

Subdivision & Development Regulations

for

Mason County, Texas

[date]

REGULATING THE SUBDIVISION OF LAND WITHIN THE COUNTY THAT IS OUTSIDE THE LIMITS OF ANY INCORPORATED CITY IN MASON COUNTY, TEXAS AND REPEALING AN ORDER OF THE COMMISSIONERS COURT DATED FEBRUARY 10, 1997 AND ALL SUBSEQUENT AMENDMENTS.

Mason County Subdivision & Development Regulations

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Section 1. Preamble and Purpose.

- A. These Regulations have been adopted by Order of Mason County Commissioners Court to protect citizens of the County by providing a framework for the orderly and efficient development of unincorporated areas within Mason County. These Regulations are in no way intended to restrict development in the County. Rather, it is intended that through public and private cooperation the County can achieve and maintain a quality and standard of life which reflects the highest traditions and standards of its citizens.
- B. These Regulations have been adopted based on the following findings:
 - 1. Mason County was granted the authority to establish these regulations to protect the public health, safety and welfare in the Texas Local Government Code Chapter 232 and others.
 - 2. The Commissioners Court of Mason County has been designated by the Texas Commission on Environmental Quality as the authorized agent for the licensing and regulation of on-site sewerage facilities within Mason County and these Regulations are a necessary component of such regulation;
 - 3. The Commissioners Court of Mason County has the authority and obligation to exercise general control over the roads, highways, bridges and related drainage structures and development within Mason County;
 - 4. The Commissioners Court of Mason County has the authority and obligation to protect the public health, safety and welfare of the citizens of Mason County; and
 - 5. These Regulations have been enacted to preserve, protect, and promote the health, safety, and general welfare of the county and the orderly, safe, and healthy development of the unincorporated areas within Mason County, Texas.
- C. The Commissioners Court of Mason County, following public notice, investigation and hearing, has declared and hereby declares these Regulations to be necessary and appropriate to accomplish the purposes and goals enumerated above.

Section 2. Definitions

- A. **County.** Mason County, Texas.
- B. **Commissioners Court.** The Mason County Commissioners Court.
- C. **Precinct Commissioner.** The duly elected or appointed County Commissioner(s) in whose precinct(s) the subdivision is located.
- D. **Designated County Representative.** The person employed by or contracted by Mason County to serve as the platting official.
- E. **County Road.** A public roadway maintained by the County.
- F. **Private road.** A privately maintained road with access easement.
- G. **Cul-de-sac.** A vehicular turnaround.
- H. **Subdivision.** Any tract of land divided into two or more parts (as described in Section E of these Regulations). See Sections 232.001 and 232.015, Local Government Code.
- I. **Developer.** Any owner of land or authorized agent who subdivides the land.
- J. **Land Surveyor.** Any person licensed to practice land surveying by the Texas Board of Professional Engineers and Land Surveyors.
- K. **Engineer.** Any person licensed to practice engineering by the Texas Board of Professional Engineers and Land Surveyors.

- L. Extraterritorial Jurisdiction (ETJ).** The unincorporated territory extending beyond the city limits of a city as set forth by Chapter 42.021, Local Government Code.
- M. Filing Fee.** The fee charged by the County for filing documents with the County Clerk.
- N. Plat.** A drawing depicting the division or subdivision of land into lots, blocks, parcels, tracts, or other portions. A re-plat or re-subdivision will be considered a plat.
- O. Final Plat.** A plat of a proposed subdivision prepared in a manner suitable for recording in the County Records and prepared in accordance with these Regulations.
- P. Lot.** A tract of land contained designated on a subdivision plat by lot number.
- Q. On-site sewage facility (OSSF).** An on-site sewage disposal system. One or more systems of treatment devices and disposal facilities that produce no more than 5,000 gallons of waste each day and are used only for disposal of sewage produced on a site on which the system is located.
- R. TCEQ.** Texas Commission on Environmental Quality.
- S. TxDOT.** Texas Department of Transportation.

Section 3. General Provisions and Exemptions to Platting Requirement

- A. Platting Required.** Subject to the Platting Exemptions provided in Subsection B, these rules apply to any subdivision of land which divides the tract into two or more parts to lay out:
 1. A subdivision of the tract, including an addition;
 2. Lots; or
 3. Streets, alleys, squares, parks, or other parts 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 streets, alleys, squares, parks, or other parts.
- B. Platting Exemptions.**
 1. The county does not require land to be platted for transactions involving the division of the following unplatted tracts of land:
 - a. Grandfathered Tracts. A tract of land that in existence before _____;
 - b. Access for Grandfathered Tracts. The conveyance of a fee simple strip or easement to provide access to a tract of land in existence before _____;
 - c. Adjoining Owners. The sale or exchange of land between adjoining owners so long as (a) the owners do not layout any new streets or roads and (b) each owner has a combined total, between adjoining parcels, of more than 10 acres of land;
 - d. State. A division of land owned by the state or other state agency, board, commission or owned by the permanent school fund or any other dedicated funds of the state;
 - e. Floodplain. The division of land that is owned by a political subdivision of the state and located in a floodplain, and the tracts are sold to adjoining landowners;
 - f. Financing. Creating a tract containing a minimum one (1) acre of land solely for the purpose of obtaining financing, provided that possession and primary beneficial ownership of the entire parent tract remain unified;

- g. Combining Tracts. The combination of tracts under common ownership into one larger tract of land;
 - h. Probate. The land being divided is inherited property between heirs by action in probate, and the heirs are related to the testator within the third degree of consanguinity or affinity;
2. The county does not require a plat for transactions involving the division of the following unplatted tracts of land that meets the minimum frontage requirements of 250 feet on a public road or a private road built to county standard:
- a. Agricultural Use. A division of land that does not lay out a street, alley, square, park, or other area for public use or for the use of a purchaser or owner of a lot adjacent to one of those areas, and all tracts are to be used primarily for agricultural use as defined by Section 1-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management or timber production use within the meaning of Section 1-d1, Article VIII, Texas Constitution. If a tract ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of these Regulations apply;
 - b. More than 10 acres. A division of land that does not lay out a street, alley, square, park, or other area for public use or for the use of a purchaser or owner of a lot adjacent to one of those areas, and all tracts contain more than 10 acres of land each;
 - c. Veterans Land Board. A division of land that does not lay out a street, alley, square, park, or other area for public use or for the use of a purchaser or owner of a lot adjacent to one of those areas, and all tracts are sold to veterans through the Veterans' Land Board program;
 - d. Judicial Partition. A division of land that does not lay out a street, alley, square, park, or other area for public use or for the use of a purchaser or owner of a lot adjacent to one of those areas, and all tracts are established by judicial partition under a final judgment;
 - e. Family Division. A division of land that does not lay out a street, alley, square, park, or other area for public use or for the use of a purchaser or owner of a lot adjacent to one of those areas, and the tract is divided into four or fewer parts and the parts are sold, given or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity. If any tract is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the platting requirements of these Regulations apply;
 - f. Future Development. A division of land that does not lay out a street, alley, square, park, or other area for public use or for the use of a purchaser or owner of a lot adjacent to one of those areas, and the tract is retained in part by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of these Regulations; or
 - g. Undivided Interest. A division of land that does not lay out a street, alley, square, park, or other area for public use or for the use of a purchaser or

owner of a lot adjacent to one of those areas, and all tracts are transferred to a person who owned an undivided interest in the original tract, and a plat is filed before any further development of any part of the tract;

- C. Subdivision in ETJ.** Plats for subdivisions that lie completely or partly within the extraterritorial jurisdiction (ETJ) of the City of Mason shall be approved in accordance with the agreement between the City of Mason and the County for approval of such plats.
- D. Cancellation/Vacation.** A person owning real property in this County that has been subdivided may apply to the Commissioners Court for permission to cancel all or part of the subdivision, including a dedicated easement or roadway, to reestablish the property as acreage tracts as it existed before the subdivision. If the applicant is able to show with certainty that cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision, or it is shown that the purchaser agrees to the cancellation, the Commissioners Court may authorize the owner of the subdivision to file an instrument cancelling the subdivision in whole or in part.
- E. Variance.** The Commissioners Court may authorize a variance from these Subdivision Regulations when, in its opinion, undue hardship will result from requiring strict compliance. In approving a variance, the Commissioners Court shall prescribe only conditions that it deems necessary or desirable to the public interest.
1. Any person who wishes to receive a variance shall apply to the Court with a detailed justification for each variance requested. The decision of the Court whether to grant or deny a variance is at its complete discretion and will be final.
 2. In approving a variance, the Commissioners Court shall prescribe only conditions that it deems necessary or desirable to the public interest. In making their findings, the Commissioners Court shall take into account the nature of the proposed use of the land involved and existing uses of the proposed subdivision and the probable effect of such variances upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.
 3. No variance shall be granted unless the Commissioners Court finds:
 - a. That there are special circumstances or conditions affecting the land involved such that the strict application of this Order would deprive the applicant of the reasonable use of his land, and,
 - b. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, and,
 - c. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Order.
 4. Such findings of the Commissioners Court, together with the specified facts upon which such findings are based, shall be incorporated into the official minutes of the meeting at which the variance is granted. Variances may be granted only when in harmony with the general purposes of intent of the Order so that the public health, safety, and welfare may be secured and substantial justice done. Pecuniary hardship to the Owner/developer, standing alone, shall not be deemed to constitute hardship.
 5. All variances approved by the Commissioners Court shall be recorded in the Official Public Records of Mason County, Texas at the applicant's expense.

Section 4. Application Submittal and Processing Procedures

A. The Developer shall request in writing a meeting with the Designated County Representative in sufficient time to allow a meeting with a developer at least fifteen (15) days prior to submission of an application to the Commissioners Court, to visually inspect the property, review the developer's intentions, establish any special requirements for the plat application, and to discuss the application process.

B. Applications.

1. **Initiation of Application.** An application for approval of a plat shall be filed with the county by the owner of the property or an agent of the owner. If the applicant is an agent of the owner, the Designated County Representative may require submission of documents, such as an affidavit from the owner, to provide evidence of ownership or agency.
2. **Plat Compliance.** Every Application shall include a plat that complies with these Regulations.
3. **Waiver of Application Information.** The County Representative may initially waive the submission of any information in the Application and accompanying materials that are not necessary due to the scope and nature of the proposed activity.
4. **Application Forms.** County officials or staff may prepare Application Forms that include information requirements, checklists, Applicant contact information, and any other information necessary to show compliance with these Regulations.
5. **Application Fees.**
 - a. Every Application shall be accompanied by the prescribed fees set forth in the adopted Fee Schedule.
 - b. The prescribed fee shall not be refundable.
 - c. The Fee Schedule may be amended from time to time by the County Commissioners Court.
6. **Completeness of Application.**
 - a. The County Representative shall, not later than the 10th business day after receipt of the application, notify the applicant in writing of the missing documents or other information.
 - b. An application is considered complete when all required documentation is received. A determination of completeness shall not constitute a determination of compliance with the substantive requirements of these Regulation, nor does it imply or guarantee that the application will be approved.
 - c. The Commissioners Court of Mason County shall have the authority to refuse to approve or authorize any map or plat of any such subdivisions, unless such map or plat meets the full requirements as set forth in these Subdivision Regulations and there is submitted at the time of approval of such map or plat financial security as may be required by these Regulations.
7. **Action by County.** The County, after reviewing the application, shall approve, approve with conditions, or disprove a plat Application within 30 days of receiving the completed application unless the timeline is legally extended or waived.

8. Conditions. The county may attach such conditions to the approval of an Application as are reasonably necessary to ensure compliance with applicable requirements of these Regulations.
- B. Construction plans of roads and drainage improvements
- C. Topographic map or survey showing contours, lots, improvements, and roads

Section 5. Platting Requirements.

- A. **Final Plat.** The owner or developer shall submit a Final Plat to the Designated County Representative in PDF format drawn on 18" x 24" or 24" x 36" sheets at a scale not more than 1"=200'. The plat shall be accompanied by construction plans for roads and drainage improvements, if applicable, and a topographic map or survey showing contours, lots, improvements, and roads. The Final Plat shall show the following:
 1. Name and address of the landowner.
 2. The name and address of the developer, land surveyor, and engineer, if applicable.
 3. The name of the subdivision, said name shall not conflict in spelling, pronunciation, or in any way with the name of any other subdivision within Mason County, unless the proposed subdivision is contiguous to an existing subdivision and is an additional phase of that development.
 4. The names, locations, and dimensions of all proposed streets or roads, alleys, parks, or other public areas within the property.
 5. The names, locations, and dimensions of all adjoining platted subdivisions and streets and roads.
 6. The names of all property owners with recordation information if not unplatted.
 7. Lot numbers and total number of lots.
 8. Lot dimensions and acreage.
 9. 50 foot building setback lines along all public roads.
 10. The type, location, width and dimensions of proposed and existing visible and apparent utility and pipeline locations, and visible and apparent easements within and adjacent to the property.
 11. The date the subdivision plat was prepared
 12. North arrow
 13. Stated scale and graphic scale
 14. A vicinity map showing the location of the proposed subdivision in relation to major roads, towns, or cities.
 15. Water and sewer plans, if applicable.
 16. Sufficient data to reproduce on the ground the bearing and length of all streets, roads, lots and dedicated easements. Curves on all streets, roads and dedicated easements shall include the radius, arc length, chord bearing, chord distance, and central angle. Curves on lots shall show the radius and length of the curve.
 17. A legal description of the property with reference to the parent tract or tracts out of which the proposed development is coming, with data sufficient to locate the same with respect to an original corner of the parent tract of which it is a part, and the number of acres being subdivided
 18. A dedication by the landowner of all streets, roadways, easements, parks, and other land intended for private or public use (See Appendix B)
 19. Certificate of Road Maintenance, if applicable (See Appendix C)

20. Lienholder's Ratification, if applicable (See Appendix D)
21. The plat shall be drawn using the Texas Coordinate System of 1983, Texas Central Zone, or a subsequently approved coordinate system.
22. The coordinate of at least one prominent property corner shall be noted on the plat in state plane coordinates
23. The date when survey field work was completed
24. Certificate of Surveyor (See Appendix E)
25. Certificate of Engineer, if applicable (See Appendix F)
26. Certificate of Designated County Representative (See Appendix G)
27. The Certificate of Approval (See Appendix H)
28. To be eligible for approval by the Commissioners Court, the final plat shall be accompanied by a certified tax certificate from the Mason County Central Appraisal District that all tax obligations have been paid.
29. If new roads are to be created by the subdivision, the following note shall be included:

The roads established by this plat will be privately maintained by the property owners or a property/home owners association at the expense of the owners.

30. If a street or road in a subdivision is to be privately maintained, the following note shall be included on the plat:

By filing this Plat, the Owner and all future owners of property within this subdivision, by purchasing such property, acknowledge and agree that the County shall have no obligation to repair the private roads shown hereon or accept the private roads into county maintenance.

31. The following note shall be included on the plat:

Mason County and the Hickory Underground Water Conservation District (HUWCD) make no representation or guarantee as to the water quality or that a present or future adequate water supply exists.

32. The following utility easement note shall appear on the plat:

The owners hereby dedicate a perpetual utility easement for the installation and maintenance of utility lines and all necessary appurtenances thereto, whether installed in the air, upon the surface, or underground, along and within ten (10) feet of the rear, front, and side lines of all lots and/or tracts, ten (10) feet along the boundaries of all streets when the lots and/or tracts extend to the centerline of said street, twenty (20) feet along the entire perimeter of this subdivision, and within all streets and alleys. The dedication of this easement includes the authority to place, construct, operate, maintain, relocate, and replace utility lines and installations, the right of ingress and egress to and from said

utility easement, and the right to clear, cut, and trim trees, shrubbery, undergrowth, and obstructions that may interfere with the operation of utility lines and installations. The landowners shall be responsible for removal of limbs, debris, branches, or brush cut while clearing the easement for construction or maintenance. Nothing that may damage or interfere with installation and maintenance of utilities shall be placed or permitted to remain within the easement. The easement shall be maintained by the landowners.

33. The following note shall be included on the plat:

Mason County and the Hickory Underground Water Conservation District (HUWCD) make no representation or guarantee as to the water quality or that a present or future adequate water supply exists.

34. Two full size copies of the Final Plat shall be presented for filing on bond paper. And a digital copy (.dwg or .shp) shall be provided to the Mason County Central Appraisal District.

B. Replat

1. Applicability. A Replat of all or a portion of a recorded Plat may be approved in accordance with State law without vacation of the recorded Plat if the Replat:
 - a. Is signed and acknowledged by the owners of the property being replatted;
 - b. Is approved after a public hearing; and
 - c. Does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded Plat.
2. Published Notice. After the application is filed with the Commissioners Court, the court shall publish a notice of the application in a newspaper of general circulation in the county unless the court determines that the revision to the subdivision plat does not affect a public interest or public property of any type.
 - a. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat.
 - b. The notice must be published at least three times during the period that begins on the 30th day and ends on the seventh day before the date of the meeting.
 - c. Cost of publication to be paid by applicant.
3. Mailed Notice.
 - a. If all or part of the subdivided tract has been sold to nondeveloper owners, the court shall also give notice to each of those owners by certified or registered mail, return receipt requested, unless the Commissioners Court determines that the revision to the subdivision plat does not affect a public interest or public property of any type;
 - b. If the Commissioners Court determines that the replat does not affect a public interest or public property, the court shall provide written notice of the application to the owners of the lots that are within 200 feet of the

subdivision plat to be revised, as indicated in the most recent records of the central appraisal district of the county in which the lots are located; and post notice of the application continuously on the website for at least 30 days preceding the date of the meeting to consider the application until the day after the meeting.

- c. Mailed Notice is not required to combine existing lots.
4. Water/Sewer Provider. Persons replatting property within the service area of a water or sewer utility provider shall have the written consent of the provider unless the purpose of the replat is to combine two or more lots into one lot.
5. Review Process. The review process for a Replat shall be the same as process for reviewing and approving Final Plats (except for the special public hearing and notice requirements).
6. Hearing. The Commissioners Court, during a regular meeting of the court, shall adopt an order permitting the person to revise the subdivision plat if it is shown to the court:
 - a. That the revision will not interfere with the established rights of any owner of a part of the subdivided land or each owner whose rights may be interfered has agreed to the revision; and
 - b. That the revision is not a violation of any existing deed restriction(s).
7. Effect. Upon approval of the Application, the Replat may be recorded and is controlling over the previously recorded Plat for the portion replatted.

C. Amending Plat. The Commissioners Court may approve an amending plat, which is controlling over the preceding plat without vacation of the plat, if the amending plat is for one or more of the following purposes:

1. To correct an error in a course or distance shown on the preceding plat;
2. To add a course or distance that was omitted on the preceding plat;
3. To correct an error in a real property description shown on the preceding plat;
4. To 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;
5. To correct any other type of scrivener or clerical error or omission of the previously approved plat, including lot numbers, acreage, street names, and identification of adjacent recorded plats; or
6. To correct an error in courses and distances of lot lines between lots if:
 - a. All affected lot owners join in the application for amending the plat;
 - b. Neither lot is abolished;
 - c. The amendment does not attempt to remove recorded covenants or restrictions; and
 - d. The amendment does not have a material adverse effect on the property rights of the other owners of the property that is the subject of the plat.
7. The Amending Plat controls over the preceding plat without the vacation, revision, or cancellation of the preceding plat.
8. The owners of any lots being amended shall join in the application;
9. Notice, a hearing, and the approval of other lot owners are not required for the filing, recording, or approval of an amending plat.

10. An amending plat cannot attempt to
 - a. Remove recorded covenants or restrictions;
 - b. Increase the number of lots;
 - c. Create new streets or extend streets.

Section 6. Development Standards

A. Minimum Lot Size.

1. Lots served by private water well and an On-Site Sewage Facility (OSSF) shall contain a minimum of seven (7.0) acres of land;
2. Lots served by a community or public water system and an On-Site Sewage Facility (OSSF) shall contain a minimum of five (5.0) acres of land;
3. Lots served by a community or public water system and a public sewer service shall contain a minimum of three (3.0) acres of land.

A. Flag Lots. Flag lots are prohibited in platted subdivisions and exempt transactions.

B. Reserve Strips Prohibited. There shall be no reserve strips controlling the only access to land dedicated or intended to be dedicated for public use.

C. Right-of-Way. Right-of-way limits shall be contiguous with lot boundaries. No lots may extend into the right-of-way. All rights-of-way shall be cleared of all impediments including boulders, trees, tree stumps and debris. The Designated County Representative may authorize that select trees remain within the right-of-way.

D. Roads.

1. Road Layout. Adequate roads shall be provided by the developer, and the arrangement, length, width, grade and location of each shall be considered in its relation to existing and planned roads, to topographical conditions, to public safety and convenience, and in the appropriate relationship to the proposed use of land to be served by such roads.
2. Minimum Right-of-Way Width.
 - a. All new roads shall have a minimum right-of-way width of sixty (60) feet.
 - b. A proposed subdivision that adjoins an existing county road shall provide for the dedication of right-of-way extending a minimum of 30 feet from the centerline of the existing county road.
 - c. A proposed subdivision that crosses an existing county road shall dedicate to the public a sixty (60) foot wide right-of-way centered on the existing county road.
3. Intersections. Road intersections shall be as nearly at right angles as practicable.
4. Curves. Curves in roads shall have a minimum centerline radius of 400 feet.
5. Lot Numbers. Each plat shall show lot numbers arranged in systematic order.
6. Construction Standards. Road Construction shall meet requirements of Section 7 herein.
7. Road Names. Proposed roads which are in alignment with existing named roads shall bear the names of the existing road. Proposed roads shall comply with the Road Naming and Addressing Guidelines promulgated by Mason County and shall be approved by the Commissioners Court. Road names must be reviewed for conflict and acceptability by the County 911 Rural Addressing Office before final plat approval.

8. Signs. The developer shall present a sign placement plan to the Designated County Representative for approval prior to acceptance of the final plat. All traffic signs shall be furnished and installed by the developer in accordance with the latest issue of the "Texas Manual of Uniform Traffic Control Devices" issued by the Texas Department of Transportation.

E. Waste Disposal Systems. Each lot in a subdivision must have a predetermined legal means of sewage waste treatment and disposal.

1. Lots served by OSSF. All lots to be served by OSSF shall have such OSSF installed in compliance with state rules and regulations. The County shall not issue an On-Site Sewage Facility permit on any parcel of land not in compliance with all the requirements of these Regulations.
2. Lots served by Community Sewage Collection and Treatment Facilities. All lots to be served by community sewage collection and treatment facilities shall have such system and facility plan approved by the TCEQ and the developer shall provide a letter from TCEQ approving such system and facility plan prior to final plat approval. If wastewater collection and treatment services are to be provided by a utility service provider other than a community collection system, that entity shall review the system and facility plan and the developer shall provide a letter from such entity approving such system and facility plan prior to final plat approval.

F. Utilities.

1. The following utility easements shall be dedicated to the public:
 - a. 10 foot wide along the front, side and rear of all lots
 - b. 20 foot along the entire perimeter of the subdivision
 - c. Within the right-of-way of the streets and alleys
2. All utility services, to include electric and telephone trunk service, shall be planned and constructed concurrent with the construction of the road infrastructure in a subdivision. Utility plans shall be coordinated with the Designated County Representative well in advance of construction. The subdivision plat shall show the location of easements associated with these services.
3. All utility lines that pass under a road shall be installed before the road is paved. When it is necessary that utility lines pass under an existing road, they shall be placed by boring at a depth of three (3) feet to a point at least four (4) feet beyond the pavement edge.
4. Utility fixtures extending above ground (poles, pedestals, fire hydrants, transformers, etc.) shall be located no greater than two (2) feet inside the right of way line unless specifically approved by the respective Designated County Representative.
5. When practicable, underground utilities shall be placed a minimum of three (3) feet below surface and within four (4) feet inside the right-of-way line.

G. Drainage.

1. The developer of all subdivisions where the average lot size is less than 10 acres shall have an Engineer prepare a storm drainage plan. A PDF copy of this plan prepared by a professional engineer shall be submitted and shall contain calculations showing anticipated storm water runoff including watershed area,

percentage, velocity of runoff, and time of concentration. This plan shall have the same contours and scaled lot sizes as shown on the plat.

2. Drainage facilities shall be provided and constructed in accordance with approved plans as required in these Regulations. Drainage plans shall be prepared by a professional engineer experienced in hydrology analysis, and shall be signed and sealed by such engineer. At a minimum, drainage plans shall show all culverts, low water crossings, drainage basins and drainage easements.
3. Drainage structures shall be designed to minimize any adverse impact to private property or public right-of-way either within or outside the proposed subdivision. The post-construction runoff rates at the point of flow leaving the new site shall not exceed the pre-construction peak runoff rate for the two (2), ten (10) or one-hundred (100) year storms. Provisions must be made to assure that no adverse impact is made to existing drainage systems within public right of way.
4. When a drainage channel or overflow section is to be constructed, three (3) copies of the design complete with construction plans, profiles, and specifications shall be submitted. The plans shall show construction details, calculations showing the anticipated storm water runoff, including watershed area, percentage and velocity of runoff, and time of concentration.

H. Fire Safety.

1. All subdivisions that have community or public water systems and storage tank facilities within the boundaries of the subdivision will install a 2 ½" NST pipe connection at the storage tank for firefighting equipment to withdraw water from the storage tank in times of emergency. Provisions must be made for access to the facility by firefighting apparatus.
2. Subdivisions that contain natural or manmade facilities for the surface storage of water for agricultural or recreational purposes shall have such facilities evaluated for the purposes of installation of a dry hydrant for fire protection purposes. The developer shall contact the Mason County office of the U.S. Natural Resource Conservation Service for consultation about the design and installation of the dry hydrant. Road access for emergency vehicles shall be provided to the dry hydrant.

Section 7. Design and Construction Standards

- A. New Roads.** All new roads shall be privately maintained roads constructed at the developer's expense in accordance with these Regulations and shall be maintained by a Homeowners Association, Property Owners Association, or property owners.
- B. Design of Improvements.** All improvements shall be designed by a professional engineer and installed so as to provide, to the maximum extent feasible, a logical system of utilities, drainage and roads and to permit continuity of improvements to adjacent properties. One complete set of construction plans signed and sealed by a professional engineer shall be provided to the appropriate Designated County Representative prior to the beginning of construction. At the completion of construction one complete set of plans that includes all "as built" changes shall be provided to the Designated County Representative.
- C. Road Frontage.** Lots shall have a minimum of 250 feet of frontage on a public road or a private road built to county standard.

D. Roads.

1. Clearing and Grubbing. The entire area of the right-of way shall be selectively cleared and grubbed to a depth of not less than one foot below natural ground in fill areas and one foot below subgrade elevation in excavated areas. Trees, brush and other debris shall be removed from the right-of-way and disposed of as elected by the developer.
2. Grading. The roadway area (subgrade ditches and slopes) shall be constructed substantially in accordance with the following requirements:
 - a. Earthen embankments shall be placed in lifts of not more than 8 inches loose depth and each lift shall be thoroughly compacted by sprinkling and rolling before placement of the succeeding lifts. Rock fill may be placed in lifts of not more than 30 inches or as directed.
 - b. Unstable material encountered in either excavated sections or beneath embankments shall be removed to a depth of not less than one foot below natural ground or finished subgrade and replaced with satisfactory material. Material so removed shall be properly disposed of or removed from the right of way.
 - c. Prior to final finishing, subgrade shall be proof rolled as directed by the Designated County Representative to assure uniformity of both cuts and fills and any unstable material shown shall be removed and replaced with satisfactory material.
3. Roadway Ditches. Ditches intended for parallel drainage shall be designed to accommodate runoff to be expected at 5 year frequency. On grades of more than 3 percent, in friable soils, erosion control by sodding and/or seeding or by properly designed checks of concrete, stone or sod blocks shall be included.
4. Culverts. Cross drainage culverts shall be designed for runoff to be expected at 5 year frequency, may be either standard reinforced concrete pipe, corrugated galvanized metal pipes, reinforced concrete boxes, or other material currently approved for this purpose by the Texas Department of Transportation. Regardless of material, each culvert shall be capable of sustaining "H-15-Highway Loading". No box culvert shall be smaller than 2 feet in either waterway height or depth. No pipe structure shall have waterway area of less than 1.6 square feet.
5. Driveway Culverts. Culverts installed at any entrance to private property shall be at least twenty (20) feet in length with waterway of not less than one and six tenths (1.6) square feet and shall be designed for runoff of five year frequency.
6. Bridges. All bridges shall be designed by an Engineer for 10 year frequency of storm and with not less than 18 inches freeboard for drift collection. The load capacity of bridges shall not be less than "H-15". Bridges shall be founded and protected by riprap to withstand floods of 25 year frequency.
7. Overflow Section Requirements. In general, the Commissioners Court will, on individual economic consideration, approve the installation of overflow sections. Such consideration will adjudge the probable frequency and depth of overflow, the traffic potential, and the nature of the tributary area. The following conditions are considered suitable for the installation of overflow sections:
 - a. Drainage courses having no defined channel where channel construction would possibly develop liability for diversion or concentration of runoff.

- b. Streams having a defined channel for normal flow and usual runoff with a wide floodplain covered by infrequent storms.
 - c. Stream crossings where traffic potential does not economically warrant bridge construction.
- 8. Overflow Section Specifications. Under conditions 7(a) above, the roadway gradient should conform as nearly as feasible with natural ground slopes and no culvert should be installed, nor should roadway ditches be constructed. For conditions 7(b) and 7(c) above, the overflow structure shall be designed by an Engineer within the following limitations:
 - a. The section shall be of reinforced concrete not less than five (5) inches in thickness and containing not less than five (5) sacks of Portland cement (3000 psi compressive strength at 28 days) per cubic yard of finished concrete; shall extend horizontally between high water elevations calculated for five (5) year frequency; and shall be anchored with toe structures with a minimum vertical depth of eighteen (18) inches or dowelled into rock for a minimum depth of twelve (12) inches on a maximum twenty-four (24) inch spacing.
 - b. Drainage waterways adequate for storms of five (5) year frequency shall be provided, with the additional requirement that the finished grade at the low point of the roadway shall be no higher than three feet above the flow line of the stream or one-half the depth of the ravine section, whichever is lower.
 - c. Reinforcement shall be not less than No. 4 bars placed fourteen inches on center both longitudinally and transversely. Laps, if required, shall be not less than fifteen (15) inches and shall be staggered in position. Laps or splices at the crown line will not be acceptable.
 - d. The crown width of overflow sections shall be not less than three (3) feet wider than the approach pavement or surface.
- 9. Base and Base Courses.
 - a. Material. Base materials shall be in accordance Item 247 of Texas Department of Transportation (TxDOT) Standard Specifications for Flexible Base materials, Grade 1-2 or Grade 5. Minor variations from these requirements may be permitted by the Commissioners Court where local conditions permit. Thickness of the base course or courses will be increased to compensate for lesser quality material. In no case shall there be less than six (6) inches of base material allowed.
 - b. Construction Methods. Base material on all roads shall have a minimum compacted thickness as shown in the Schedule of Minimum Dimensions. The material shall be dumped, spread, mixed, wind rowed, watered and processed as necessary to produce a uniformly blended mixture of the desired course thickness, moisture condition and gradation. Shaping of the blended mixture to the required grade and line shall follow the mixing procedure and precede compaction. Compaction of each course of material shall be accomplished by suitable equipment to obtain maximum density of 95% of AASHTO T180-61 (Standard Proctor). Optimum moisture content as determined by proctor plus or minus two(2) percent shall be

maintained during compaction. Soft spots that develop during compaction will be removed and replaced to the required density. Areas that show evidence of segregation shall be replaced before the compaction of the course is complete. The same procedures shall be used in the construction of each course. The final course of base, upon which pavement is to be placed, shall be accurately finished to typical section and allowed to “cure” at least 24 hours, or as directed, before application of the prime coat.

- c. Testing Material. Prior to delivery of base material to the road, the results of physical tests of the material proposed for use shall be submitted to the Designated County Representative for approval. These test results shall be certified as conforming to the requirements by an approved commercial laboratory. The certification shall define the area and column represented by the tabulated results.
10. Prime Coat. After finishing, curing and correction of any irregularities developed during the curing period, the area of the base which is to receive surfacing shall be primed with an application of approximately two-tenths (0.2) gallons of MC-30 cutback asphalt, or other acceptable product as approved by the Designated County Representative, per square yard of surface covered. Generally, traffic shall be diverted from the primed area until placement of the surface. Should diversion of traffic not be feasible, the prime coat shall be blanket rolled with a pneumatic roller immediately following application or sanded. The prime coat shall be allowed to cure for not less than forty-eight (48) hours following application and before application of surface courses or pavement.
11. Surface Treatment. All roads in subdivisions, and providing access to subdivisions, shall be provided with a wearing surface, the minimum acceptable standards for which are as follows:
- a. A two-course asphalt surface treatment composed of asphalt and aggregates of the grades and rates of distribution shown below. Asphalt shall be Grade AC-5 (preferable), or other equivalent asphalt product, except that Grade AC-10 may be placed on roads having sharp curves and steep grades. Aggregates may be crushed limestone, crushed gravel, gravel or limestone rock asphalt, grading as established by the Texas Department of Transportation Standard Specifications.

GRADING AND RATES OF DISTRIBUTION

First Course

Asphalt	Grade AC-5 (or AC-10)	0.3 to 0.35 gallons per Sq Yd
Aggregate	Not finer than Grade 4	One Cu Yd per 85 to 95 Sq Yd

Second Course

Asphalt	Grade AC-5 (or AC-10)	0.25 to 0.35 gallons per Sq Yd
Aggregate	Not finer than Grade 5	One Cu Yd per 110 to 125 Sq Yd

Total Asphalt for both courses shall be not less than 0.6 gallons per square yard.

- b. Should the developer elect, a bituminous concrete pavement may be placed in lieu of the minimum surface treatment described. Such pavement may be either Hot Mix Asphaltic Concrete, Hot Mix Cold Laid Asphaltic Concrete, or Limestone Rock Asphalt, proportioned, mixed and laid as required by the pertinent specifications of the Texas Department of Transportation Standard Specifications.
 - c. Bituminous concrete pavement shall be placed in such quantity and spread at such rate as to provide a minimum compacted depth of mat of one and one-half (1 ½) inch.
 - d. Neither surface treatment nor Asphaltic Concrete shall be placed at any time between October 1st and April 1st or when the ambient air temperature is below 60 degrees Fahrenheit. As an exception to this policy, the respective Designated County Representative may authorize the placing of either wearing surface when the ambient temperature is stabilized above 50 degrees Fahrenheit and the roadway surface temperature is above 60 degrees Fahrenheit.
12. Curbed Roads. Where roads are proposed to be provided with curbs or curbs and gutters, design and construction details shall be in conformity with the attached typical section.
13. Shoulders. Untreated shoulders shall be bladed and dragged for uniformity after placement of the surface and shall be smooth, stable, and well compacted for the entire width. The thickness of base shall not vary from the prescribed thickness by more than one half (1/2) inch at any point tested.
14. Schedule of Minimum Dimensions.

Right-of-Way Width	60 ft
Cul-de-Sac Right-of-Way	65 ft radius
Cul-de-Sac Wear Surface Width	50 ft radius
Maximum Grade	12%
Minimum Cross Slope	2%
Subgrade Crown Width	30 ft
Base Crown Width	24 ft
Base Course Thickness	6 in
Prime Coat Width	21 ft
Wear Surface Width	20 ft
Shoulder Width	3 ft
Culvert Length (Square Crossing)	36 ft
Bridge Roadway Width	26 ft
Overflow Section Roadway Width	26 ft
Cattle Guards (if permitted)	22 ft

15. Cattle Guards. The Designated County Representative may authorize the installation of cattle guards when considered essential to the public safety. When permitted, a cattle guard shall be not less than six (6) feet in length, measured along the center of the road, and of width not less than two (2) feet greater than the width of the pavement. Deck members shall be either weldable steel tubing two and three-eighths (2-3/8) inches outside diameter or relayer rails weighing not less than seventy (70) pounds per yard. Oil field tubing is not acceptable. Support members shall be structural steel shapes of size and section adequate for H-15 loading with twenty-five (25) percent impact allowance. Support sections shall be spaced not more than thirty-one (31) inches for tubing decks or forty-eight (48) inches for rail decks. Units may be prefabricated or welded in place provided fastenings to the masonry foundation are arranged for easy removal for cleanout. Supporting masonry shall extend to firm foundation or shall be designed as an open flume with ends closed, except where the structure serves as a drainage structure. Closed end structures shall be provided with pit drainage.

Section 8. Bond Requirements

- A. Security Bond.** A final plat shall not be approved or recorded unless the developer has filed with the Commissioners Court a bond or other surety executed by a surety company holding a license to do business in the State of Texas, made payable to the County Judge of Mason County, Texas, or his/her successor in office, and acceptable to the County, in an amount equal to the cost of the roads and drainage improvements required by these Regulations as estimated by the design Engineer and approved by the County, conditioned that the developer will complete such improvements within one year after approval of such plat, such bond to be approved by the County Commissioners Court. Should there be any deficiency or variance from the requirements herein or should the work not be completed within the stated time, the County will notify the developer of such departure by certified mail. Should the condition not be corrected within thirty (30) days following receipt of notice, the County may declare the surety forfeited and order construction operations suspended. The County reserves the right to complete the work by means most advantageous to its organization and citizens, utilizing such portion of the surety as may be necessary to accomplish such completion. In the event progress and final inspections indicate no departure from the requirements herein, the designated representative of the County will certify completion in accordance with the requirements of the Commissioners Court and the Court will consider release of the surety. The surety bond shall remain in effect until all roads and drainage improvements have been approved by the Commissioners Court and the bond has been released by order of the Commissioners Court.
- B. Maintenance Bond.** Before release of the security bond, and to insure the roads and drainage improvements are maintained to the satisfaction of the County, the developer shall furnish the County a maintenance bond, executed by a surety company holding a license to do business in the State of Texas, made payable to the County Judge of Mason County, Texas, or his successor in office, and acceptable to the County, in an amount equal to thirty (30) percent of the total cost of the roads and drainage improvements

required to be constructed in said subdivision, as estimated by the design Engineer and approved by the County, conditioned that upon completion thereof, and upon approval of same by the Commissioners Court.

- C. Security Bond Extension.** Where good cause exists, the County may extend the period of time for completion for an additional period of time not to exceed six (6) months if the developer has not completed the required improvements or completed such improvements in compliance with these Regulations. No such extension shall be granted unless the developer provides additional security to cover the extended period of time.
- D. Irrevocable Letter of Credit (in lieu of Bond).** An Irrevocable Letter of Credit may be submitted in lieu of bonds for the purpose of ensuring that the developer meets their obligation to construct and maintain the roads and drainage improvements in a subdivision. Irrevocable Letters of Credit in lieu of Bonds are required under the same conditions as Security and Maintenance Bonds.
- E. Other Security.** Any type of security for construction and maintenance other than Bonds and Irrevocable Letters of Credit shall be by written request to Mason County, and must first be approved by Commissioners Court.

Section 9. Water Availability Requirements

- A. General.** These Water Availability Requirements are adopted pursuant to Section 35.019 of the Texas Water Code and Section 232.0031 of the Local Government Code. The Mason County Commissioners Court has determined that the adoption of Water Availability Requirements are necessary to prevent current and future water use in Mason County from exceeding a safe and sustainable yield. These Water Availability Requirements apply to all applications for approval of a plat for a Subdivision wholly or partially within Mason County, except for the following situations:
 - 1. All tracts that are exempt from Platting under the Platting Exemptions herein;
 - 2. Replats and Amending Plats that do not increase the number of lots within the subdivision; and
 - 3. Subdivisions that have one well on each lot, provided that a well log report is for every well is furnished to the county and to prospective buyers of each lot.
- B. Water Availability Requirements.** Before any subdivision plat is approved, the developer must establish to the reasonable satisfaction of the Commissioners Court that an adequate quantity and quality of groundwater, or water from surface water sources which meet the standards established by the TCEQ, exists to support the development and occupation of the subdivision. The Hickory Underground Water Conservation District (HUWCD) shall oversee the implementation of this Section, and may, if sufficient data is readily available, make recommendations to the Commissioners Court to waive any of the requirements in this Section 8. Any person fulfilling the requirement set forth below shall be deemed to have satisfied these Water Availability Requirements. Failure to satisfy these requirements shall result in the rejection of a subdivision plat.
- C. Public or Community Water Systems.**
 - 1. New Public or Community Water System. If the person requesting plat approval proposes to utilize a new public or community water system, such system shall be developed in accordance with Subchapter C, Chapter 341, Texas Health and Safety Code and as defined by current rules and regulation of the TCEQ 30 TAC

Chapter 290. If the public or community water system will have more than fifteen (15) connections, the developer shall present documentation to the Commissioners Court showing that the requirements as specified in Section 4 of these Water Availability Requirements have been met and approved by the HUWCD. In addition, a letter or other document from TCEQ's Rate Analysis and Plan Review Team, Water Utilities Division, shall be supplied approving the business plan and the plans and specifications of the proposed water system. If the proposed water system will have fewer than fifteen (15) connections, the developer shall present a letter from the HUWCD stating that the HUWCD has reviewed the plans and specifications for the proposed system, along with any technical data required in subsection D of these Water Availability Requirements and finds the proposed system adequate for its intended use.

2. Expansion of an Existing Public or Community Water System. If the developer proposes to utilize an existing public or community water system, the developer shall present to the Commissioners Court in satisfaction of these requirements a copy of the executed agreement between the developer and the owner of such existing system for such water. If the total number of connections served by the community water system as defined above is more than fifteen (15), including the additional lots, the developer shall present a letter from TCEQ's Rate Analysis and Plan Review Team, Water Utilities Division, stating that the existing water system has sufficient capacity to service the additional connections. In addition, the developer shall present to the Commissioners Court documentation that has been approved by the HUWCD which shows that subsection 4 of these Water Availability Requirements have been met. If the proposed water system will have fewer than fifteen (15) connections, the developer shall present a letter from the HUWCD stating that the HUWCD has reviewed the plans and specifications for the proposed system, along with any technical data required in subsection 4 of these Water Availability Requirements and finds the proposed system adequate for its intended use.
3. Individual Wells Prohibited. All subdivision plats which satisfy the Water Availability Requirements by utilizing a new or existing public or community water system shall, by deed restriction or other legal means, prohibit the drilling or use of individual wells within such subdivision. Such prohibition shall be prominently noted on the recorded plat. Any existing wells not owned and utilized by the public or community water system shall be plugged in accordance with the applicable rules and regulations of the Water Well Drillers Board and the HUWCD.

D. Water Availability Certification. If the developer proposes groundwater as the primary source of water for the tracts in a subdivision, whether by individual private or community wells, the following requirements shall be met:

1. Projected Water Demand Estimate as specified in TCEQ Groundwater Availability Certification of Platting Ch. 230.6.
2. General Groundwater Resource Information as specified in TCEQ Ch. 230.7.
3. Aquifer Testing as specified in TCEQ Ch. 230.2(2): Aquifer testing is a test involving the withdrawal of measured quantities of water from or addition of water to a well and the measurement of resulting changes in water level in the

aquifer both during and after the period of discharge or addition for the purpose of determining the characteristics of the aquifer. Bail and slug tests are not considered to be aquifer tests. The required aquifer testing parameters shall be as specified in TCEQ Ch. 230.8 Obtaining Site-Specific Groundwater Data.

4. Determination of Groundwater Quality as specified in TCEQ Ch. 230.9.
5. Determination of Groundwater Availability as specified in TCEQ Ch. 230.10. 32
6. Sufficiency of Water and Certification. In addition to the test results required above, submit to the Commissioners Court a certificate from a registered professional engineer licensed by the State of Texas or a licensed professional geoscientist. Said certificate shall be based on the pump test results and any other information available, which information shall be detailed, and shall state the opinion of the certifier that sufficient groundwater exists beneath such subdivision of a quantity and quality adequate for the use of the persons purchasing tracts in such subdivision. In addition, a letter is required from the HUWCD that based on the pump tests results and other information available to the HUWCD the development after full build-out will not cause an aquifer mining condition to exist. Specifically, sufficient quantity of groundwater is defined as meeting or exceeding a sustainable well production capacity of ten (10) gallons per minute per lot after full build-out. In areas where ten (10) gallons per minute per lot is marginal, additional aquifer test may be required. For those areas where well production capacity is less than ten (10) gallons per minute, lot sizes shall be adjusted accordingly. The developer shall provide to each purchaser or potential purchaser of a tract located in such subdivision a summary of the water quality and quantity test results prior to concluding the sale of any tract. If the developer is unable to obtain the certificate that water of sufficient quantity and quality exists or the Commissioners Court receives a letter from the HUWCD reporting that sufficient water is not available, the Commissioners Court shall deny that specific plat request.
7. Groundwater Availability Determination Conditions as specified in TCEQ Ch. 230.11 (b). The assumptions and uncertainties that are inherent in the determination of groundwater availability should be clearly identified. These conditions must be identified to adequately define the bases for the availability and usability statements. These bases may include, but are not limited to uncontrollable and unknown factors such as:
 - a. Future pumpage from the aquifer or from interconnected aquifers from area wells outside of the subdivision or any other factor that cannot be predicted that would affect the storage of water in the aquifer.
 - b. Long-term impacts to the aquifer based on climatic variations.
 - c. Future impacts to usable groundwater due to unforeseen or unpredictable contamination.

Section 10. Enforcement

- A. Oversight.** The owner, by submitting a plat, acknowledges the authority of the county and state agencies to lawfully enter and inspect property for purposes of execution of

their statutory duties. Such inspection will not release the owner from any obligation to comply with the requirements of these rules.

- B. No Lot Sold till Approved.** No lot in any subdivision shall be sold, transferred, or placed under contract for sale until the final plat is approved and recorded, and all the standards, specifications or requirements contained or referred to herein have been complied with in full.
- C. Authority to Enforce Regulations.** On behalf of Mason County, the County Attorney or other attorney may, when directed by the Commissioners Court, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this Order or the standards referred to herein with respect to any violation thereon which occurs within Mason County's jurisdiction. The County reserves the right to seek all remedies, including injunction, prohibition, damages, and where appropriate, criminal penalties in the enforcement of these rules and regulations.
- D. Penalty for Violation.** The Commissioners Court of Mason County will cause an employee of the Court or any other person or persons it so designates to review periodically those deeds or sales contracts being recorded in the County Clerk's Office to see that any subdivisions affected thereby shall comply with requirements of Chapters 232 and 233 of the Texas Local Government Code and these Regulations. If deeds, contracts of sale, transfers of title, or other transactions do not comply with the plat requirements as set forth in this Order and in the State Statutes, the Commissioners Court of Mason County or its' representative can so notify the party selling or transferring title in whole or in part to comply with the said requirements. In the event the said notified party refuses to comply with the requirements of the State Statutes, the Commissioners Court can take appropriate action to obtain compliance. Any party violating any provisions of this Order shall be guilty of a Class B misdemeanor and each act of the violation shall constitute a separate offense.
- E. Conflicting Orders.** If any other County Order is in conflict with this Order, the most stringent rules will apply. Nothing will be permitted under the provisions of this Order that is in violation with another valid Order of the County.
- F. Severability.** If any one or more of the provisions in these Regulations shall for any reason be held to be invalid, or illegal or unenforceable in any respect, these Regulations shall be construed as if such provision had never been contained herein.

Passed and approved by Mason County Commissioners' Court _____, 2022.

Commissioner, Pct. 1

Commissioner, Pct. 2

Commissioner, Pct. 3

Commissioner, Pct. 4

County Judge

ATTEST

County Clerk

Appendix A

Name of Subdivision: _____

Contact Person: _____ Phone Number: _____

MASON COUNTY SUBDIVISION FINAL PLAT CHECKLIST

- Name of proposed subdivision
- Name and address of Developer/Owner
- Names and recording information for adjoining
- Vicinity map
- Scale, stated and graphic
- North arrow
- Total acreage in subdivision
- Number of lots in subdivision
- Lot dimensions and acreage
- Total length of roads
- Width of right-of-way
- Road maintenance (County/Owners/Homeowners Assn.).
- Location of wells
- Plat Filing Fees paid (receipt from County Clerk required)
- On-Site Sewage Facility Inspector's Approval
- Acknowledgement of Rural Addressing / Signage
- Water Availability Study, if applicable
- Location, size, and proposed use of easements
- Name and address of Surveyor and Engineer, if applicable
- Certification of Land Surveyor
- Certification of Engineer, if applicable
- Restrictive covenants
- Tax certificates.
- Homeowners' Association Incorporation articles and by-laws (if available).
- Construction plans of roads and drainage improvements
- Topographic map or survey showing contours, lots, improvements, and roads
- Sign-off for TxDOT road access, if applicable

Signature of Reviewer

Date of Review

ALL ITEMS ON THIS CHECKLIST MUST BE IN THE HANDS OF THE COUNTY JUDGE'S OFFICE NO LESS THAN THIRTY (30) DAYS PRIOR TO THE COMMISSIONERS COURT HEARING DATE.

Appendix B

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS §

COUNTY OF MASON §

I, the owner of the land shown on this plat, DO HEREBY ADOPT this plat of _____, and with our free consent, establish the minimum building setback lines and easements shown hereon, and do hereby dedicate the private roads shown hereon to the owners of the Lots established hereon.

Owners Name

Address

STATE OF TEXAS §

COUNTY OF _____§

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the people whose names are subscribed to the foregoing instrument and acknowledged to me that they have executed the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of

_____.

Notary Public, State of Texas

Appendix C

CERTIFICATE OF ROAD MAINTENANCE

It is understood that all roads shown hereon are private roads and shall remain the property of the Developer and/or subsequent owners of the property. The construction, repair and maintenance of these roads and any associated drainage improvements will be the responsibility of the Developer and/or subsequent owners and will not be the responsibility of Mason County.

Owners Name

Date

Appendix D

LIENHOLDER'S RATIFICATION OF PLAT

STATE OF TEXAS §

COUNTY OF MASON §

Whereas, _____, acting by and through the undersigned, its duly authorized agent, holds a lien on the property shown hereon as secured by a Deed of Trust recorded in Instrument No. _____ of the Official Public Records of Mason County, Texas, does hereby ratify all dedications and provisions of this plat as shown.

Banker's name, title

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, personally appeared _____, known to me to be the person and officer whose name is subscribed above, and that they are authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

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

Notary Public, State of Texas

Appendix E

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §

COUNTY OF MASON §

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat complies with the survey related requirements of the Mason County Subdivision Regulations and it was prepared from an actual survey of the property made on the ground under my supervision. Field work completed on _____.

Surveyors Name, RPLS No. & Date

Appendix F

CERTIFICATE OF ENGINEER

STATE OF TEXAS §

COUNTY OF MASON §

I, the undersigned, a Registered Professional Engineer in the State of Texas, hereby certify that this plat complies with the engineering related requirements of the Mason County Subdivision Regulations.

Engineers Name, PE No. & Date

Appendix G

CERTIFICATE OF DESIGNATED COUNTY OFFICIAL

STATE OF TEXAS §

COUNTY OF MASON §

I, _____, _____ of Mason County, Texas, have checked the accompanying plat of _____ and hereby affirm that it does meet the requirements of the subdivision regulations of Mason County, Texas.

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

(Name)

Appendix H

CERTIFICATE OF APPROVAL

STATE OF TEXAS §

COUNTY OF MASON §

The attached plat, having been duly presented to the Commissioners Court of Mason County, Texas, and by said Court duly considered and found to comply with the Statutes and Laws of the State of Texas, and was approved for filing in the Plat Records of Mason County, Texas. To certify which the undersigned, as County Judge of Mason County, Texas, hereby affixes his hand, attested by the Seal of the County Clerk of Mason County, Texas,

THIS THE _____ DAY OF _____.

County Judge, Mason County, Texas

Attest: _____
County Clerk, Mason County, Texas

Appendix I

CERTIFICATE OF RECORDING

Filed for record at o'clock __m this the _____ day of _____, 20__ in Instrument No.
_____ of the Official Public Records of Mason County, Texas.

County Clerk, Mason County, Texas

Appendix J

**REQUEST FOR VARIANCE
FROM PLATTING REQUIREMENTS**

Date:

Owner:

Mailing Address:

MCAD Property ID:

Property Description:

Reason for Request:

A copy of my deed along with a survey showing the proposed division are attached. The application fee is also attached.

A variance must be submitted to the Designated County Representative and to the County Judge's Office. A complete variance request will be scheduled for a consideration by the County Commissioners Court.

Signature of Property Owner

This Variance Request was Approved on this the _____ day of _____ 20__.

County Judge

Appendix K

Development Fees

The following are a list of development fees for Mason County. These fees are subject to change.

1. Plat: \$500 + \$20 per lot
2. Final Plat: \$300 + \$5 per lot
3. Replat: \$300 + \$20 per lot
4. Variance request: \$300 per variance requested. Costs incurred for any outside legal opinion(s) shall be reimbursed to Mason County by the developer.
5. There shall be a \$200 + \$50 per lot fee for any plat that is not accompanied by an electronic copy compatible with the Mason County Appraisal District GIS map.
6. Additional fees shall be required by the Mason County Clerk's Office for the filing of the plat in the Official Public Records of Mason County upon final approval by the Mason County Commissioners Court.
7. Costs incurred for any outside consultants (engineers, land surveyors, etc.) shall be reimbursed to Mason County by the developer.

This fee schedule has been reviewed and approved by the Commissioner's County of Mason County, Texas this _____ day of _____, 2022.

County Judge

Attest: _____
County Clerk