

FILING PLATS IN CASS COUNTY, TEXAS

On June 8, 1992 the Cass County Commissioners' Court adopted standards for filing plats in Cass County. Those plat standards define a subdivision as:

"the division of any tract of land within this jurisdiction into multiple tracts, parcels or lots (1) for the development or for sale to the public, or (2) for the dedication and definition of streets, alley, parks, or other portions intended for public use"

Chapter 232 of the Texas Local Government Code states the owner of a tract of land located outside the city limits must prepare a plat of a subdivision if the owner divides the tract into two or more parts to lay out an addition, lots, streets, alleys, square, parks, etc.

Chapter 12 of the Texas Property Code states a county clerk or a deputy clerk may not record a plat unless it is approved by a county, and unless it has attached an original tax certificate from each taxing unit indicating that no delinquent taxes are owed.

In accordance with Cass County's plat standards, a preliminary plat shall be submitted 15 days prior to Commissioners' Court meeting, along with a \$5 submittal fee. Each commissioner will be given a copy of the plat for review and item will be placed on court agenda for preliminary approval. Approval of preliminary plat will expire 12 months after approval.

The fee for filing plats are: 9x12 \$21 18x24 \$31

The above requirements do not apply to plats that are prepared to divide inherited property or for property partitioned by a court.

208

The Standard for Plats
to be Accepted for Recordings in the
Plat Files of Cass County

PURPOSE

These standards have been prepared to aid in the orderly development of Cass County, Texas and to promote the general health, safety and welfare of the public. Using this standard will remind surveyors of important elements to be included in plats and will remind County Clerks or other Responsible County Officials of items which should be included before the plat is accepted for recording in the Public Record.

AUTHORITY

In all matters of interpretation and application of this Standard the final authority will be the Cass County Commissioner's Court. This standard may be modified, amended or voided by Commissioner's Court, at it's sole discretion, without notification or obligation to others.

DEFINITIONS

A. SUBDIVISION: The division of any tract of land within this jurisdiction into multiple tracts, parcels, or lots (1) for development or for sale to the public, or (2) for the dedication and definition of streets, alleys, parks, or other portions intended for public use.

B. PLAT: A map, drawing or chart on which a plan of subdivision is shown graphically.

PRELIMINARY SUBMITTAL

1) Preliminary submittal shall be made at least fifteen (15) days prior to a Commissioner's Court meeting. Two (2) identical paper copies of the plat shall be submitted for review to each of the following:

- a) the Commissioner's Court
- b) each other governmental agency having jurisdiction

The Preliminary submittal shall be accompanied by a remittance in the amount of \$5.00 payable to Cass County as a nonrefundable submittal fee.

2) One copy of the preliminary plat as approved, or marked to show the changes necessary for approval, will be returned to the subdivider or his designated representative.

(3) Approval of the preliminary plat by the Commissioner's Court will indicate their approval of the rights-of-way of streets, alleys, parks and lots as shown in plan. Approval for recording may depend on acceptance of completed parks, streets, sanitary and water facilities.

(4) Approved preliminary plats shall be noted in the minutes of the meeting at which approval was given.

(5) Approval of the preliminary plat by the Commissioner's Court shall expire and become null and void twelve (12) months after the date of approval. Upon good cause shown, an extension of time may be requested; however, if the request is denied, then a new preliminary plat must be submitted for consideration and approval.

FINAL SUBMITTAL

(1) One Blue Line copy of the Final Plat on proper sheet size (18" x 24" or 9" x 12") and four paper copies shall be submitted to the Commissioner's Court at least fifteen (15) days prior to the regular scheduled Commissioner's Court meeting.

(2) Commissioner's Court shall determine that the Final Plat conforms to conditions of the Preliminary Plat and that requirements of these Standards have been met. All required signatures (other than Commissioner's and/or County Judge) shall be in place when submitted to this Court.

(3) Upon approval by Commissioner's Court, the plat shall be signed and delivered to the County Clerk. The following working day, the County Clerk shall notify the subdivider, of the Court's action. Upon payment of the required filing fee, the County Clerk shall then cause the plat to be filed in the Plat Records of Cass County.

STANDARDS

(1) The plat and property description must bear the dated certification, seal and signature of a Registered Professional Land Surveyor reflecting the fact that the subdivision was surveyed on the ground by said surveyor and that all lot and block corners and other points shown on the plat were monumented with permanent stakes. Each monument shall be described in detail on the plat.

(2) The Perimeter Boundary of the subdivision shall be shown with all bearings and distances needed for a mathematical check of closure. If the perimeter of this subdivision is not exactly as described by deed of the subdivider, then a metes and bounds description of the tract must be included on the plat. All monuments shown on the plat must be set before approval of subdivision will be granted.

210

A. Required closure ratios:

A.1) If smallest lot in the subdivision is to be larger than 5 acres, then perimeter closure of total tract must be 1:5,000 or better.

A.2) If smallest lot is to be less than 5 acres, then perimeter closure of total tract must be 1:10,000 or better.

B. Allowable positional error of monuments shall be:

B.1) No more than 0.10 feet on lots of 2 acres or smaller.

B.2) No more than 1:10,000 ration on lots larger than 2 acres
(Perimeter of Lot ÷ 10,000 = Allowable Error)

(4) The subdivision must be tied on the ground to at least one and preferably more corners of the parent tract or tracts from which it is severed. The plat shall indicate those corners and describe the monuments set or found at each parent tract corner.

(5) Plat dimensions and bearings must be complete and without ambiguity so that each lot, block, park, street, alley or easement is fully described and is subject to one (and to only one) reasonable interpretation of intended boundaries by examination of the plat. Dimensions and areas of lots, streets, alleys, set-backs, and easements shall conform to local regulations and to State health regulations.

(6) Each block and lot shall be uniquely numbered or lettered. Each street shall be named. The scale of the drawing and a north arrow (with basis of orientation) shall be shown.

(7) The plat shall include the name of the subdivision, name and abstract number of the original survey, and name of the owner.

(8) The plat shall show all existing abutting or adjoining streets, roads or highways (if any), and the names of all adjoining recorded subdivisions or unrecorded additions if known. Access to an existing public street, road or highway is required and shall be shown.

(9) A small location map at a legible scale shall be shown. This map shall include sufficient detail of generally recognized land features so as to make the location of the subdivision readily discernable by the general public.

(10) All recorded easements, recorded rights-of-way, visible encroachments or other proven or possible limitations of use which are revealed after diligent search shall be shown and described on the plat.

(11) The plat shall include appropriate signed certifications, dedications, and statements of acceptance and/or approval of all parks, streets, alleys and/or easements on said plat by the following entities (as appropriate):

- 1) Owner/subdivider, notarized; If owner is a corporation, President and secretary must sign unless another officer of the corporation is authorized.
- 2) Registered Professional Land Surveyor, notarized.
- 3) County Judge (and individual Commissioners, if required).
- 4) City Planning Commission or other appropriate city official.
- 5) County Health Officer.
- 6) Water District.
- 7) Others that may exercise jurisdiction at the site.

(12) The Final Plat submitted for recording must be on a permanent, reproducible media (such as blue line) on a sheet size not greater than 18" x 24", or no smaller than 9" x 12". If the drawing is larger than this size the subdivider shall cause his plat to be indexed and divided into separate sheets as necessary to be no larger than 18" x 24", or no smaller than 9" x 12". Approved signatures are to be affixed before the Final Plat is presented for filing. The filing fee is to be paid before the Final Plat is recorded. Filing fees payable to the County Clerk are \$ 31 for size 18" x 24" and \$ 21 for size 9" x 12".

(13) The Final Plat of subdivision shall be prepared at a legible scale no smaller than 1" = 200 ft. "Reduced" copies are not acceptable. Plats submitted for preliminary review and approval may be on an oversized single sheet.

212

SAMPLE CERTIFICATIONS

State of Texas) Owner's Acknowledgment and Dedication
County of Cass)

I, the undersigned Owner of the land shown on this plat and the area indicated by the metes and bounds description as shown hereon and designated herein as _____ and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, easements, rights-of-way and public places shown here.

SIGNATURE

(OWNER'S NAME typed or printed)

STATE OF TEXAS)
County of Cass)

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein stated.

Given under my hand and seal of office this _____ day of _____, 19__.

NOTARY PUBLIC, STATE OF TEXAS
My commission expires: _____

I, _____, Registered Professional Land Surveyor No. _____, do hereby certify the Plat and Metes and Bounds Description as shown hereon represents a survey made by me on the ground.

Given under my hand and seal this _____ day of _____, 19__.

REGISTERED PROFESSIONAL LAND SURVEYOR NO.

Subscribed and sworn to before me, a Notary Public in and for the State of Texas, this _____ day of _____, 19__.

NOTARY PUBLIC, STATE OF TEXAS
My Commission Expires: _____

194

June 8, 1992

Commissioners Court - Regular Session

Commissioners Court of Cass County met in regular session at 9:00 a.m. on June 8, 1992. The following members were present:

Tommy E. Kessler	County Judge
Taylor Duncan	Commissioner, Precinct 1
Nolan Moore	Commissioner, Precinct 2
Robert Buzbee	Commissioner, Precinct 3
Freddie Tyson	Commissioner, Precinct 4
Wilma O'Rand	County Clerk
Carol Cox	County Auditor

Court opened with a prayer by Judge Kessler.

Minutes of previous meeting were approved as read.

BIDS FOR BACKHOE

Four bids were received and opened for a backhoe for Precinct 1.
 Holman Bennett Phillips bid \$28,975.00 for a new 1992 model
 " " " " \$25,475.00 for a late 1992 model
 " " " " \$19,500.00 for a used 1985 model
 George P. Bane, Inc. bid \$32,500.00 for a new 1992 model
 Duncan made a motion to purchase the new 1992 model for \$28,975.00
 from Holman Bennett Phillips, Inc. Tyson seconded. All voted yes.

INTERLOCAL AGREEMENTS

Moore moved to accept and approve interlocal agreements with the Cities of Hughes Springs, Atlanta and Marietta ISD. Buzbee seconded. All voted yes.

INTERLOCAL AGREEMENT

Moore moved to approve a request for assistance from the City of Hughes Springs under interlocal agreement subject to availability of funds and time. Tyson seconded. All voted yes.

PLAT STANDARDS

Buzbee moved to set standards for the filing of Plats in the County Clerks office. Duncan seconded. All voted yes.

RESOLUTION

Buzbee moved to approved a Resolution providing for a penalty to defray costs of collecting delinquent property taxes and to recover legal costs. Tyson seconded. All voted yes.

PIPELINE CROSSING

Buzbee moved to approved a request by NEI Arkansas Gathering, Inc. to amend a pipeline crossing permit issued December 10, 1991. Moore seconded. All voted yes.

DPS OFFICE LEASE

The Auditor was instructed to write a letter to the Linden U.S. Postal Office stating that the County would not be re-leasing the DPS office space.

Tommy Kessler
TOMMY E. KESSLER
COUNTY JUDGE

Taylor Duncan
TAYLOR DUNCAN
COMMISSIONER, PRECINCT 1

Nolan Moore
NOLAN MOORE
COMMISSIONER, PRECINCT 2

Robert Buzbee
ROBERT BUZBEE
COMMISSIONER, PRECINCT 2

Freddie Tyson
FREDDIE TYSON
COMMISSIONER, PRECINCT 4

attest

Wilma O'Rand
WILMA O'RAND
CASS COUNTY CLERK



See attachments

COMMISSIONERS' COURT, REGULAR SESSION

575

The Commissioners Court of Cass Co. met in regular session on this the 14th day of June with the following members present:

Bennett Hill---- Co. Judge
J.O. Ferrell --- Commissioner Prec. # 1
T.H. Jordan ----- Commissioner Prec. # 2
Merrell Clayton- Commissioner Prec. # 3
J.H. Clements---- Commissioner Prec. # 4
Hazelle Carson-- Co. Auditor
Odelia Womack -- Co. Clerk

Court opened with a prayer led by Hazelle Carson, after which business was had to wit:

Minutes of the previous meeting were read and in the absence of objections or corrections stood approved as read.

A motion was made by Clements, seconded by Jordan, all voted yes to accept the following:

RESOLUTION OF THE CASS COUNTY
COMMISSIONER'S COURT

Regarding acceptance of roads for County maintenance.

Because of the growing number of roads being constructed by home developers to serve new residential areas, it has become necessary for the Cass County Commissioner's Court to pass the following resolution:

BE IT RESOLVED, that the Commissioner's Court of Cass County, Texas, in regular session on the 14th day of June, 1976, hereby adopts the position that when an individual divides his property into lots or small tracts he must first bring the plat before the Commissioner's Court for approval. The developer will be responsible for seeing that the roads meet the requirements of the Cass County maintenance program.

TO-WIT; the road shall be graded on a fifty foot right-of-way to provide a twenty foot crowned driving area with ditches on each side to provide ample drainage, and culverts where needed. The road must have a minimum of six inches of a good grade gravel or base material to provide a twenty foot driving area.

IT IS FURTHER RESOLVED, that after all specifications have been complied with, the developer or interested citizens may request or petition the Commissioner's Court to accept the roads into their maintenance program. The Commissioner's Court, however, reserves the right to accept or reject said request at its discretion based upon such factors as, need, location and availability of funds.

Bennett Hill
COUNTY JUDGE

J. O. Ferrell
COMMISSIONER PREC. # 1

T. H. Jordan
COMMISSIONER PREC. # 2

Merrell Clayton
COMMISSIONER PREC. # 3

830

REVISED RESOLUTION

REGARDING ACCEPTANCE OF ROADS FOR COUNTY MAINTENANCE

WHEREAS, the Commissioners' Court of Cass County, Texas, in regular session on the 14th day of June, 1976, adopted the position that when an individual divides his property into lots or small tracts he must first bring the plat before the Commissioners' Court for approval. The developer will be responsible for seeing that the roads meet the requirements of the Cass County maintenance program;

AND WHEREAS, the Commissioners' Court resolved that the following specifications shall be met before new roads may be accepted for County maintenance: the road shall be graded on a fifty foot right-of-way to provide a twenty foot crowned driving area with ditches on each side to provide ample drainage, and culverts where needed. The road must have a minimum of six inches of a good grade gravel or base material to provide a twenty foot driving area;

AND WHEREAS, The Commissioners' Court of Cass County, Texas, in regular session on the 28th day of October, 1985, further resolved that the following additional specification be added to requirements: that contractor shall provide seventy-five (75') foot diameter cul de sac on all dead end roads;

IT IS FURTHER RESOLVED this 9th day of March, 1987, that after all specifications have been complied with the developer shall maintain the road for a period of one year and correct any problems that may arise, at which time the developer or interested citizens may request or petition the Commissioners' Court to accept the roads into their maintenance program.

The Commissioners' Court reserves the right to accept or reject said request at its discretion based upon such factors as need, location, and availability of funds.

RESOLVED AND ENTERED this 9th day of March, 1987.

ATTEST:

Helma O'Rand
COUNTY CLERK

Tommy E. Kessler
COUNTY JUDGE

D. G. R. [Signature]
COMMISSIONER, Precinct #1

B. S. [Signature]
COMMISSIONER, Precinct #2

[Signature]
COMMISSIONER, Precinct #3

A. J. [Signature]
COMMISSIONER, Precinct #4



452

RESOLUTION OF THE CASS COUNTY
COMMISSIONERS' COURT

Regarding acceptance of roads for County maintenance.

WHEREAS, the Commissioners' Court of Cass County, Texas, in regular session on the 14th day of June, 1976, adopted the position that when an individual divides his property into lots or small tracts he must first bring the plat before the Commissioners' Court for approval. The developer will be responsible for seeing that the roads meet the requirements of the Cass County maintenance program;

AND WHEREAS, the Commissioners' Court resolved that the following specifications shall be met before new roads may be accepted for County maintenance: the road shall be graded on a fifty foot right-of-way to provide a twenty foot crowned driving area with ditches on each side to provide ample drainage, and culverts where needed. The road must have a minimum of six inches of a good grade gravel or base material to provide a twenty foot driving area;

IT IS FURTHER RESOLVED this 28th day of October, 1985, that the following additional specification be added to requirements: that contractor shall provide seventy-five (75') foot diameter cul de sac on all dead end roads.

IT IS FURTHER RESOLVED, that after all specifications have been complied with, the developer or interested citizens may request or petition the Commissioners' Court to accept the roads into their maintenance program.

The Commissioners' Court reserves the right to accept or reject said request at its discretion based upon such factors as need, location and availability of funds.

ENTERED this 28th day of October, 1985.

ATTEST:

Hilma O'Rand
COUNTY CLERK

Paul Johnson
COUNTY JUDGE

Sammy E. Keaster
COMMISSIONER, Precinct #1

Walter Moore
COMMISSIONER, Precinct #2

Robert G. Brubaker
COMMISSIONER, Precinct #3

Alan Pedley
COMMISSIONER, Precinct #4