

Robertson County Subdivision Policy
Check-off List
January 2022

- Contact Commissioner's office in precinct land is located. The contact numbers are as follows:
 1. Ty Rampy -Precinct 1 – (979) 364-2832
 2. Donald Threadgill - Precinct 2 – (979) 279-3876
 3. Chuck Hairston - Precinct 3 – (979) 828-4413
 4. James Taylor - Precinct 4 – (254) 746-7215
- Contact the County Clerk's office (979) 828-4130 for copies of the Subdivision & Sewage Policies. There will be a fee for the copies:
 - Subdivision Policy - \$30.00
 - Sewage Policy - \$53.00
- Contact Charles Palcer - Robertson County OSSF Department at (979) 828-6684 for requirements pertaining to on-site sewage.
 - Plat requirements pertaining to on-site facilities information must be approved by this department a minimum of seven (7) days prior to submittal to Commissioners Court. Referred in Vol. L pages 275-304 & pages 458-509 in the Subdivision Policy).
- Contact Diana Ferrell for Robertson County 9-1-1 Rural Addressing, Floodplain and Zoning permits at (979) 828-6654
 - 9-1-1 Rural Addressing department must be contacted prior to submitting the road names to Commissioner's Court for approval.
- Plat size shall be 24" x 36" with a reduced plat of legal size 8 ½" x 14". Required for filing:
 - Four (4) original blueline or blackline plats
 - Two (2) 8 ½" x 14" reduced paper copy of plat is required.
 - The Developer will be required to deliver an 8 ½ x 14 reduced paper copy of the plat to the local post office when a new road is established
- Final Plat Filing fee must be paid to the Robertson County Clerk's office at the time of filing. The filing fee will be \$121.00.
- Current title report is required. See page item of Policy.
- Original current tax certificate is required. See page item of Policy.

- Subdivisions located within the ETJ of the Cities of Bremond (1 mile), Hearne (1 mile), Calvert (1 mile) or Franklin (1 mile) will follow the Policy of the cities. (See Attached)
- If you are planning on dedicating your road to the county; you will need to return to Commissioners Court after the road is completed. The Commissioner will then come out to inspect the road; upon approval there will be two (2) year waiting period before the County may accept the road into the County Inventory. Please return to Commissioners Court for this final phase of the road dedication.

For all other information regarding form, content and other requirements, refer to Policy.

Plats

Plats are maps showing legal descriptions and boundaries of subdivided land. The law concerning plats differs slightly depending on whether the tract of land is located inside a city's limits, outside a city's limits and outside a city's extraterritorial jurisdiction (ETJ), or outside a city's limits but within a city's ETJ.

Plats for Tracts within a City's Limits

Generally, the owner of a tract of land who wishes to divide the tract into or more parts must have a plat of the subdivision prepared. The owner or proprietor of the tract or the owner or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds. The plat must be filed and recorded with county clerk of the county in which the tract is located. In order to be recorded, the plat must:

- Describe the subdivision by metes and bounds;
- Locate the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is part; and
- State the dimensions of the subdivision and of each street alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park or other part.

The county clerk may not record a plat unless the appropriate municipal authority has approved it. The municipal authority responsible for approving plats is the municipal planning commission unless the municipality has no municipal planning commission in which case the governing body of the municipality is responsible for approving plats. The municipality's governing body may, by ordinance, require the governing body to approve plats in addition to the necessary approval of the municipal planning commission.

Additionally, the county clerk may not record a plat unless it has certain required documents attached to it. In all Texas counties, it is required that the plat has attached to it an original tax certificate from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the property. If the plat or replat is filed after September 1, a tax receipt showing that taxes have been paid or a statement from the taxing unit indicating that taxes have not been calculated must also be attached. The tax documentation requirements do not apply if more than one person acquired the property by inheritance and those persons are dividing the property to show a divided interest. The requirements also do not apply if a taxing unit acquired the real property for public use through eminent domain proceedings or voluntary sale.

In counties in which a political subdivision has applied for financial assistance through subchapter k, Chapter 17, Water Code, the owner of the tract must:

- Include on the plat or have attached to the plat a document containing a description of the water and sewer service facilities that will be constructed or installed to service the subdivision and a statement of the date by which the facilities will be fully operable; and
- Have attached to the plat a document prepared by a registered engineer certifying that the water and sewer service facilities described by the plat or on the document attached to the plat are in compliance with the model rules adopted under Section 16.343, Water Code

Or

- Include on the plat a statement that water and sewer facilities are unnecessary for the subdivision; and
- Have attached to the plat a document prepared by a registered engineer certifying that water and sewer service facilities are unnecessary for the subdivision under the model rules adopted under Section 16.343, Water Code.

Plats for Tracts Outside a City's Limits and Outside a City's ETJ

Generally, the owner of a tract of land who wishes to divide the tract into two or more parts must have a plat of the subdivision prepared. There are a number of exceptions to this general rule set out in Section 232.0015 of the Local Government Code. The owner or proprietor of the tract or the owner or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds. The plat must be filed and recorded with the county clerk of the county in which the tract is located. In order to be recorded, the plat must:

- Describe the subdivision by metes and bounds;
- Locate the subdivision with respect to an original corner of the original survey of which it is a part; and
- State the dimensions of the subdivision and each lot, street, alley, square, park or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part.

The commissioner's court of the county in which the land is located must approve the plat by means of an order entered in the minutes of the court.

The county clerk may not record a plat unless the county commissioners court has approved it. Such approval is to be by means of an order entered in the minutes of the court. The commissioner's court (or a person designated by the commissioners court) is to issue a written list of the documentation and any other information that must be submitted with a plat application. If a plat application does not include all of the required documentation or information then the commissioner's court (or its designee) has ten business days to notify the applicant of the missing items. The commissioner's court must allow applicants to timely submit the missing documents or information. An application is considered to be complete when all the required documentation and other information are received. The commissioner's court (or its designee) shall take final action on a plat application within sixty days after receipt of a completed plat application. If the plat application is disapproved, the commissioner's court must provide the applicant with a complete list of the reasons for disapproval. If commissioners do not act within sixty days, the plat application is granted by operation of law.

As with plats for tracts within a city's limits, the county clerk may not record a plat located outside a city's limits and the city's ETJ unless original tax certificates accompany the plat from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the real property.

If a person submits a plat for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land, the commissioners court may require the plat application to have attached to it a statement prepared by a licensed engineer or geoscientist certifying that adequate groundwater is available for the subdivision.

Plats for Tracts Outside a City's Limits but Within the City's ETJ

A county and a municipality are required to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats for tracts located outside a city's limits but within a city's ETJ. There are four (4) ways in which the agreement can work:

- 1) The city may be granted exclusive control over the plat approval case in which case the law concerning plats for tracts within a city's limits should be followed.
- 2) The county may be granted exclusive control over the plat approval process in which case the law concerning plats outside a city's limits and outside a city's ETJ should be followed.
- 3) The city and county may apportion the area within the ETJ so that the city controls the plat approval process in one designated area of the ETJ while the county controls the plat approval process in the other portion of the ETJ; and

- 4) The city and the county enter into an interlocal agreement establishing a single office that handles the plat approval process using a set of regulations established by the city and county.