font that is easily readable such as Arial, Times New Roman, Courier, etc. and shall not use complex fonts. Lettering shall be not less than 12 point type regardless of the scale of the drawing or plot and all line weights shall be a minimum of $\frac{3}{4}$ point in black ink.

E. Conceptual plan:

- 1. A Conceptual plan of any proposed subdivision shall be submitted by the County Engineer to the Commissioners' Court for review and

action in compliance with the schedule and requirements set forth in this Article.

2. The Conceptual plan shall be accompanied by the completed application as provided and appropriate fees.
3. Copies of the proposed subdivision, drawn on sheets at a size of eighteen inches by twenty-four inches (18" X 24") or twenty-four inches by thirty-six inches (24' X 36') and drawn to a minimum scale of one hundred feet to the inch (1" = 100'), shall be submitted in the number of copies specified by the County. Additional copies for review of utility companies and other governmental entities may be required. The applicant will be informed of the need for additional copies either at the Master Plan meeting or at the time of application.

F. Conceptual Plan Submittal:

1. Conceptual plans shall show the following information and be submitted to the County Engineer at least ten working days before the scheduled Commissioners' Court.:
 - a. Boundary lines drawn in heavy lines dimensioned with at least two corners identified by Texas State Plane Coordinates (NAD 1983);
 - b. North arrow with north shown to the top or right side of the sheet;
 - c. Headright Survey Abstract name and course and distance to a known corner of the survey in which the land is being divided; *(Note: The state law required tie to an original Headright corner is not required to be actually found on the ground. It may be a computed course and distance derived from Headright Maps or other references obtained by the surveyor. The source of the calculation such as a county map or other plat must be noted beside the course and distance shown on the plat.)*
 - d. Location, rights of way, pavement widths and names or designations of all roads, alleys, streets or access/egress easements;
 - e. Purpose of all reserves and the general size of lots to be created;
 - f. Names of all adjoining subdivisions, or if not subdivided, the owners of all properties abutting the proposed subdivision;
 - g. Location and owners of all easements adjacent or within the property being subdivided;

- h. Topographic Contours sufficient to indicate the slope of the land at not less than .5 feet on land that has a slope less than 5 percent and 1 foot for land with a slope greater than 5.1 percent. There shall be no less than two contours on any plat;
- i. Location and description of wooded areas, streams, water bodies, transmission towers, pipelines, towers, and all existing buildings;
- j. Location and identification of recognized and visible mineral extraction sites (oil and gas wells, mines, and other minerals) including lease holder and operator with Texas Railroad Commission Permit Number;
- k. Location and description of jurisdictional wetlands; environmental or archeological sites or features, and any recorded environmental hazards listed on any local, state, or federal data base;
- l. Location of rivers, streams, floodways, flood plains and general routing of proposed drainage system;
- m. Location and general description of roads, trails, and amenities to be constructed to serve the development;
- n. Location and general description of water and sanitary sewer services to be provided and nearest public system connection point and the name of the public entity that may or would provide such services;
- o. Location of any existing structures, wells and septic systems. Every well shall show a 50' radius circle drawn from the center of the well for pressure cemented and 100' radius circle for non-cemented in order to show adequate separation from septic fields in compliance with TCEQ requirements.
- p. A depiction of future public rights of way for roads, highways, ditches, canals that are included in an adopted plan for future construction including Texas Department of Transportation Long and Short Range Plans; Aransas County Transportation Plan, and the Thoroughfare Plans of any city that has jurisdiction of the property to be subdivided;
- q. A general description of any airport and any plans for expansion that lies within three miles of any boundary of the property to be subdivided.
- r. A title block containing:

- 1) Proposed name of subdivision;
 - 2) Date;
 - 3) Graphic Scale;
 - 4) A Subdivision Title that includes;
 - i. The Name of the Subdivision drawn at a size no less than 3 times the height of the size of lettering on the plat
 - ii. The Headright Survey Abstract of which it is a part;
 - iii. Total number of lots, blocks and reserves;
 - iv. Total acreage in the plat; and
 - v. Owner, Engineer, Surveyor and Planner, if applicable with company name, address and telephone numbers.
 - s. Plats shall be drawn annotated using a consistent font that is easily readable, such as Arial, Times New Roman, Courier, etc. and shall not use complex fonts. Lettering shall be not less than 12 pitch regardless of the scale of the drawing or plot and all line weights shall be a minimum of $\frac{3}{4}$ point in black ink.
2. The Conceptual plan shall be in accordance with the land plan and all approved comprehensive, water, sewer, drainage and thoroughfare plans.
 3. The Conceptual plan may be prepared by an engineer, land planner, or surveyor. Conceptual plans shall contain a prominent notation that it is not eligible, nor authorized; to be recorded in any county records and that filing of a conceptual plan shall be prima facie evidence of a fraudulent filing under the Texas Property Code subject to the penalties there under.
 4. The County Engineer shall be furnished with copies of letters or verbal notice from the utilities verifying contact with the following agencies:
 - a. All applicable utility companies including gas, electric and telephone, stating that the utility companies have knowledge of the proposed subdivision and are currently negotiating the necessary service easements. A copy of the Conceptual plan should be sent to the utility company at this time for the establishment of the easements.

- b. Any other applicable district or entity with jurisdiction in the area to verify adequate capacities and applicable fees. These verification letters must be received by the County Engineer prior to the Final Plat recommendation to the Commissioners' Court.
5. The County Engineer shall make a study of the Conceptual plan and give a written report to the Commissioners' Court five days before its consideration for recommendation. The developer or his designated representative shall be provided, upon request, with a copy of this report prior to the meeting.
6. Following review of the Conceptual plan and other materials submitted, and discussions with the developer on changes deemed advisable and the kind and extent of improvements to be made, the Commissioners' Court shall Approve, Disapprove or Approve Subject to Conditions. The Commissioners' Court shall make written findings and include such findings in any motion to approve, disapprove or approve subject to conditions which shall be come part of the official record.
7. Approval of a Conceptual plan by the Commissioners' Court shall be deemed an expression of conditional approval to the layouts submitted on the Conceptual plan as a guide for the preparation of the Final Plat and the future installation of streets, water, sewer, and other required improvements and utilities and to the preparation of the construction plans. The developer is responsible for the resolution of the review conditions and any additional requirements of these regulations and other applicable regulations.
8. Approval of a Conceptual plan shall be effective for one year from the date of Commissioners' Court action. Upon application, and for good cause shown, a Conceptual plan approval may be extended for an additional year by the County Engineer, however, if in the opinion of the County Engineer there has been significant change in the conditions, scope or layout of the plan the said Conceptual plan shall be sent back to Commissioners' Court for review and action. If no progress toward completion of the project can be shown at the end of the two year maximum time frame then the project is considered dormant under Sec. 245.005 of the LGC and the developer must resubmit. Progress can be any of the following: 1) application for final plat, 2) attempt to file with regulatory agencies to further project, 3) costs incurred associated with infrastructure amounting to 5% of property value, 4) fiscal surety posted toward completion, 5) connection or impact fees paid. This provision shall be retroactively applied to all prior submittals to the Commissioners' Court.

9. All required permits shall be issued prior to commencement of any onsite work such as a development permit or those as authorized through the Aransas County Flood Damage Prevention Ordinance or TCEQ's general TPDES permit. Any excavation prior to approval of the Final Plat shall be at the developer's risk and any work done is to facilitate the developer's schedule and does not imply approval of the work.
10. A Conceptual plan shall not be required if the proposed subdivision meets the criteria of a Minor Plat.
11. The Conceptual Plan shall be accompanied by an Engineer's Report prepared by a registered professional engineer which addresses the following issues:
 - a. Methodology proposed to comply with the County Stormwater Management policy.
 - b. Methodology proposed for erosion and sedimentation control during construction.
 - c. Hydrologic calculations for existing and proposed conditions, including both off-site and on-site drainage areas.
 - d. Demonstration that the downstream drainage system has the capacity for the proposed release rate.
 - e. Note any archeological or environmentally sensitive areas on the site.
 - f. Availability of public utilities and/or methodology proposed for on-site wastewater treatment and potable water source.
12. Any plat within the extraterritorial jurisdiction of any city or town that has executed a subdivision agreement with Aransas County shall comply with the provisions of that city's Comprehensive Plan.

G. Master Plan :

When a subdivision is large enough or complicated by special topographic, geologic or hydrologic conditions, or the developer expects to convey or improve lots in phases, the county may require the preparation of a Master Plan before creation of a Conceptual plan. Such a Plan allows the county and utility providers to learn of the needs and schedules of the developer so that proper public facilities may be scheduled. At the Master Plan stage overall public service needs can be determined, rights of way

located and all required permits can be identified. Although not a requirement for Conceptual plan submission, the approval of a Master Plan by the County Commissioners' Court will constitute the "first in a series of permits" that vests the developer with the protections afforded by Texas Law. A Master Plan shall remain in effect and therefore a valid "first in a series of permits" for a period of two years. If a Conceptual plan of the development or any phase of the development is filed within two years of the date of approval of the Master Plan the vesting rights shall continue. If the Master Plan expires without the filing of a Conceptual plan the Master Plan is considered to have been abandoned and no rights shall vest with the developer.

H. Master Plan Submittal:

The purpose of the land plan is to allow the County Engineer and Commissioners' Court to review proposed major thoroughfare and collector street patterns, land use, environmental issues, and conformance to the Comprehensive Plans of the various cities, towns and public districts, and the property's relationship to adjoining subdivisions or properties.

Where a phased or partial development is proposed, the master plan area shall include the entire property from which the phase is being subdivided. Boundaries such as thoroughfares (existing or proposed), drainage ways, political subdivisions, or other such natural or man-made features may be used to delineate a smaller plan area.

The submittal of the Master Plan shall be accompanied by the completed application as specified by the County. The submittal fees established are set by separate Resolution and must accompany the application.

1. The approval in concept of the land plan by the Commissioners' Court does not constitute approval of the subsequent plats within the plan boundaries.
2. Graphic requirements for the Master Plan shall conform to the requirements of these regulations.
3. The following items shall be included in a Master Plan
 - a. The full boundary of all land to be included in the proposed development for which later Conceptual Plans and Final Plats will be submitted for approval showing the ownership and property lines (generally) of all adjacent properties;

- b. Topographic contours consistent with the mapping features of the USGS 7.5 minute quadrangle maps for the quadrant in which the land lies, or more accurate data as may be available;
- c. All existing roads, right of ways, and easements;
- d. All existing drainage ways, water bodies, canals, rivers, streams, and impoundments;
- e. Location and elevation of the 100 year and 500 year flood plains and all floodways, with cross section elevations, as depicted on the most current FEMA Flood Rate Map;
- f. Outlines of all forested areas with a general description of the types and sizes of vegetation and trees;
- g. Approximate location or relative distance to the property of all utility lines including water, sewer, storm sewers, electric and gas, telephone, cable and a listing of the owners and providers of utility services that will serve the development;
- h. General layout of proposed lots, blocks, tracts, reserves, amenities and streets to be constructed and noted as to whether they will be proposed as private or for public dedication;
- i. A preliminary schedule for phasing and construction;
- j. If not held in fee by the applicant the Master Plan must be accompanied by a Notarized Affidavit from the record owner consenting to the submission and development of the land;
- k. A current tax certificate issued by each taxing entity showing all taxes are current; and
- l. A statement as to how the property will be developed to protect against flooding and traffic congestion.

I. Final Plat:

General requirements

A Final Plat and engineering construction drawings and specifications are required for any area in the county or the extraterritorial jurisdiction of any city or town that has executed a Subdivision Agreement with Aransas County. The Final Plat shall be in general conformance with the Conceptual plan as approved and shall incorporate all conditions,

changes, directions and additions required by the Commissioners' Court. A Final Plat will not be approved by the Commissioners' Court until detailed engineering plans have been submitted and approved by the County Engineer. Plats shall be drawn on sheets at a size of eighteen inches by twenty-four inches (18" X 24") and drawn to a minimum scale of one hundred feet to the inch (1" = 100'). The Final Plat shall be submitted to the County Engineer for review and action by the Commissioners' Court at least twenty-one (21) calendar days prior to a regularly scheduled meeting.

1. The submittal for a Final Plat shall include the following:
 - a. Completed application form;
 - b. Signed and sealed original Mylar drawings and requisite copies;
 - c. All Final Plats shall be signed and sealed by a Registered Professional Land Surveyor and in any case where state lands are involved or a boundary of state owned lands abuts a plat the seal and signature of a Licensed State Land Surveyor shall also be affixed to the plat.
 - d. A Transmittal letter signed by the applicant or a designated agent;
 - e. A Check payable to Aransas County, Texas in the proper amount;
 - f. Letter of Title Examination or Title Commitment issued by a title company, and signed by an attorney licensed to practice in Texas;
 - g. Letter of Availability from all of the required utilities committing willingness to serve and reserving capacity for all lots being considered. Letters will specify lot and block numbers specific to the plat.
 - h. Engineering construction plans, or as a minimum requirement, the final utility layout showing the sizes and depths of all utilities as well as street widths.
 - i. Tax certificates issued by all applicable tax jurisdictions showing all current taxes are paid;
 - j. Subdivisions or PUDs that require a homeowner's association shall have the County Attorney review and approve the covenants and deed restrictions pursuant to current law and to verify that proper financial assurances are in place for continued maintenance of the common infrastructure owned by the association including but not

and drainage. This document shall then accompany the final plat.

- k. The filing date of an application for Final Plat consideration by the Commissioners' Court shall be the date when the application is certified complete and marked "filed" by the County Engineer. The date the application is certified and marked "filed" is the date to be considered as the initial date of the statutory sixty-day (60) time period in which the Commissioners' Court is required to act upon a plat submitted to it under the LGC Sect. 232.0025. All submittal requirements as stated for a Final Plat shall be met before an application is submitted to the Commissioners' Court.
2. The County Engineer shall review the Final Plat for compliance with these regulations and make a written recommendation to the Commissioners' Court. The developer or his designated representative shall be furnished with a copy of the written recommendation or deficiencies needing attention prior to submittal for final approval.
3. The Commissioners' Court will consider the Final Plat and the written recommendation of the County Engineer at the regularly scheduled meeting and may only approve or disapprove a Final Plat.
4. If a Final Plat is disapproved it may be revised and submitted without prejudice one time without the payment of additional fees.
5. Any substantial change to the approved Final Plat prior to recordation shall require re-submittal to the Commissioners' Court. With the approval of the County Engineer minor changes including addition of easements, correction of clerical errors or omissions may be made prior to submittal for signatures and recordation.
6. Prior to the submittal of the Final Plat for Commissioners' Court approval engineering construction plans showing paving and design details of streets, alleys, culverts, drainage design and calculations, bridges, storm sewers, water mains, sanitary sewers and other engineering details of the proposed subdivision shall be submitted to the County Engineer for approval. Two (2) copies shall be submitted with the Final Plat. Such plans shall be prepared by a Registered Professional Engineer and shall conform to the current Aransas County Engineering Design Manual and, the Aransas County Stormwater Management Design Manual and the standards of any providers of utilities or public services. Subdivisions proposing on-site sanitary waste treatment shall provide copies of approval of percolation and design layouts from the County Environmental Health Department.

7. Following approval the plat(s) will be recorded in the County records and the developer shall submit proper recording fees to the County Engineer or County Clerk. Plats will not be returned to the developer after approval but copies will be available after recordation.
8. No construction work shall begin on any improvements in the proposed subdivision prior to the approval and recordation of the Final Plat except as provided herein. The developer may undertake certain ground excavations for grading and drainage purposes after required permits are issued. Any excavation prior to approval of the Final Plat shall be at the developer's risk and any work done is to facilitate the developer's schedule and does not imply approval of the work.
9. Each purchase contract made between a developer 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 and, if it will be made available, how and when such service will be provided.

J. Copies and Types to be submitted:

1. Minor Plat, Amending Plat, Replat: One Mylar original and 5 copies of the proposed subdivision.
2. Conceptual plan: 5 copies (signatures and seals are not required);
3. Master Plan: 5 copies (signatures and seals are not required);
4. Final Plat: One Mylar original and 5 copies of the proposed subdivision;
5. Digital Submittal Requirement: Final Plat, Plat Revisions, Replats and Minor Plats shall be submitted to the County Engineer in digital format, in addition to the originals and copies prescribed herein, conforming to the drawing standards of AutoCAD (.dwg) or Arcgis on a Compact Disc (CD) after all modifications and corrections have been made and before the Plat is recorded. The digital drawings will be geo-rectified using Texas State Plane Coordinates (NAD 1983). A PDF, JPG or other suitable image file, as specified by the Clerk of Courts will also be copied to the disk once the document has been signed and recorded. A copy of the CD shall be given a volume code of the Subdivision Name and the disc shall contain the Owner, Engineer and Surveyor names, dates and telephone numbers. One copy of the CD will be given to the County Clerk and one copy to the Aransas County Appraisal District.

Note: All documents that have been submitted to the county are considered public records and are available for viewing by the general public.

K. Acceptance of Roads and Drainage for Public Maintenance:

1. By accepting a subdivision plat for filing, the Commissioners' Court does not thereby accept the streets in the subdivision for ownership or maintenance by the County. The owner or owners of the platted lots are responsible for maintenance of all streets or roads within the subdivision until such time as the construction of the roads have been accepted by the County. All acceptable BMPs as per the Aransas County Stormwater Management Design Manual shall be employed and maintained to assure that silt and sand from the project does not leave the construction areas until such time as Aransas County accepts the facilities for ownership and maintenance. No drainage ways shall be accepted by the county until vegetation has reached sixty percent (60%) coverage.
2. If the owner desires to have the plat placed on record before completion of construction of the streets, roads and drainage, then the owner shall give a good and sufficient bond, cash, or letter of credit. This security must be payable to the Aransas County Judge, or his successors in office. The estimated cost of construction shall be prepared by a Registered Professional Engineer. The security shall be conditioned on the completion (in compliance with the Design Standards) of all the roads, streets and drainage shown on the plat.

L. Performance and Maintenance Sureties

1. All improvements, infrastructure, and amenities to be dedicated to the public or homeowners association in the area covered by the Plat shall be constructed prior to the plat being released for recording. Developers shall provide Aransas County with a financial surety in the amount of ten percent (10%) of the Design Engineer's estimate for the cost of construction of the streets and drainage in the subdivision prior to offering the plat for approval. This security must be payable to the Aransas County Judge, or his successors in office, and may be provided by the contractor. Upon receipt of the surety and the acceptance of the construction, Aransas County will approve the plat for filing. The surety will be released after two years have elapsed from the date of the Design Engineer's certification, unless failure of workmanship or material has occurred.
2. As an option, the developer shall post a financial surety in an amount not less than 115% of the Design Engineer's estimate for the cost of construction of the streets, drainage and utilities in the subdivision if the developer desires to have the plat placed on record before the completion of the infrastructure. The developer will be allowed to make

monthly draws or reductions of the surety as work progresses and as approved by the Commissioners' Court. Aransas County will release up to ninety percent (90%) of the surety. At the end of construction, the owner may substitute a warranty bond, letter of credit or any other acceptable guarantee in the amount of ten percent (10%) of the cost of construction of the streets and drainage in the subdivision. The security must be payable to the Aransas County Judge or his successors in office, and may be provided by the contractor. The surety will be released two years have elapsed from the date of the Design Engineer's certification, unless failure of workmanship or material have occurred. Developers may come to the court to request a reduction in the time limit with just cause.

3. The approval of the County Engineer and County Attorney shall be required for the style and amount of all sureties. In addition to the surety described above, the developer may place cash or irrevocable Letter of Credit, in a like amount drawn on a bank or savings and loan association licensed to do business in the State of Texas, on deposit with the County. Such deposit will make the County the exclusive beneficiary of the funds for the period of time required above.

M. Vacating or Cancelling Plats:

A plat may be vacated or cancelled as per the procedure outlined in the most recent section of the Texas LGC Sect. 232.008 or Sect. 232.0085.

N. Amending Plats:

Amending plat procedure shall be in accordance with the current Texas Local Government Code.

1. An amending plat shall meet all of the informational requirements set forth for a final plat.
2. Upon the County Engineer's approval the County Judge may be authorized to sign an amending plat that complies with this section. The County Engineer may, for any reason, elect to present the amending plat to the Commissioners' Court for approval or disapproval, as in the case of other plats. The County Engineer may not disapprove an amending plat. If the County Engineer refuses to approve the plat, he shall refer it to the Commissioners' Court as in the case of other plats, within the time period applicable to other plats. Plats shall be drawn on sheets at a size of 18 inches by 24 inches (18" X 24") and drawn to a minimum scale of one hundred feet to the inch (1" = 100'). The amending plat, which may be recorded and is

controlling over the preceding plat without vacation of that plat, may be approved if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:

- a. Correct an error in a course or distance shown on the preceding plat;
- b. Add a course or distance that was omitted on the preceding plat;
- c. Correct an error in a real property description shown on the preceding plat;
- d. Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- e. Show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
- f. Correct any other type of scrivener or clerical error or omission previously approved by the Commissioners' Court. Such errors may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent recorded plats;
- g. To correct an error in courses and distances of lot lines between two (2) adjacent lots where both lot owners join in the application for amending the plat, neither lot is abolished, the amendment does not attempt to remove recorded covenants or restrictions, the amendment does not have a materially adverse effect on the property rights of the owners in the plat;
- h. Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement; or
- i. Relocate one or more lot lines between one or more adjacent lots if:
 - 1) The owners of all those lots join in the application for amending the plat;
 - 2) The amendment does not attempt to remove recorded covenants or restrictions;
 - 3) The amendment does not increase the number of lots.

- j. To make necessary changes to the preceding plat to create six (6) or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
 - 1) The changes do not affect applicable land use regulations and other regulations of the county;
 - 2) The changes do not attempt to amend or remove any covenants or restrictions; and
 - 3) The area covered by the changes is located in an area that an appropriate governing body has approved a Master Plan or Preliminary or Final Plat, or
 - 4) To Replat one or more lots fronting on an existing street if:
 - i. The owners of all those lots join in the application for amending the plat;
 - ii. The amendment does not attempt to remove recorded covenants or restrictions;
 - iii. The amendment does not increase the number of lots; and;
 - iv. The amendment does not create or require the creation of a new street or make necessary the extension of public facilities.
3. Notice, a public hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat.
4. When an amending plat is prepared, the surveyor shall be required to survey only those lots which are affected by the changes. The surveyor shall sign the amending plat stating the lots which have changed in addition to any other corrections which have been made.
5. The property owners for the lots which are changed shall be the only additional signatures necessary to the original signatures.

O. Manufactured Rental Home Communities

Use of land for a manufactured rental home community as defined in Chapter 232.007, Local Government Code, Vernon's 2003, as amended, shall prepare and submit an Infrastructure Development Plan and obtain the approval of Commissioners' Court before any permit or utility services will be connected to any point or part of the property.

1. The Infrastructure Development Plan minimum standards shall include the following:
 - a. Reasonable specifications to provide adequate drainage in accordance with standard engineering practices and the Aransas County Stormwater Management Design Manual, including specifying necessary drainage culverts and identifying areas included in the 100-year flood plain;
 - b. Reasonable specifications for providing an adequate public or community water supply, including specifying the location of supply lines, in accordance with Subchapter C, Chapter 341, Health and Safety Code;
 - c. Reasonable requirements for providing access to sanitary sewer lines, including specifying the location of sanitary sewer lines, or providing adequate on-site sewage facilities in accordance with Chapter 366, Health and Safety Code;
 - d. A requirement for the preparation of a survey identifying the proposed manufactured home rental community boundaries and any significant features of the community, including the proposed location of manufactured home rental community spaces, utility easements, and dedications of rights-of-way; and
 - e. Reasonable specifications for streets or roads in the manufactured rental home community to provide ingress and egress access for fire and emergency vehicles. Street sections shall comply with the minimum design standards as set out in the Aransas County Engineering Design Manual.
2. Not later than the 60th day after the date the owner of a proposed manufactured home rental community submits an infrastructure development plan for approval, the county engineer or another person designated by the Commissioners' Court shall approve or reject the plan in writing. If the plan is rejected, the written rejection must specify the reasons for the rejection and the actions required for approval of the plan. The failure to reject a plan within the period prescribed by this subsection constitutes approval of the plan.
3. Construction of a proposed manufactured home rental community may not begin before the date the county engineer or another person designated by the Commissioners' Court approves the infrastructure development plan. The Commissioners' Court may require inspection of the infrastructure during or on completion of its construction. If a final

inspection is required, the final inspection must be completed not later than the second business day after the date the Commissioners' Court or the person designated by the Commissioners' Court receives a written confirmation from the owner that the construction of the infrastructure is complete. If the inspector determines that the infrastructure complies with the infrastructure development plan, the Commissioners' Court shall issue a certificate of compliance not later than the fifth business day after the date the final inspection is completed. If a final inspection is not required, the Commissioners' Court shall issue a certificate of compliance not later than the fifth business day after the date the Commissioners' Court or the person designated by the Commissioners' Court receives written certification from the owner that construction of the infrastructure has been completed in compliance with the infrastructure development plan.

4. A utility may not provide utility services, including water, sewer, gas, and electric services, to a manufactured home rental community subject to an infrastructure development plan or to a manufactured home in the community unless the owner provides the utility with a copy of the certificate of compliance issued under Subsection (3). This subsection applies only to:
 - a. a municipality that provides utility services;
 - b. a municipally owned or municipally operated utility that provides utility services;
 - c. a public utility that provides utility services;
 - d. a nonprofit water supply or sewer service corporation organized and operating under Chapter 67, Water Code, that provides utility services;
 - e. a county that provides utility services; and
 - f. a special district or authority created by state law that provides utility services.

Article III DEDICATION and CERTIFICATION LANGUAGE.

1

STATE OF TEXAS §

COUNTY OF ARANSAS §

(Separate statements may be made for each owner, or a joint statement made for all owners.)

I (or We), (name of owner or owners, or in the case of corporations, name of President and Secretary, together with the words "President" and "Secretary" respectively of name of corporation) owner (or owners) of the property subdivided in the above and foregoing map of the (Name of Subdivision), do hereby make subdivision of said property (in case of corporation use words "for and on behalf of said name of company") according to the lines, streets, alleys, parks and easements shown herein, and designate said subdivision as (name of subdivision) in the (name of Headright Survey), Abstract (number), an addition in Aransas County Texas; and (in case of corporation use words "for and on behalf of said name of company")do dedicate to public use, the streets, alleys, parks and easements shown thereon forever except where noted on the map for private streets; and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of the streets or alleys to conform to such grades; and do hereby bind myself (or ourselves), my (or our) successors and assigns to warrant and forever defend the title of the land so dedicated.

(to be added if overhead utilities are used for service to the subdivision):

There is also dedicated for utilities an unobstructed aerial easement five feet wide from a plane 20 feet above the ground upward located adjacent to each side of all utility easements shown hereon.

I (or We) do hereby dedicate forever to the public a strip of land 25 feet wide on each side of any and all gullies, ravines, draws; sloughs, rivers, or other natural drainage conveyances located in or adjacent to said subdivision as easements for drainage purposes, giving the County of Aransas (as applicable), or any public agency the right to enter upon said easement at any and all times for any public purpose.

Further, I (or We) hereby relinquish all rights of access to major streets or thoroughfares shown hereon except by way of the platted streets shown.

I (or We) certify that the plat of this subdivision complies with all the applicable Ordinances, Laws, and Statutes of Aransas County, the State of Texas and the United States of America as they may apply to this property.

WITNESS MY (or OUR) HAND(S) IN Aransas County, Texas, this ____ day of _____, 2005.

/s/ _
Signature of Owner
Printed Name

/s/ _
Signature of Owner
Printed Name

2

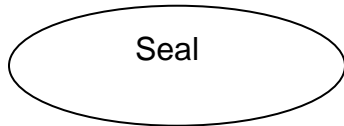
Notary Acknowledgment. *(May use separate acknowledgement for each owner or joint acknowledgement as applicable)*

STATE OF TEXAS §
COUNTY OF ARANSAS (or County where plat is signed)

Before me, the undersigned authority on this day personally appeared (name of owner or owners) known to me to be persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out.

Given under my hand and seal of office, this ____ day of _____, 2005.

/s/ _
Notary Public in and for (County), Texas



3

Lien Holders Release
(May use separate statement for each lien holder or joint statement as applicable)

I (or We), (Name of lien holder), owner and holder of a lien (or liens) upon the land described herein, do hereby ratify and confirm said subdivision and

dedication(s), and do hereby in all things subordinate to said subdivision and dedication the lien (or liens) owned and held by me (or us) against said land.

Witness my (or our) hand in . (city or town), . County, (State), this ____ day of _____, 2005.

/s/ _
Signature of Lien holder
Printed Name

/s/ _
Signature of Lien holder
Printed Name

4

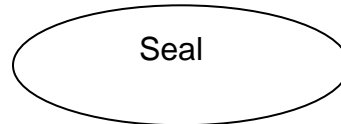
Lien Holder Notary Acknowledgement
(May use the following corporate statement or, if an individual, the statement above)

STATE OF TEXAS §
COUNTY OF ARANSAS (or County where plat is signed)

Before me, the undersigned authority on this day personally appeared (name of President or authorized officer), and (name of Secretary), Secretary of (Name of corporation) known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, as the act and deed of said corporation.

Given under my hand and seal of office, this ____ day of _____, 2005.

/s/ _
Notary Public in and for (County), Texas



5

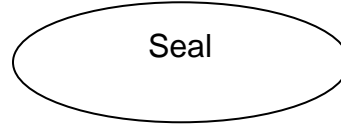
Surveyors Certification

This is to certify that I, (name of surveyor), a Registered Professional Land Surveyor (or Texas State Land Surveyor), in the State of Texas, have platted the above subdivision from an actual survey made under my supervision on the ground on or during (date); that all monuments, block corners, angle points and points of curve are, or will be properly marked with iron rods a minimum of ½ inch

in diameter and 24 inches in length with cap stamped _____. This subdivision is located in Flood Zone ("C" and/or "A#") according to FIRM Community Panel No. _____, dated _____. (If A# give Base Flood Elevation)

Date

Signature of Surveyor
Printed Name and Title
Texas Registration No.



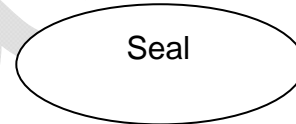
6

County Engineer's Certification

I, (name of County Engineer), do hereby certify that the plat of this subdivision complies with the Subdivision Regulations of Aransas County, Texas and Design Standards applicable thereto, this _____ day of _____, 2005.

Date

/s/ _____ P.E.
Signature Of County Engineer
Printed Name and Title



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COUNTY JUDGE APPROVAL CERTIFICATION

I, (name of County Judge), Aransas County Judge, upon approval and recommendation by the County Engineer and in accordance with the Aransas County Subdivision Regulations, do hereby certify that this subdivision plat complies with the aforementioned regulations as such and order said plat filed of record in the Office of the County Clerk of Aransas County, Texas this _____ day of _____ 20____.

County Judge

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County Clerks Certification

CLERK'S FILE NO. _____

FILED FOR RECORD

This the _____ day of _____

A.D. _____ at _____ O'clock _____M.


Clerk's File No. _____ Vol. _____Pg. _____

PEGGY L. FRIEBLE
County Clerk, Aransas County, Texas

By _____ Deputy

STATE OF TEXAS }
COUNTY OF ARANSAS }

I, PEGGY L. FRIEBLE, hereby certify that this instrument was filed on the date and at the time stamped hereon by me; and was duly recorded, in the Volume and Page of the named RECORDS of Aransas County, Texas, as stamped hereon by me, on



COUNTY CLERK
ARANSAS COUNTY, TEXAS

Draft

ENVIRONMENTAL HEALTH NOTES

NOTE: (When Individual Water Wells and On-Site Sewer Facilities Are Utilized): IT IS HEREBY ACKNOWLEDGED that neither waste water treatment facilities or potable water will be provided to any lots in the subdivision platted hereon. Let it be known that each individual property owner shall be solely responsible for these services with the following restrictions:

To minimize the possibility of the transmission of waterborne diseases due to the pollution of the water supplied for domestic use, each lot in the platted subdivision shall have a site-specific design by a registered professional engineer or a registered sanitarian and approved by the local jurisdictional authority. In no instance shall the area available for such systems be less than two times the design area.

The Owner, Purchaser and Successors in interest to the land shown on this plat are served by on-site Sewage facilities. The owners agree and covenant that they will connect to public sewers at such as sewer service becomes available to any boundary line of the lots shown hereon. This covenant shall be enforceable of said lots by Aransas County and shall run with the land.

NOTE: The top of all water wells and all mechanical parts associated with the on-site sewer facilities shall be a minimum of 12-inches above the Base Flood Elevation.

Environmental Health Certification

I, (name of Environmental Health Officer), Environmental Health Officer for Aransas County Texas, do hereby certify that the plat of this subdivision complies with the On Site Sewage Disposal Regulations of Aransas County, Texas, and design standards applicable thereto, this ____ day of _____ 2005.