

**CALLAHAN COUNTY
SUBDIVISION REGULATIONS**

*Approved and Adopted
by the
Callahan County Commissioners' Court
February 27, 2023*

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CALLAHAN COUNTY, TEXAS SUBDIVISION REGULATIONS

REGULATING THE FILING FOR RECORD OF SUBDIVISION PLATS AND OTHER REQUIREMENTS PERTINENT THERETO AND ESTABLISHING CONSTRUCTION STANDARDS FOR ALL SUBDIVISIONS SITUATED OUTSIDE THE BOUNDARIES OF ANY INCORPORATED CITY IN CALLAHAN COUNTY, TEXAS.

THE STATE OF TEXAS, COUNTY OF CALLAHAN, IN COMMISSIONERS' COURT OF CALLAHAN COUNTY, TEXAS.

Whereas, Callahan County has established standards and specifications for construction of roads and drainage, private sewage facilities and development within the flood plain, and

Whereas, Chapters 232 and 233, Texas Local Government Code, empower the County to enact subdivision rules and regulations and to provide for its administration, enforcement, and amendment, and

Whereas, the Commissioners' Court, empowered with the authority to formulate such rules and regulations by Chapter 232, and the Commissioners' Court has favorably received and voted on these rules, recommended these regulations adopted.

*Please be advised that as of the adopted date of this document, Callahan County does not have a flood plain boundary map authorized by FEMA.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF CALLAHAN COUNTY, TEXAS AS FOLLOWS:

ARTICLE 1 **GENERAL PROVISIONS**

Every owner (herein after called "sub-divider") of any tract of land without the corporate limits of any city in Callahan County, Texas, who may hereafter divide the same in two (2) or more parts for laying out lots or for the purpose of laying out streets, alleys, or parks, or other portions intended for public shall cause a plat to be made thereof which shall accurately describe all of said subdivision or addition by metes and bounds and locate the same with respect to an original corner of the ordinal survey of which is a part, giving the dimensions of all lots, streets, or other portions intended to be dedicated to public use or for the use of purchasers or owners of lots. Said map or plat shall be prepared in compliance with this ordinance and with the subdivision statutes of the State of Texas and shall be submitted to the Commissioners' Court for approval prior to filing with the County Clerk.

In areas within the Extraterritorial Jurisdiction of a city, no plat shall be filed with the County Clerk without the authorization of both the city and the county. If any conflicts exist between the requirements of this County and those of the City in whose ETJ the proposed subdivision is located, the provisions of the City shall govern, provided such provision do not conflict with existing state law.

In the event that the proposed development is a re-subdivision or re-plat of a recorded subdivision, the Sub-divider will require to meet the requirements of this Ordinance for re-subdivisions, as well as these

specifications. An existing subdivision plat may be vacated by the owners thereof in conformance with this Ordinance and upon approval by the Commissioners' Court.

It shall be unlawful for any individual to cause to be recorded any such plat, vacating plat or re-plat, unless and until the same shall have been approved by the Commissioners' Court.

With the inception of this Ordinance, no permit shall be issued by Callahan County for the installation of septic systems on any lot in a subdivision for which a final plat has not been approved and filed for record, or on any lot in a subdivision in which the standards contained herein or referred to herein have not been complied with in full.

Callahan County shall not repair, maintain, install or provide any streets or roads in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full; nor shall Callahan County repair, maintain, or install any streets or roads until such times as the roads or streets have been accepted by the Commissioners' Court.

It shall be unlawful for any lots in a subdivision to be sold prior to the approval of the final plat by the Commissioners' Court.

ARTICLE 2 **LEGAL PROVISIONS**

2.01 – ENFORCEMENT

On behalf of Callahan 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 Callahan County's jurisdiction.

In addition to any other remedy provided by law, the County and its officers have the right to enjoin any violation of this Order by any lawful procedure.

2.02 – 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 this is in violation with another valid Order of the County.

2.03 – SEVERABILITY CLAUSE

If any provision of this Order or the application thereof to any person or circumstance is held invalid the remainder of the Order and the application of such provision to their persons or circumstances shall not be affected thereby.

2.04 – PENALTY FOR VIOLATION

The Commissioners' Court of Callahan County, Texas, 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.

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 Callahan County, Texas, 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 part 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.

2.05 – VARIANCE

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. No variance shall be granted unless the Commissioners' Court finds:

1. 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
2. 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
3. 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.

Such findings of the Commissioners' Court, together with the specified facts upon which such findings are based, shall be incorporated into the official minutes for 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 sub-divider, standing alone shall not be deemed to constitute hardship. No variance shall be granted as to required improvements.

ARTICLE 3 **BOND REQUIREMENTS**

The sub-divider shall cause the execution of a bond to take place prior to the subdivision of the tract unless an alternative financial guarantee is provided. The bond must:

1. Be payable to the County Judge of Callahan County.
2. Be in the amount determined by the Commissioners' Court to ensure proper construction of the roads and streets in the subdivision.
3. Be executed with sureties as may be approved by the Court.
4. Be conditioned that the roads and streets will be constructed in accordance with the specifications adopted by the Court and within a reasonable time as set by the Court.

In lieu of the bond a sub-divider may deposit cash, a letter of credit issued by a federally insured financial institution, or another acceptable financial guarantee. If a letter of credit is used, it must:

- 1) List as the sole beneficiary the County Judge of Callahan County.
- 2) Be conditioned that the sub-divider will construct any roads or streets in accordance with the specifications adopted by the Court within a reasonable time as set by the Court.

ARTICLE 4
EXCLUDED TRANSACTIONS

The Division of a tract or tracts of land into two parcels within a two-year period by the same or different owners shall not be considered a subdivision as defined in this ordinance. The following types of transaction will not be considered a subdivision as defined in this ordinance; however, this list is not to be considered exclusive of similar transactions and is in addition to the general rules set out in this ordinance, to-wit:

1. Intra-family transfer.
2. Boundary line transaction.
3. Court ordered partitions.
4. Partitions between husband and wife, partners, stockholders or a corporation, and other types of joint tenants.
5. Tracts over fifteen (15) acres in size regardless of number of tracts created
6. Transfer if rights-of-way or easements.

ARTICLE 5
PLATTING PROCEDURES

5.01 – GENERAL PROCEDURES

The following procedures shall be followed in the process of review and approval of all subdivision plats by Callahan County Commissioners' Court.

Subdivision plats shall be submitted to the Commissioners' Court for review and approval on two (2) readings before they may be recorded with the County Clerk.

All subdivisions shall be submitted for Second Reading (Record Plat) within one (1) year after the date of the First Reading (Preliminary Plat) approval.

5.02 – SUBMISSION OF PRELIMINARY PLAT

All submissions of information required herein shall be made a *minimum* of thirty (30) calendar days prior to the date of the Commissioners' Court meeting at which action is being requested. The information will be deemed to have been submitted when it is delivered to the Office of the County Judge. One (1) physical copy of the plat and one (1) electronic copy of the plat sent via email shall be submitted to the Office of the County Judge. One (1) copy of all other required documents and information shall be submitted electronically to the Office of the County Judge.

All submissions shall be accompanied by a Letter of Transmittal which shall include the name, address, and telephone number of the person who will be representing the request before the Commissioners' Court and stating what action is being requested.

It shall be required that the Sub-divider meet with the Commissioner in whose precinct the proposed subdivision is located prior to the meeting to review the plat. The request for said meeting shall be made of the commissioner a minimum of thirty (30) days prior to the Commissioners' Court meeting at which action is being requested.

5.03 – FIRST READING: PRELIMINARY PLAT

The Sub-divider shall cause to have prepared a Preliminary Plat of the proposed development which shall show (See Checklist, Exhibit A, Page 14):

1. Typical lot dimensions.
2. Street right-of-way widths.
3. Areas for recreational use, such as parks or green belts.
4. Proposed land use of all lots being subdivided.
5. Provide volume, page, reference, and names of all owners of the property surrounding the proposed subdivision.
6. Land use of all contiguous tracts (i.e., undeveloped, subdivided, etc.)
7. All major topographic features such as rivers, creeks, bluffs, etc., on or adjacent to the property as well as elevation contours at no greater than twenty (20) foot intervals.
8. Areas of Special Flood Hazard as shown by the current Flood Hazard Boundary Maps as authorized by FEMA. In cases where no maps exist, contact the Callahan County Flood Plain Administrator. Each tract shall be inspected, and flood plain determination made on its own merits.
9. Master Development Plan: If the subdivision is a portion of a larger tract of land, exterior boundary of the parent tract shall be shown on the Preliminary Plat and future plans for the remaining property noted. If the parent tract is larger than 320 acres, the Preliminary Plat may be prepared at a scale no smaller than one inch (1") equals to one thousand feet (1,000') with the area proposed to be subdivided detailed at a scale no smaller than one-inch equals two hundred feet ("=200').
10. North arrow.
11. Location map showing the location of the proposed subdivision in relation to major roads, towns, cities, and topographic features.
12. Name and address of the owner of the property, plus page, volume, and reference.
13. Name and address of developer.
14. Total acreage within the proposed subdivision.
15. Total number of lots.
16. Total area within road rights-of-way and length of roads.
17. Statement as to the jurisdiction with responsibility for the maintenance of roads within the subdivision.
18. Name of proposed subdivision, said name shall not conflict in spelling, pronunciation, or any way with the name of any other subdivision within Callahan County, unless the proposed subdivision is contiguous to an existing subdivision and is an additional phase of that development.
19. Names of roadways. Said names shall not duplicate any other streets within Callahan County unless that are extensions of said streets, and comply with requirements of 9-1-1 addressing regulations.
20. Location of all wells, water, oil, and natural gas, where applicable, and a statement that all unused wells are capped or plugged.

The Subdivider shall revise the plat in accordance with the requirements and recommendations of the Commissioners' Court.

5.04 – PRELIMINARY PLAT FEE

A Preliminary Plat Review fee of \$500.00 shall be paid at the time of submission of the Preliminary Plat to the County Clerk.

5.05 – SECOND READING: FINAL PLAT

UPON APPROVAL OF THE PRELIMINARY PLAT, the Subdivider shall prepare a final plat of the proposed subdivision; (*See Distribution on page 9*)

The Final Plat shall contain all information required herein for the Preliminary Plat as well as the following: (*See Checklist, Exhibit B, Page 15*)

1. All information required for the Preliminary Plat.
2. Name of proposed subdivision.
3. Lot and block numbers.
4. Proposed street names which shall not duplicate the name of any existing street unless the proposed street is an extension thereof. Street names shall be pre-approved by the 9-1-1 Coordinator. Location of street addresses will be furnished by Callahan County in accordance with 9-1-1 regulations.
5. Acreage, to two decimal points, of all lots and tracts.
6. Name and address of the surveyor and/or engineer.
7. Location and size of all proposed drainage structures.
8. Location, size, and proposed use of all easements required for the proper drainage and/or utility service.
9. Boundaries of incorporated city limits and/or ETJ's and a statement that "This property is/is not located within the municipal limits or ETJ boundaries of any community."
10. Statement of how utilities will be provided to the development, including names of utility companies (i.e., water, sewer, power, etc.). If not available, a statement so indicating shall be placed on the plat.
11. Description of monument used to mark all boundary, lot and block corners, and all points of curvature and tangency on street rights-of-ways.
12. Acknowledgment and certificate of dedication by the owner. (See Exhibit "C1", Page 16).
13. Water supply certification (See Exhibit "D", 18).
14. Certificate of surveyor (See Exhibit "E", Page 19).
15. Certificate of engineer (attendance may be required) (See Exhibit "F", Page 20).
16. Certificate of road maintenance (See Exhibit "G", Page 21).

IN ADDITION, the Subdivider shall submit the following items with the Final Plat:

1. Proposed restrictive covenants, if any.
2. Signed Tax certificate showing all taxes are currently paid on the property to be subdivided. These would include rollback tax receipts on platted lots or tracts less than fifteen (15) acres that do not otherwise qualify.
3. Although it is not a mandated requirement, in the event the Subdivider proposes to use privately maintained roads, the proposed Articles of Incorporation and By-laws of the Homeowner's Association or other entity responsible for road maintenance.
4. Construction plans of all required streets and drainage improvement.
5. Road Construction Security, as specified herein.
6. A receipt from the Clerk's Office showing the Preliminary Plat fees have been paid.
7. A sign-off for Texas Department of Transportation (TxDOT) to approve road access is required.

Upon Commissioners' Court Approval of the final plat, the County Clerk's office will require one (1) Mylar copy, and a filing fee for the Final Plat.

5.06 – DISTRIBUTION IS AS FOLLOWS:

One (1) electronic copy to be sent via email to the office of the County Judge of which shall be supplied to the Court for distribution. The county Judge's Office shall forward one (1) copy to the following: the 9-1-1 Coordinator, the OSSF Designated Representative, and the Commissioner in whose precinct the subdivision lies.

5.07 – AMENDMENTS TO PLAT:

The Owner of an existing lot or lots in a platted subdivision may submit an application to re-subdivide or amend the existing by submitting the following to the Callahan County Commissioners' Court.

- (A) Amendment to Plat Application
- (B) Filing Fee made to the County Clerk's Office
- (C) Amended plat with new lot number designation

The Commissioner in whose precinct the property is located shall have a review period of seven (7) days prior to Commissioners' Court action.

The Commissioners' Court may approve the Amendment to Plat upon a finding that the Amended Plat conforms to the requirements of the Regulations.

ARTICLE 6
DESIGN STANDARDS

The following criteria shall be deemed the minimum standard by which subdivisions in Callahan County shall be designed:

6.01 – LOTS

The size, width, depth, shape, and orientation of lots shall be appropriate for the area of the County in which the subdivision is located, and for the type of development and use contemplated.

Minimum lot dimensions shall conform to the following conditions:

- 1) When the lot or tract shall contain both an on-site sewage facility and be a private water well, the minimum lot size shall be ONE (1) ACRE.
- 2) When the lot or tract shall contain an on-site sewage facility and be served by a public water supply, the minimum lot size shall be ONE-HALF (½) ACRE.
- 3) When the lot will have both community water and sewage systems, the area of the lot shall be at least ONE-HALF (½) Acre.

All size requirements shall be exclusive of easements and/or roadways.

If the Subdivider chooses to plat lots with minimum lot size of 1 to 2.99 acres, they shall cause the cost of community water and sewage systems improvements to be included in the Guarantee of Performance to be posted with the County Judge. If the Subdivider chooses to plat lots of between 3 to 4.99 acres, they shall cause the cost of the community water system to be included in the Guarantee of Performance.

Well and septic Set Bank Lines shall be at least fifty feet (50') from the property lines on all sides and in every dimension. Lots of 1 to 2.99 acres shall have set back lines of twenty-five feet (25') from the right-of-way lines, and ten feet (10') from back and sides of property lines.

ARTICLE 7 **EASEMENTS**

7.01 – UTILITY EASEMENTS

In residential areas, easements shall be provided for installation of utilities. In general, the rear easement shall be sixteen feet (16') wide except where water mains are installed, then they shall be eighteen feet (18') wide and the water main shall occupy the center of the easement. Standard location for electric lines in easements will be on the north or west side of the easement and all telephone lines on the south or east side of the easement. Any gas line will be located in the center of the easement except when that easement is occupied by a water main, then they shall be two feet (2') from the water main. Any other requirements will be determined by the Commissioners' Court. Dedicated easements shall be maintained by the owner of the property upon which the easement is located. They shall be located entirely on lots fronting on one street only. No structure of any type shall be placed on said easement and unrestricted passage must be maintained at all times.

7.02 – DRAINAGE EASEMENTS

Where the subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines for such water course and of sufficient width to convey all storm and flood water flowing through as may be determined by the Commissioners' Court through its authorized representative, to accommodate further width or construction and allow access for maintenance. In subdivision entirely containing "acreage tracts" of five (5) acres or more in size, an easement will be accepted.

ARTICLE 8 **ROADWAYS**

8.01 – DEDICATION OF MAINTENANCE OF STREETS

Disapproval of a plat by the Commissioners' Court shall be deemed a refusal by Callahan County to accept the offered dedications shown thereon. Approval of a plat shall not be deemed an acceptance of the proposed dedications and shall not impose any duty upon the County Concerning the maintenance of or improvements to any such dedicated parts. It shall be unlawful for Commissioners to maintain the streets and roads in a subdivision, and Callahan County will not accept or maintain the streets and roads

All roads and streets will not receive consideration for final approval by Commissioners' Court until at least one (1) year after original construction of streets and roads is completed. In subdivisions in which insufficient development or building has taken place after the one-year period and where there has been insufficient use of the streets and roads to insure their stability, then such streets and roads will not be accepted by Commissioners' Court until such time as there is sufficient development to insure street and road stability. Sufficient development shall be defined as fifty percent (50%) occupancy of the total lots or tracts within said subdivision.

8.02 – ROAD CONSTRUCTION SPECIFICATIONS.

Street or roads as defined herein:

Minimum right of way	60 feet
Minimum crown width or roadway	30 feet
Minimum width of base material	28 feet
Minimum depth of compacted base material at crown	6 inches
Minimum height at crown	6 inches
Minimum height at shoulder	6 inches
Minimum width of surface	22 feet
Minimum width of curbed section, when curbed	36 feet
Minimum type of surface - Asphalt Prime Coat with 2 course asphalt treatment	

- Base material used for roads or streets shall be crushed limestone and comply with the requirements of TxDot.
- All road building specifications shall comply with Texas Department of Transportation regulations.
- Sub-base material may be locally obtained caliche and should be formed so that a six-inch (6") center crown (6" higher than the shoulders) is maintained when six inches (6") of crushed limestone base material is uniformly applied.
- The entire right-of-way will be cleared of all timber, roots, brush, fences, boulders, or other obstructions, unless a variance is granted by the Commissioners' Court. Upon completion of all construction, the right-of-way shall be seeded with native grasses, or other plants as approved by the Commissioners' Court.

8.03 – SUB-GRADE

The preparations of the sub-grade shall follow engineering practices as required by TxDOT. The sub-grade shall be compacted by ordinary compaction by any method, type, and size of equipment which will give the required compaction. The sub-grade must be inspected and approved by the Commissioners' Court, or the individual Commissioner for that precinct or his designated representative prior to any application of base material.

8.04 – BASE MATERIAL

Base material shall be delivered in vehicles of uniform capacity, and it shall be the responsibility of the Contractor that the required amount of the specified material shall be delivered in each one hundred feet (100') station. The material shall be scarified, thoroughly wetted, mixed, manipulated, and bladed so as to secure a uniformly wetted material, and pulled in over the sub-grade in courses and set under the action of blading and rolling. All irregularities, depressions, or weak spots which develop shall be corrected immediately by scarifying the area affected, adding suitable material as required, reshaping and re-compacting by sprinkling and rolling. The base must be inspected and approved by the Commissioner for that precinct or his designated representative prior to the application of any surface treatment.

8.05 – SURFACE TREATMENT (As required to comply with TxDOT specifications)

In a subdivision where water lines or other utilities are installed on rights-of-way, they shall be located off and away from the roadways (paved center portion and shoulders). Fire hydrants shall be equipped with connections compatible with local Fire Department Equipment.

After roads and streets have been dedicated to and accepted by Callahan County so that future maintenance responsibilities become a function under the Callahan County Commissioners' Court, the installation of any further water or utility lines, side roads, etc., on right-of-way shall be prohibited unless expressly permitted in writing by the Commissioners' Court. (See Exhibit "H" Permit to Construct Right-of-Way, Page 22).

Subdivisions must have control signs, guard rails, and other safety features installed at required locations on all subdivision right-of-way dedicated for public use. Culverts and bridges shall be at least as wide as the roadway portions (pavement and shoulders) of the streets and roads. Bridge abutments or other drop-offs located at the edge of the shoulder portions of any road or street shall be indicated by installation of protective posts or other devices equipped with reflectorized markers.

Right-of-way dedicated to public use shall be kept clear of tall weeds and brush so that property lines, drainage ditches, and hazardous conditions shall be rapidly distinguishable. Large trees which lend natural beautification to an area may be left in place on a right-of-way provided that safety on the streets and roads is not impaired.

The installation of any traffic control sign, such as denoting speed limits, yield right-of-way, stop sign, stop ahead signs, etc., shall be coordinated with the precinct Commissioner concerned and with the Callahan County Sheriff's Department, which shall have control of law enforcement activities on all roads, streets, and thorough-fares dedicated to public use in subdivisions in Callahan County whose roads have been accepted by the County. Speed limit designations of public streets should be assigned in accordance with street and road conditions, but under no circumstance shall speed limits exceed thirty (30) miles per hour. Thorough fares not dedicated to public usage shall be clearly marked as such.

In cases where the new roads and streets as platted intersect with established roads and streets, the new roads and streets shall be, if practicable, a continuation without offset of any intersecting road or street on the opposite side of said established road or street.

Adequate off-street parking space must be provided in business or commercial areas.

ARTICLE 9 **DRAINAGE & SEWAGE**

9.01 – DRAINAGE

Generally, it is desired that surface drainage from private property be taken to roads and streets, or drainage courses as quickly as possible, but the practice of using roads and streets as major drainage courses is prohibited.

Design of channels shall consider velocities and shall be shaped, graded, lined, or protected to minimize or prevent scour and erosion from excessive velocities. This requirement shall extend to roadside drainage ditches often call "bar" ditches. Seeding of native grasses, or other plants as approved by the Commissioners' Court, shall be required to deter erosion.

All drainage structures shall be of permanent type, either concrete or metal. Drainage calculations shall be made using Talbot's Formula or other methods satisfactory to the Commissioners' Court. Drainage structures shall be designed using a ten (10) year flood frequency. The size of the culverts shall be subject to the approval of the Commissioners' Court, but under no circumstances shall they be less than twenty-four (24") inches in diameter.

All roadways crossing streams or roadways subject to flooding must be rip-rapped on both sides as specified by the County. Concrete used as rip-rap must test 2500 psi.

9.02 – SEWAGE DISPOSAL

Before the process for individual lot On-Site Sewage Facilities (OSSF) can begin, owners proposing subdivisions using OSSFs for sewage disposal shall submit planning materials for these developments to the Designated OSSF Representative for Callahan County. The planning materials shall include an overall site plan, topographic map, 100-year flood plain map, soil survey, location of water wells, locations of easements as identified in Title 30, Texas Administration Code, Chapter 285.91 (10), and a complete report detailing the types of OSSFs to be considered and their compatibility with area-wide drainage and groundwater. A comprehensive drainage plan shall also be included in these planning materials. The Callahan County Commissioners' Court and OSSF Representative will either approve or deny the planning materials, in writing, within 45 days of receipt.

A tract of land that has been subdivided without compliance with these regulations will be ineligible to obtain a permit for the construction or modification of an OSSF located on that tract.

EXHIBIT "A"

**CALLAHAN COUNTY SUBDIVISION PLATTING CHECKLIST
FIRST READING (PRELIMINARY)**

- _____ Name of proposed Subdivision
- _____ Name and address of Owner/Developer (Plus Volume, Page and Reference)
- _____ Names of adjoining Owners (Plus Volume, Page and Reference)
- _____ Land use of Adjoining Owners
- _____ Master of Development Plan (if subdivision is a portion of a larger tract)
- _____ Location Map
- _____ Scale (not smaller than 1" - 200')
- _____ North Arrow
- _____ Contour Information
- _____ Major Topographic Features
- _____ Total Acreage in Subdivision
- _____ Total number of lots in Subdivision
- _____ Typical lot dimensions
- _____ Land use of lots, parks, green belts
- _____ Total length of roads
- _____ Width of Right-of-Way
- _____ Special Flood Hazard Areas/Note
- _____ Road Maintenance (County/Homeowners Assn.)
- _____ Approval of TxDOT for Entrance from public road or highway or by County if entrance is from County Road
- _____ Location of all wells, both water and oil, where applicable, and a statement that all unused wells are capped or plugged

EXHIBIT "B"

**CALLAHAN COUNTY SUBDIVISION PLATTING CHECKLIST
SECOND READING (FINAL)**

- _____ All information required for Preliminary Plat
- _____ Lot and block numbers
- _____ Street names, which must be pre-approved by the 9-1-1 Coordinator
- _____ Acreage of each lot or parcel
- _____ Name and address of surveyor/Engineer
- _____ Location and size of drainage structures
- _____ Location, size, and proposed use of easements
- _____ Incorporated City's Boundary/ETJ/Note
- _____ Servicing Utilities Companies/Note
- _____ Restrictive Covenants
- _____ Tax Certificates
- _____ Home Owners' Assn. Inc. Articles and By-Laws (if applicable)

EXHIBIT "C1"

CERTIFICATE OF DEDICATION BY OWNER
(When the Owner is an Individual)

STATE OF TEXAS
COUNTY OF CALLAHAN

KNOWN ALL MED BY THESE PRESENTS, that I _____, owner of _____ acres of land out of _____ Callahan County, Texas, as conveyed to me by deed dated _____, and recorded in OPR Instrument # _____, Callahan County Record, DO HEREBY subdivide _____ acres of land out of the _____, (Note: If the subdivision lies in more than one survey, determine the acreage in each survey and repeat for each original survey within the subdivision) to be known at the _____ Subdivision, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted, and do hereby dedicate to the public (or owners of the property shown hereon for private streets) the use of the streets and easements shown hereon.

WITNESS MY HAND, this the _____ day of _____, 20_____.

Signature of Owner

STATE OF TEXAS
COUNTY OF CALLAHAN

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/she executed the same for the purposes and consideration therein stated.

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

NOTARY PUBLIC, State of Texas

EXHIBIT "C2"

**CERTIFICATION OF DEDICATION BY OWNER
(When the Owner is a Corporation)**

STATE OF TEXAS
COUNTY OF CALLAHAN

KNOWN ALL MEN BY THESE PRESENTS THAT _____, a corporation organized and existing under the laws of the State of Texas, with its homes address at _____, owners of _____ acres of land out of the _____, (if the subdivision lies in more than one survey, determine the acreage in each survey and repeat for each original survey within the subdivision), to be known as the _____ Subdivision, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted, and do hereby dedicate to the public (or "owners of the property shown hereon" for private streets) the use of the streets and easements shown hereon.

IN WITNESS WHEREOF, THE SAID _____ has caused these presents to be executed by it's _____, hereunto duly authorized, this the _____ day of _____, 20____.

ATTEST: _____
(Name, Title)

STATE OF TEXAS
COUNTY OF CALLAHAN

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 as _____ of _____ and acknowledged to me that he/she executed the same in such capacity as the act and deed of said corporation for the purposes and considerations therein stated.

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

NOTARY PUBLIC, State of Texas

EXHIBIT "D"

WATER SUPPLY CERTIFICATE
(Public Water Supply System)

"No structure in this subdivision shall be occupied until connected to the _____ (Name of water company), an approved water supply system.

By

Date

COUNTY PERMIT SECTION

(Name of water company), an approved public water supply system, has adequate quantity to supply this subdivision and provisions have been made to provide service to each lot in accordance with the policies of the water supply system.

Name and Title of Office
Water Supply Company

Date

WATER SUPPLY CERTIFICATE
(Individual)

"No structure in this subdivision shall be occupied until connected to an individual water well, the location of which have been approved by Callahan County."

Callahan County Permit Section

Date

EXHIBIT "E"

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF CALLAHAN

KNOWN ALL MEN BY THESE PRESENTS, that 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 Callahan County Subdivision Regulations and further certify that this plat is true and correctly made and is prepared from an actual survey of the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision.

Registered Professional Surveyor

Date

No. _____

EXHIBIT "F"

CERTIFICATE OF ENGINEER

STATE OF TEXAS
COUNTY OF CALLAHAN

KNOWN ALL MEN BY THESE PRESENTS, that 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 Callahan County Subdivision Regulations.

Professional Engineer

Date

No. _____

The Engineer may be required to be present at the presentation of the plat to the Commissioners' Court.

EXHIBIT "G"

CERTIFICATE OF ROAD MAINTENANCE
(When Roads are to be retained as Private Roads)

"In approving this plat by the Commissioners' Court of Callahan County, Texas, it is understood that all roads shown hereon are private roads and shall remain the property of the Sub-divider and/or subsequent owners of the property. The construction, repair, and maintenance of these roads and any associated drainage improvements will be responsibility of the Sub-divider and/or subsequent owners of the subdivision and will not be the responsibility of Callahan County."

Subdivider or Representative

Date

EXHIBIT "H"

CALLAHAN COUNTY
PERMIT TO CONSTRUCT ACCESS DRIVEWAY FACILITIES
ON COUNTY ROAD RIGHT-OF-WAY

Applicant: _____ County Road #: _____ Address _____

Permit # _____ Telephone: _____

I, Commissioner Precinct # _____ of Callahan County, Texas, authorize _____, hereinafter called the Grantee, to (Re)Construct an access driveway on the County Road right-of-way abutting County Road _____ in Callahan County, located at _____, subject to the following:

1. The Grantee is responsible for the culvert costs and installation.
2. Design of facilities shall be as shown on the sketch on Page 2.
3. All construction and materials shall be subject to inspection and approval by the County.
4. The County reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the County Road. Changes in design will be made only with approval of the County.
5. The Grantee shall hold harmless the County and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.
6. The Grantee shall not erect any sign on, or extending over, any portion of the County Road Right-of-Way.
7. Vehicle service fixtures such as fuel pumps, fuel tanks, vendor stand, etc., shall be located at least twelve feet (12') from the right-of-way line to insure that vehicles being serviced from these fixtures will be off the County Road.
8. Entrances must be constructed in such a way as to keep obstructions from being present in the right-of-way.
9. Mail boxes must be mounted on beak-away stands and be located so that boxes may be serviced and used from off the pavement.
10. This permit will become null and void if the above referenced driveway facilities are not constructed within six (6) months from the issuance.
11. The Grantee will contact the Court's Representative _____, Telephone: _____ at least twenty-four (24) hours prior to beginning construction which is authorized by this permit.

Date of issuance: _____

Road Administrator: _____

The understanding hereby agrees to comply with the terms and conditions set forth in this permit for construction of an access driveway on the County Road Right-of-Way.

(Printed Name): _____

Signature: _____

Date: _____

SKETCH INSTALLATION

EXHIBIT "I"

LIEN HOLDER'S ACKNOWLEDGMENT

I (We) (Name of Lien Holder(s): _____
owner(s) and holder(s) of a lien(s) against the property described within the Amendment to Plat, said
lien(s) being evidenced by instrument of record in Document Number _____, of the Real Property
Records of Callahan County, Texas, do hereby in all things subordinate to said amendment to Plat said
lien(s) and I (we) hereby confirm that I Amendment to Plat (we are) the present owner(s) of said lien(s)
and have not assigned the same nor any part thereof.

Signature of Lien Holder(s)

Name(s) printed

**STATE OF TEXAS
COUNTY OF CALLAHAN**

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/she executed the same for the purposes and consideration therein stated.

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

NOTARY PUBLIC, State of Texas

My Commission Expires: _____

EXHIBIT "J"

Owner: _____

Owner's Address: _____

LEGAL DESCRIPTION OF PROPERTY:

Name of Recorded Plat (Including Unit Number, if any)

Callahan County Map and Plat Record Volume _____ Page _____

Lot or Tract or Tracts to be combined: _____

Resulting Lot Number: _____ / _____ /

Lien holder: _____ / _____ /

Restrictions: Volume _____, Page _____, Records _____

The signatures affixed below will certify that the owner of the described property does hereby amend the plat of the property to combine the referenced lots or tracts into a single lot or tract. Any easements or building set back lines between said lots or tracts are hereby vacated. The owner also certified that all lien holders have acknowledged this Amendment to plat as per the attached Lien Holders Acknowledgment(s), if applicable.

Owner's Signature

Owner's Signature

Name Printed

Name Printed

**STATE OF TEXAS
COUNTY OF CALLAHAN**

SWORN TO AND SUBSCRIBED before me by _____ on the
_____ day of _____, 20_____.

County Judge

ATTEST:

County Clerk

CALLAHAN COUNTY SUBDIVISION REGULATIONS
ADOPTED BY THE CALLAHAN COUNTY
COMMISSIONERS' COURT

Nicki Harle

Nicki Harle, County Judge
Callahan County, Texas

Ashley McGowen

Ashley McGowen
Precinct 1 Commissioner

Bryan Farmer

Bryan Farmer
Precinct 2 Commissioner

Tom Windham

Tom Windham
Precinct 3 Commissioner

Erwin Clark

Erwin Clark
Precinct 4 Commissioner

ATTEST:

Nicole Crocker Mylean

Nicole Crocker Mylean
Deputy County Clerk, Callahan County

