



# GRAYSON COUNTY SUBDIVISION REGULATIONS

---

**July, 2023**

Approved by the Grayson County Commissioners Court on September 5, 2023

Court Order Number 2023-0001

## TABLE OF CONTENTS

Preamble

1. Purpose

2. Definitions

3. Platting Procedures

3.1 Plat Required

3.2 Plat Process Overview

3.3 Administrative Completeness

3.4 Plat Approval

3.5 Preliminary Plat Procedure and Submittal

3.6 Final Plat Procedure and Submittal

3.7 Short Plat Procedure and Submittal

3.8 Other Plats (Amending Plat, Re-Plat or Plat Revision, Vacation)

3.9 General Notes

3.10 Recording of Plat

3.11 No New Road or Drainage Infrastructure Improvements

4. Subdivision Requirements

4.1 Street or Roads

4.2 Acceptance of Subdivision Improvements

4.3 Easements

4.4 Lots

4.5 Floodplains

4.6 Private Subdivision Roadways

4.7 Design Requirements for Utilities

4.8 Shared Access Driveways

4.9 Commercial Off-Street Parking

5. Variance

5.1 Criteria for Variance

5.2 Application Materials and Fees

5.3 Grant or Denials of Variance

6. Enforcement

7. Severability

- 8. Exceptions to Platting
  - 8.1 Lot Size
  - 8.2 Family Grants
  - 8.3 Phased Subdivisions
  - 8.4 Agriculture Use
  - 8.5 Veterans Purchase
  - 8.6 Government Land
  - 8.7 Sale of Government Land in a Floodplain
  - 8.8 Partition Among Original Owners

Appendix A	APPROVAL FLOW CHART
Appendix B	PLAT NOTES FOR COUNTY OFFICIALS
Appendix C	DEVELOPER'S CONTRACT
Appendix D	DECLARATION OF INTENT TO APPROVE FINAL PLAT
Appendix E	OWNER AUTHORIZATION FORM
Appendix F	CERTIFICATIONS
Appendix G	SAMPLE PERFORMANCE BOND
Appendix H	SAMPLE MAINTENANCE BOND
Appendix I	ALL BILLS PAID AFFIDAVIT
Appendix J	RIGHT-OF-WAY EASEMENT AGREEMENT

## **PREAMBLE**

The Grayson County Subdivision Regulations are provided to assist persons considering the subdivision and development of property in the unincorporated areas of Grayson County. Anyone considering a development project is strongly encouraged to become familiar with this information. A special effort has been made to include supplemental information in the Appendix section.

It must be noted however that while these Regulations are important for planning a development project and obtaining County approval, they do not represent all of the information that is critical to a quality development. In many ways subdivision regulations represent minimum standards only. Developers are encouraged to use and comply with nationally accepted building codes governing structural, plumbing, electrical and mechanical systems in new construction. Fire hydrants and adequate water utility services assist the local fire departments in providing protection of lives and property. Emergency vehicle access is further enhanced when more than one entryway is provided into a subdivision. Safe entry and exiting from a subdivision are of prime importance. Roads should intersect at locations with good visibility to avoid line of sight obstructions to vehicular traffic. Roads and drainage ditches should be aligned with the land topography to avoid extreme grades that can result in excessive soil erosion. Consideration of community wastewater treatment systems as an alternative to individual septic systems can provide more flexibility in the design of lot sizes and layout. This design flexibility can result in the designation of open space such as parks or other amenities for the benefit of residents. The designation of some areas as open space may also serve to protect areas not desirable for development such as wooded areas, wildlife habitat or areas of steep terrain.

Grayson County recognizes the importance of new development and its impact on the quality of life for our citizens. The standards set forth in these regulations are achievable and represent that which is desirable for future growth. They should be reviewed periodically to ensure that they are relevant and that they will always serve the public's interest first and foremost.

## 1. PURPOSE

In 1985 the Grayson County Commissioners Court approved the adoption of subdivision regulations recognizing that public necessity required the Court to encourage quality growth and development in ways to protect the health, safety, and economic well-being of current and future landowners and the residents of Grayson County.

On June 3, 2002, the Commissioners Court finds that it is in the best interest of the residents of Grayson County to adopt the following updating regulations, known as the Grayson County Subdivision Regulations, pursuant to the Texas Local Government Code. They have been prepared for the following specific purposes:

- These regulations are to provide for the safety, health and wellbeing of the citizens of Grayson County and provide for the orderly development of the land area located in the unincorporated parts of Grayson County.
- To establish rules and regulations for the subdivision of property and to assure that newly created parcels of land conform to legal statutes.
- To prevent Grayson County from being burdened with substandard streets and roads in the future and thereby protect the taxpayers from unnecessary maintenance costs.
- To assure that the residents of Grayson County receive the necessary services for the supply of water and that new development will be served by adequate sewage treatment systems.
- To provide for adequate drainage facilities in all subdivisions.
- To provide information to the developer and assist in the preparation of plats and approval of future development.

On September 5, 2023, the Commissioners Court of Grayson County adopted these current subdivision rules. In doing so, the Commissioners Court found that these amendments to the subdivision rules are necessary to ensure the orderly and healthful development within Grayson County, Texas while also recognizing previous efforts of the past Commissioners Court. Specifically, amendments will:

- Protect the community from the spread of fire and/or wildfires
- Prevent the adverse impact of flooding and runoff to neighboring properties
- Promote the development and transportation continuity in the community with municipalities

- Assist in maintaining property values
- Reduce inconveniences to residents of the area
- Reduce long term costs for Grayson County
- Provide adequate drainage, water supply, disposal of sanitary and industrial waste
- Provide adequate roadways
- Promote the safe adequate flow of traffic and transportation
- Promote the preservation of trees, foliage, grasslands, lakes, pond, waterways, and wild life habitats within Grayson County, Texas.

## 2. DEFINITIONS

**Agent** - A person acting on behalf of another and empowered to make commitments, however limited, for the other within general limitations.

**Building Line or Setback Line** - A line established, in general, parallel to the front street line. No building or structure may be permitted in the area between the building line and the street right of way.

**Commissioners Court** - The Grayson County Commissioners Court

**Standard Construction Details** - Included as part of the most recently adopted version of the Grayson County Engineering and Construction Standard Manual.

**Cul-De-Sac** - A street or road having one outlet to another street with a vehicular turnaround at the remaining end.

**Dedication** - The appropriation of land, or an easement therein, by an Owner, for the use of the public and accepted for such use by or on the behalf of the public.

**Developer** - Any owner of property who wishes to divide it into two or more smaller tracts and including persons, corporations, organizations, estates, trusts, partnerships, agents, associates and other entities which undertake the activities covered by these regulations.

**Developer's Contract** - An agreement between the County or other public entity and a developer acknowledging that improvements involving the construction of roads, streets, and appurtenant improvements within a platted subdivision are to be constructed pursuant to the requirements of the governmental entity upon whose right of ways such construction is to be placed and setting forth responsibilities of the developer for the design, installation and payment for such improvements to be subject to a subsequent acceptance of and maintenance by the County or other public entity.

**Director of Development Services** - The individual appointed by the Grayson County Commissioners Court who is primarily responsible for the review of all subdivision plats for compliance with these Regulations.

**Drainage Design Standards** - Included as part of the most recently adopted version of the Grayson County Engineering and Construction Standard Manual.

**Easement** - A right given by the owner of a parcel of land to another person, public agency, or private corporation for specific and limited use of that parcel.

**Engineer** - See Professional Engineer.

**Engineering Design Standard Manual** - The most recently adopted version of the Grayson County Engineering and Construction Standard Manual.

**Exception** - A variation or deviation from approved standards, rules, or regulations.

**Extraterritorial Jurisdiction (EJT)** - That area outside of, but adjacent and contiguous, to the corporate limits of any city recognized by state statute as the area, a city, based on population, could enforce its own subdivision rules and regulations.

**Flood Damage Prevention Order** - The most recently issued Article approved by the Grayson County Commissioners Court to minimize public and private losses due to flood conditions in specific areas. Flood Damage Prevention Order can be found at [https://www.co.grayson.tx.us/upload/page/0182/docs/Flood\\_Damage\\_Prevention\\_Order\\_2022-08-02.pdf](https://www.co.grayson.tx.us/upload/page/0182/docs/Flood_Damage_Prevention_Order_2022-08-02.pdf)

**Flood Insurance Rate Map (FIRM)** - An official map of a community, on which the Federal Emergency Management Administration (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Floodway** - The channel of a river or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Inspection personnel** - Any person designated by the Grayson County Commissioners Court to perform inspections under the requirements of the County's Subdivision Regulations.

**Lake Ray Roberts Land Use Plan** - A plan providing zoning regulations for development in the unincorporated part of Grayson County located within 5,000 feet of the boundary of Lake Ray Roberts.

**Lake Ray Roberts Planning and Zoning Commission** - The appointed board with duties and responsibilities prescribed by the Lake Ray Roberts Land Use Plan.

**Lot** - A distinct and separate tract or parcel of land being a part of a larger tract of land and having frontage on a street or road which is then, or in the future may be, offered for sale, conveyance, transfer, or improved separately from the remainder of any part of the larger tract, and generally intended to be occupied by one building or group of buildings.

**Manufactured Home Rental Community (MHRC)** - A plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as residences.

**OSSF Regulations** - Refers to the most recently adopted Grayson County Order Adopting Rules of Grayson County, Texas for On-Site Sewage Facilities.

**Owner** - The owner of real property subject to a proposed or existing subdivision.

**Pavement Width** - The portion of a street or road with an improved surface intended for vehicular traffic but not to include shoulders, parkways, ditches, or similar parts of a right of way not intended or used for vehicular traffic.

**Plat** - A map depicting the division or subdivision of land into lots, blocks, parcels, tracts, or other portions. A replat will be considered a plat.



**Plat, Preliminary** - One or more drawings showing the physical conditions of a tract of land intended to be subdivided and the surrounding area. This plat shall show the developer's intended development program in order to assure that all regulations are complied with. A preliminary plat is not recorded.

**Plat, Final** - A map or drawing and any accompanying material of a proposed land subdivision prepared in a form suitable for filing in the County records and prepared as described in these Regulations.

**Plat, Short** – Also called a Minor Plat. A review process for a plat containing lots with frontage on an existing street or road of required right of way width or proposed dedication of the required right of way width, and not requiring any additional streets or roads or other public easements in order to comply with these regulations. Land or surrounding lands that due to topography and/or location are deemed to require submission of a drainage plan will not be subdivided as a short plat.

**Professional Engineer or Engineer** - A registered Professional Engineer licensed to practice engineering in the State of Texas.

**Regulations** - Refers to the Grayson County Engineering and Construction Standard Manual, which is comprised of the Grayson County Thoroughfare Design Requirements, Grayson County Drainage Design Standards, and the Grayson County Standard Construction Details.

**Replat** - Any map, drawing, or plan to show further subdivision of any part of a previously platted subdivision, addition, lot, tract, or parcel of land which had been recorded of record in the County plat records and which may be in either the preliminary or final plat form.

**Right of Way** - The area of land between a private property line and the private property line across the road is occupied, or intended to be occupied, by a roadway or alley. The right-of-way is the distance between property lines measured at right angles to the centerline of the roadway or alley.

**Right of Way Policy** – Refers to the most recently adopted version of the Policy, Procedures And Specifications Of Grayson County, Texas For The Installation Of Driveway Culverts, Road Bores, Use Of Heavy Equipment And Utility Lines Within Grayson County Road Right-of-Way.

**Shall** - Mandatory and not discretionary.

**Special Flood Hazard Area (SFHA)** - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year according to the Flood Insurance Rate Map.

**Street or Road, Public** - Any area, parcel or strip of land which provides vehicular access to adjacent property or land whether designated as a street, road, avenue, lane, thoroughfare, boulevard, place, drive, court, loop or however otherwise designated and which is either dedicated or granted for public purposes or acquired for public use by prescription. Not all Public Roads are County Roads, nor are they all maintained by the County. See the definition of Street, County.

**Street, Boundary or Border** - A street or road which either exists or will be created wherein a subdivision as herein defined is partially bounded on one or more sides by such street or road and/or where this type of street has or will have a common frontage along adjoining property which is not a part of the land being considered for platting or subdivision.

**Street, Collector** - A street or road which connects thoroughfare or arterial streets with local streets or roads.

**Street, County (Road)** - A public street or road which has been accepted for maintenance purposes by the County Commissioners Court, whether acquired by prescription, dedication, or statutory means, or originally constructed by the County. The term "street" and "road" are used interchangeably for the purpose of these regulations.

**Street, Local** - A street or road that primarily provides direct access to lots within a subdivision.

**Street, Private** - A road or street that has not been accepted by the County Commissioners Court for maintenance. Some private roads may have been dedicated to the public (See definition of Street or Road, Public). Others may not be dedicated to the public and are under private ownership. In either case, the County is not responsible for maintenance.

**Street, Minor Arterial** - A street or road that will serve vehicular traffic beyond the limits of the subdivision, connecting subdivisions with commercial or retail areas, schools, different cities, or remote areas or which serves as a principal connecting street with State or Federal highways, farm to market roads or major thoroughfares shown or projected on current transportation plans of the Texas Department of Transportation and/or Grayson County Thoroughfare Plan.

**Street, Major Arterial** - A street or road that provides the highest level of service at the greatest speed for the longest uninterrupted distance with some degree of access control as shown on the current transportation plans of the Texas Department of Transportation and/or Grayson County Thoroughfare Plan.

**Subdivider** - Any person, firm, corporation, partnership, association, or any similar individual or group or agents thereof, who divide or propose to divide land so as to constitute a subdivision, whether or not the individual or group is also the developer of the subdivision.

**Subdivision** - The division of a tract of land into two or more parts to lay out a subdivision of the tract, including an addition, lots or 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 and defined by the Texas Local Government Code.

**Surveyor** - A person licensed to practice surveying by the Texas Board of Professional Engineers and Land Surveyors.

**Thoroughfare Design Requirements** - Included as part of the most recently adopted version of the Grayson County Engineering and Construction Standard Manual.

**Thoroughfare Plan** - The most recently issued Thoroughfare Plan approved by the Grayson County Commissioners Court to delineate general alignments and functional classes of existing and proposed major thoroughfares.

**Tract, Parent** - The original land tract owned by the developer prior to any subdivision.

**Tract, Daughter** - Any of the tracts created by the subdivision of a parent tract and including the remaining part of the parent tract.

### 3. PLATTING PROCEDURES

#### 3.1 Plat Required

- 3.1.1 The owner of a tract of land located within Grayson County, and outside the limits of an incorporated municipality, must have a plat of the subdivision prepared if the owner divides a tract into two or more parts to lay out:
- (i) a subdivision of the tract, including an addition;
  - (ii) lots; or
  - (iii) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use for the use of purchasers or owners of lots fronting on or adjacent on the streets, squares, parks or other parts.
- 3.1.2 A division of a tract under Subsection 3.0.1 includes a division regardless of whether it is made by using a metes-and-bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.
- 3.1.3 The only exceptions to the requirement that a plat be prepared shall be those provided in the Texas Local Government Code 232.0015 Subsection ( c ) as modified by Subsection (d) or as stated in Texas Local Government Code 232.0015 Subsections (e), (f), (g), (h), (i), (j), and (k). The exceptions are outlined in Section 11 of these Regulations.

#### 3.2 Plat Process Overview

- 3.2.1 Pre-submittal meeting (optional). Applicants will generally benefit from pre-submittal meetings, as once the Plat Package is filed, staff will be concentrating on review and recommendation to the Commissioners Court. The owner or agent shall present a preliminary plat to show the street alignment and lot layout. The Director of Development Services will advise the owner/agent of any necessary corrections for official submittal of the plat. Matters discussed and worked-out in the pre-submission process may eliminate deficiencies that would otherwise be identified during the review and possibly become reasons for disapproval or conditions on approval by the Commissioners Court. Information provided for review as part of a pre-submission meeting does not constitute the filing of a Plat Application. One or more pre-submission meetings may be held.
- 3.2.2 Submittal of Plat Package as defined in these Regulations is made by the Applicant, along with the Application Fee.
- 3.2.3 Administrative completeness review by the Director of Development Services to determine the administrative completeness of the Plat Package submitted.
- 3.2.4 Within 30 days of receiving an administratively complete Plat Package, the Plat Package is brought before the Commissioners Court at a regular or special-called meeting for action.

#### 3.3 Administrative Completeness

- 3.3.1 In order for a Plat Package submittal to be administratively complete, all information required for a Plat Package under these Regulations must be submitted to the Director of Development Services.

- 3.3.2 If the Director of Development Services determines that the plat submittal is incomplete with reference to the requirements of these Regulations, the Applicant shall be notified within ten (10) business days of the date the plat submittal was received with a written explanation of missing or required information or documents.
- 3.3.3 The Applicant shall be given a reasonable time to submit the missing information. However, if the missing information is not received within 60 days of the notification to the Applicant of the missing information, the application may be administratively denied by the Development Services Department as incomplete, with notice in writing to the Applicant that the Application has been administratively denied and return of the Plat Packet to the Applicant. The Applicant may within (6) months thereafter file a Plat Packet containing the missing information without having to pay a new application fee. Thereafter, a new application fee will be required.
- 3.3.4 The 30-day period for the Commissioners Court to act on the Plat Package does not begin until the Director of Development Services has received an administratively complete Plat Package.
- 3.3.5 A finding of administrative completeness is not an approval of the Plat Package.

#### 3.4 Plat Approval

- Persons subdividing land in the unincorporated portions of Grayson County shall comply with this section for plat approval. No grading of streets/roads or the sale of lots shall commence, nor shall any other associated construction be accomplished by the owner/developer upon land being subdivided prior to final plat approval, except by written authorization of the Commissioners Court. Approval from the Grayson County Commissioners Court is required before recording a final plat. The procedure for platting subdivisions within Grayson County will be as follows:
- 3.4.1 The owner/agent shall submit a digitalized copy of the preliminary plat, a plat application form, and required supporting documents. This information shall be submitted online at <https://www.co.grayson.tx.us/page/dev.home> through the Development Certificate Portal.
  - 3.4.2 Platting fees are payable at the time the permit application is submitted. Platting fees will be set annually by the Grayson County Commissioners Court during their regular budget adoption process and can be found at <https://www.co.grayson.tx.us/page/dev.home>. All platting fees are NON-REFUNDABLE and NON-TRANSFERABLE.
  - 3.4.3 The Director of Development Services will forward a copy of the plat to the Commissioner for that precinct in which the subdivision is located.
  - 3.4.4 The plat will be reviewed by a Designated Representative of Grayson County for compliance with the most recently adopted Order Adopting Rules of Grayson County, Texas For On-Site Sewage Facilities.
  - 3.4.5 The Director of Development Services will forward a copy of the plat to the County 911 Addressing Coordinator who will review the plat for compliance with Grayson County 911 Addressing Regulations.
  - 3.4.6 After review by the County staff the Director of Development Services will notify the owner/agent in writing of any necessary corrections to the plat. Such notification shall be made within ten (10) business days of official receipt of the preliminary plat.

- 3.4.7 The Director of Development Services will obtain approval of the Commissioner, in whose precinct the subdivision is located, to place the plat on the next Commissioners Court agenda. Commissioners Court will consider approval of the preliminary plat. Approval of the preliminary plat will be required before the owner can proceed with final plat submittal and approval. The Director of Development Services will provide written notification to the owner/agent of the Commissioners Court action.
- 3.4.8 If the property to be subdivided is located within the extraterritorial jurisdiction of a municipality, the developer shall be responsible for complying with the applicable regulations of the municipality and these Regulations. The developer shall comply with the conditions of any agreement between the County and municipality for development within the extraterritorial jurisdiction. Generally, in cases where the County and municipality have regulations that differ, the more restrictive regulation will take precedent and be enforced.
- 3.4.9 If the property to be subdivided is located within an area of special flood hazard, requirements in the most recently adopted Grayson County Flood Damage Prevention Ordinance shall be met.
- 3.4.10 If the property to be platted is located within the boundaries of the Lake Ray Roberts Zoning District the owner shall obtain a recommendation for approval or denial from the Lake Ray Roberts Planning and Zoning Commission before the Commissioners Court considers approval of a plat. A note shall be placed on the plat to indicate the zoning district in which the subdivision is located. Short plats for residential lots at least 1 acre in size are exempt.
- 3.4.11 If the property to be platted is located in the vicinity of the North Texas Regional Airport - Perrin Field, the developer shall be responsible for complying with the most recently adopted "North Texas Regional Airport Land Use Compatibility Zoning Regulation" and these Regulations. A note shall be placed on the plat to indicate the zoning district in which the subdivision is located.
- 3.4.12 If a development will potentially impact the watershed of a floodwater control lake and dam and/or a granted easement area of the Choctaw Watershed Water Improvement District, Upper Elm – Red Soil and Water Conservation District or Grayson County easements on flood retarding structures the owner shall:
  - 3.4.12.1 Submit an Emergency Action Plan (EAP) prepared by a professional engineer licensed in the State of Texas;
  - 3.4.12.2 Submit a dam breach analysis based on the probable maximum flood (PMF) prepared by a professional engineer licensed in the State of Texas;
  - 3.4.12.3 Submit an inspection of the dam performed by a professional engineer licensed in the State of Texas with any deficiencies corrected and approved by the professional engineer; and
  - 3.4.12.4 Create an organization (homeowners association or neighborhood association) that will be responsible for the maintenance, operation and liability of the dam.

Additional review and approval of a development plan may be required through the local office of the Natural Resource Conservation Service (NRCS) or other watershed sponsor. The Director of Development Services will forward a copy of the plat to the NRCS for initial review and comment.

3.4.13 Preliminary plat approval does not constitute acceptance of the subdivision. It only authorizes the owner to proceed with preparation of the final plat for record. Approval of a preliminary plat is valid for one year. If the final plat is not approved within that period the owner will resubmit a new preliminary plat for approval.

3.5 Preliminary Plat Procedure And Submittal

Every preliminary plat submission must include the following:

3.5.1 A completed County application form.

3.5.2 If the Applicant is not the Owner, an Owner Authorization Form.

3.5.3 Application fee.

3.5.4 Preliminary plats shall be submitted on standard size sheets not to exceed 24"x36" or a scale of 1"=200'.

3.5.5 A digital file (PDF) containing the preliminary plat and all the required information specified in these Regulations shall be submitted through the online portal.

3.5.6 Name, address and telephone number of the owner, surveyor and/or Professional Engineer.

3.5.7 Deed showing ownership of the property or properties being platted.

3.5.8 The proposed name of the subdivision and the names, locations, width and dimensions of all proposed and existing streets, alleys, easements, parks and other public spaces, lot lines and proposed land uses.

3.5.9 The location of the existing boundary lines of the subdivision and total acreage.

3.5.10 A vicinity map showing the subdivision located within the county and the relationship to the nearest existing roads and city.

3.5.11 A date the plat was prepared, scale and a North directional arrow.

3.5.12 The location of the 100 -year floodplain and all lots, or any part of a lot that is located within the 100 -year floodplain. For subdivisions containing a floodplain, a note on the plat stating, "A Floodplain Development Permit will be required from Grayson County for any construction in the floodplain". The finished floor elevation must be shown for each lot located in the floodplain. If no part of the subdivision lies within the 100 – year floodplain, then it shall be so noted.

3.5.13 For subdivisions located downstream of a floodwater control lake and dam and/or a granted easement area of the Choctaw Watershed Water Improvement District, Upper Elm – Red Soil and Water Conservation District or Grayson County easements on flood retarding structures, the location of the dam breach analysis shall be shown. A note shall be added to the plat stating, "A Floodplain Development Permit will be required from Grayson County for any construction in the dam breach area." The finished floor elevation must be shown for each lot located in the dam breach area.

3.5.14 The exact location, dimensions, description, and flowline of all existing and proposed drainage structures.

3.5.15 Existing topographic contours at one (1') foot intervals for grades less than 5% and two (2') foot contours for grades steeper than 5%. Contours of lesser intervals may be required to better determine topographical drainage.

3.5.16 The name of all adjacent property owners with the volume and page of recordation and any adjacent subdivisions and streets and how streets in the proposed subdivision may connect with other streets in the area.

- 3.5.17 Description, location, and dimensions of proposed and existing utility, drainage, and pipeline easements within and adjacent to the property.
- 3.5.18 Drainage studies and plans, flood studies, and traffic impact analysis as required by Grayson County Engineering and Construction Standard Manual.
- 3.5.19 Maintenance responsibilities, whether private or by Grayson County, shall be noted on the plat. Streets to be maintained by Grayson County are subject to separate action to accept maintenance by the Commissioners Court. If the developer desires that the streets remain private or the county refuses to accept maintenance of the streets, a homeowners association shall be formed and the provision required under "Private Subdivisions" shall be followed.
- 3.5.20 Preliminary water and sewer plans, if applicable.
- 3.5.21 A statement will be provided if sewage disposal is by individual on-site sewage facilities (OSSF) and/or water service is by individual wells. Applicants shall provide approved Grayson County OSSF Permit with plat application, demonstrating compliance with the Grayson County Order Entitled On-Site Sewage Facilities.
- 3.5.22 For subdivisions proposing individual water wells for water service, a Professional Engineer's report may be required to certify that an adequate supply of groundwater exists to serve the subdivision.
- 3.5.23 The name of the water, sewer and electric utility companies providing service to the subdivision will be noted on the plat.
- 3.5.24 A will-serve letter from the water, sewer, electric, and natural gas utility companies certifying ~~that they can adequately serve the development~~ that they have existing capacity with an effective date of service, have reviewed and approved the utility plan, easements, and plat, and will inspect proposed utilities during construction and describe all bonding requirements. **(Amended on 04/09/24)**
- 3.5.25 If the proposed subdivision is a portion of a larger tract, which will be subdivided later, a master plan of the entire subdivision will be submitted with the preliminary plat of the first proposed subdivision.
- 3.5.26 A copy of the subdivision restrictive covenants, required by the Applicant, shall accompany the final plat. The following are required to be contained in the restrictive covenants:
  - 3.5.26.1 If sewage disposal is by means of on-site sewage facilities, the restrictive covenants shall indicate that the owner of each lot shall obtain an on-site sewage facility license from the Grayson County Development Services Department.
  - 3.5.26.2 That all driveway culverts shall be installed in accordance with the policies of the Grayson County Engineering and Construction Standard Manual and the Policy, Procedures And Specifications Of Grayson County, Texas For The Installation Of Driveway Culverts, Road Bores, Use Of Heavy Equipment And Utility Lines Within Grayson County Road Right-of-Way.
  - 3.5.26.3 No residential or commercial building construction shall be allowed until the Road and Drainage Infrastructure Improvements for the subdivision has been approved as complete by the County and the required Warranty and Maintenance Bond have been provided, or without a required permit issued by Grayson County Development Services.

- 3.5.26.4 Grayson County is not responsible for the maintenance and repair of any drainage improvements of the addition, including those located on private lots or adjacent thereto.
- 3.5.26.5 Grayson County is not responsible for the maintenance and repair of any cluster mailbox, including the landscaping and drainage of the lot or easement containing the cluster mailbox.
- 3.5.26.6 Unless maintained by a homeowner's association the owners of lots upon which drainage improvements are located or adjacent are responsible for the maintenance, repair, and/or reconstruction of the drainage improvements in drainage easements shown on the Plat, and all work must comply with the Grayson County Engineering and Construction Standard Manual.
- 3.5.26.7 Homeowner's Associations with maintenance funds are required if private roadways are proposed.
- 3.5.26.8 If roadways are dedicated to the public neither a lot owner nor a subsequent lot owner has any right to obstruct the roadway, including by gate, fence, or otherwise.
- 3.5.26.9 No construction or planting of trees or shrubs is allowed in any public utility easement, and a public utility has the right to remove any such obstructions located on the easement.
- 3.5.27 All certifications, plat notes, and plat language required by these Regulations.
- 3.5.28 The County reserves the right to use and require submittal of additional forms, contracts, plans, certifications, and any other supplementary documents deemed necessary for the enforcement of these Regulations.

3.6 Final Plat Procedure And Submittal

The final plat procedure will be the same as that for the preliminary plat except as noted in this section. Approval of the preliminary plat is required prior to submitting a final plat. The Commissioners Court must approve the final plat and the plat must be recorded before lots are sold. The Director of Development Services will provide written notification of the Commissioners Court action to the owner/agent. The final plat shall be recorded with the County Clerk within six (6) months of Commissioners Court approval. A single six (6) month extension may be granted by the Court. Final plat approval does not include acceptance of streets/roads by the County for maintenance purposes. Street/road acceptance is by separate action of the Court.

An owner/developer may choose to delay approval of a final plat until all required improvements are satisfactorily completed. If so, the owner/developer shall request approval of a Declaration of Intent from the Commissioners Court to approve the final plat subject to the satisfactory completion of the roads, other public improvements and any other conditions imposed by the Court. After satisfactory completion of the roads and other improvements the final plat will then be considered for approval by the Commissioners Court for recording with the County Clerk. Final plats submitted under this option, for issuance of a Declaration of Intent, are not required to submit a financial guarantee noted in Sec. 7.



Final plats will show the information required by this section and as approved by the Commissioners Court for the preliminary plat with the exception of 3.5.15. In order for a Final Plat Submittal to be Administratively Complete, each Final Plat Submittal shall contain and be accompanied by the following information:

- 3.6.1 A completed County application form.
- 3.6.2 If the Applicant is not the Owner, an Owner Authorization Form.
- 3.6.3 Application fee.
- 3.6.4 At least two (2) standard size originals not to exceed 24"x36" or a scale of 1"=200' shall be submitted for appropriate signatures and filing in deed records. Additional originals will be returned to the developer.
- 3.6.5 Three (3) sets of construction plans sealed by a Professional Engineer in accordance with the Grayson County Engineering and Construction Standard Manual shall be submitted to the Grayson County Director of Development Services. Paper copies shall be on standard size sheets not to exceed 24"x36" at a scale not to exceed 1" = 200'.
- 3.6.6 A digital file (PDF) containing the final plat and all the required information specified in these Regulations shall be submitted through the online portal.
- 3.6.7 Deed showing ownership of the property or properties being platted.
- 3.6.8 A dedication by the owner as specified in Appendix F.
- 3.6.9 Cost documents prepared by the owner's engineer or contractor for the construction of streets, drainage structures, utilities, and all other improvements.
- 3.6.10 The seal and signature of the surveyor responsible for preparation of the plat and the date the plat was prepared.
- 3.6.11 Financial guarantees for street and drainage improvements or a request for a Declaration of Intent from the Commissioners Court.
- 3.6.12 An original tax certificate from the Tax Collector of each political subdivision in which the property is located to certify that there are no delinquent taxes.
- 3.6.13 Name, address and telephone number of the owner, surveyor and/or Professional Engineer.
- 3.6.14 Appropriate plat notes as shown in Appendix B shall be shown on the plat.
- 3.6.15 Adequate blank space shall be provided for the County Clerk to stamp the recordation information on the Final Plat.
- 3.6.16 A legal description of the property and location with respect to an original corner of the parent tract. Total acreage will be noted.
- 3.6.17 The number of all lots and blocks arranged in a systematic order. The names of all streets. Curves on all streets, blocks, lots, and easements will include the radius, length, and central angle of the curve. Lots will show area in acreage or sq. ft.
- 3.6.18 The accurate location of adjacent subdivision streets, blocks, lots and easements, or a note that the adjacent property is undeveloped.
- 3.6.19 A copy of the subdivision restrictions, if any, shall be properly signed and notarized and filed for record with the County Clerk.
- 3.6.20 The location, size and description of all permanent monuments and control points.
- 3.6.21 The following statements shall be noted on the final plat:  
Blocking the flow of water or construction improvements in drainage easements, and filling or obstruction of the floodway is prohibited.

- 3.6.22 If applicable, a copy of the Non-Standard Service Contract from the water, sewer, electric and natural gas company, which includes a timeline for completion.  
Blocking the flow of water or construction improvements in drainage easements, and filling or obstruction of the floodway is prohibited. **(Added on 04/09/24)**

3.7 Short Plat Procedure And Submittal

A short plat procedure may be followed for the approval of a subdivision final plat when the land proposed for subdivision meets the following conditions:

- involves four (4) or fewer lots fronting a public road with access to utilities. This type of plat must go through OSSF review and approval before it can be approved unless the lots will be served by sanitary sewer service; or
- necessary to show a change to an easement, an unopposed encroachment, unopposed change in building lines, or similar such matters that do not justify the delay and expense of a Re-Plat. If any change in useable acreage result, the plat may be required to go through the OSSF review and approval process; or
- involves five (5) or more lots and the construction of the drainage improvements is complete in accordance with the Grayson County Engineering and Construction Standards Manual; or
- such land abuts an existing County Road or street of required right of way width or abuts an existing County Road or street along which adequate right of way shall be dedicated based on the street classification and such land is so located that no additional streets or roads or other public easements are required to comply with these Regulations; or
- the topography of the land being subdivided, and adjacent land is such that a drainage plan is deemed unnecessary or, where drainage facilities are required, arrangements have been made for the construction of such facilities. A topographic contour plan drawn per the requirements of a preliminary plat shall be submitted to the Director of Development Services for review; or
- the perimeter of the tract being subdivided has been surveyed and marked on the ground by a registered professional land surveyor licensed in the State of Texas and a plat thereof prepared and filed with the Director of Development Services.

As with other plats, approval of a municipality is required if a proposed subdivision is located within the extraterritorial jurisdiction of the municipality. Short plat submittals shall include the following:

- 3.7.1 A completed County application form.
- 3.7.2 If the Applicant is not the Owner, an Owner Authorization Form.
- 3.7.3 Application fee.
- 3.7.4 At least two (2) standard size originals not to exceed 24"x36" or a scale of 1"=200' shall be submitted for appropriate signatures and filing in deed records. Additional originals will be returned to the developer.
- 3.7.5 For short plats with five (5) or more lots, three (3) sets of ~~construction plans~~ drainage plans sealed by a Professional Engineer in accordance with the Grayson County Engineering and Construction Standard Manual shall be submitted to the Grayson County Director of

Development Services. Paper copies shall be on standard size sheets not to exceed 24"x36" at a scale not to exceed 1" = 200'. **(Amended on 04/09/24)**

- 3.7.6 A digital file (PDF) containing the short plat and all the required information specified in these Regulations shall be submitted through the online portal.
- 3.7.7 Name, address and telephone number of the owner, surveyor and/or Professional Engineer.
- 3.7.8 Deed showing ownership of the property or properties being platted.
- 3.7.9 The proposed name of the subdivision and the names, locations, width and dimensions of all proposed and existing streets, alleys, easements, parks and other public spaces, lot lines and proposed land uses.
- 3.7.10 The location of the existing boundary lines of the subdivision and total acreage.
- 3.7.11 A vicinity map showing the subdivision located within the county and the relationship to the nearest existing roads and city.
- 3.7.12 A date the plat was prepared, scale and a North directional arrow.
- 3.7.13 The location of the 100 -year floodplain and all lots, or any part of a lot that is located within the 100 -year floodplain. For subdivisions containing a floodplain, a note on the plat stating, "A Floodplain Development Permit will be required from Grayson County for any construction in the floodplain". The finished floor elevation must be shown for each lot located in the floodplain. If no part of the subdivision lies within the 100 – year floodplain, then it shall be so noted.
- 3.7.14 For subdivisions located downstream of a floodwater control lake and dam and/or a granted easement area of the Choctaw Watershed Water Improvement District, Upper Elm – Red Soil and Water Conservation District or Grayson County easements on flood retarding structures, the location of the dam breach analysis shall be shown. A note shall be added to the plat stating, "A Floodplain Development Permit will be required from Grayson County for any construction in the dam breach area." The finished floor elevation must be shown for each lot located in the dam breach area.
- 3.7.15 The exact location, dimensions, description, and flowline of all existing and proposed drainage structures.
- 3.7.16 The name of all adjacent property owners with the volume and page of recordation and any adjacent subdivisions and streets and how streets in the proposed subdivision may connect with other streets in the area.
- 3.7.17 Description, location, and dimensions of proposed and existing utility, drainage, and pipeline easements within and adjacent to the property.
- 3.7.18 A statement will be provided if sewage disposal is by individual on-site sewage facilities (OSSF) and/or water service is by individual wells. Applicants shall provide approved Grayson County OSSF Permit with plat application, demonstrating compliance with the Grayson County Order Entitled On-Site Sewage Facilities.
- 3.7.19 For subdivisions proposing individual water wells for water service, a Professional Engineer's report may be required to certify that an adequate supply of groundwater exists to serve the subdivision.
- 3.7.20 The name of the water, sewer and electric utility companies providing service to the subdivision will be noted on the plat.
- 3.7.21 The seal and signature of the surveyor responsible for preparation of the plat and the date the plat was prepared.

- 3.7.22 Appropriate plat notes as shown in Appendix B shall be shown on the plat.
- 3.7.23 Adequate blank space shall be provided for the County Clerk to stamp the recordation information on the Final Plat.
- 3.7.24 A legal description of the property and location with respect to an original corner of the parent tract. Total acreage will be noted.
- 3.7.25 The number of all lots and blocks arranged in a systematic order. The names of all streets. Curves on all streets, blocks, lots, and easements will include the radius, length, and central angle of the curve. Lots will show area in acreage or sq. ft.
- 3.7.26 The accurate location of adjacent subdivision streets, blocks, lots and easements, or a note that the adjacent property is undeveloped.
- 3.7.27 A copy of the subdivision restrictions, if any, shall be properly signed and notarized and filed for record with the County Clerk.
- 3.7.28 The location, size and description of all permanent monuments and control points.
- 3.7.29 The following statements shall be noted on the final plat:  
Blocking the flow of water or construction improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
- 3.7.30 Supporting documentation with the short plat submittal shall include:
  - 3.7.30.1 Letters from the water, sewer and electric utility companies certifying that they will provide service to the proposed subdivision as required for a short plat
  - 3.7.30.2 A schedule from the water, sewer, and electric companies certifying when they will provide for such service.
  - 3.7.30.3 A suitability study to verify that all of the proposed lots in the subdivision comply with the most recently adopted Grayson County Order Entitled On-Site Sewage Facilities.
  - 3.7.30.4 An original tax certificate from the Tax Collector of each political subdivision in which the property is located to certify that there are no delinquent taxes.

The Director of Development Services will notify the owner in writing of the Commissioners Court action.

### 3.8 Other Plats (Amending Plat, Re-Plat or Plat Revision, Vacation)

#### 3.8.1 Amending Plat

- 3.8.1.1 The Director of Development Services has been granted the authority by the Commissioners Court to approve or deny an amending plat, if the amending plat is signed by the applicants and files for one or more of the following purposes:
  - to correct an error in a course or distance shown on the preceding plat;
  - to add a course or distance that was omitted on the preceding plat;
  - to correct an error in a real property description shown on the preceding plat;
  - 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;
  - 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

- to correct an error in courses and distances of lot lines between two adjacent lots if:
  - both lot owners join in the application for amending the plat;
  - neither lot is abolished;
  - the amendment does not attempt to remove recorded covenants or restrictions; and
  - 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.

The amending plat controls over the preceding plat without the vacation, revision, or cancelation of the preceding plate. It is the applicant’s responsibility to file the approved amending plat for recordation in the Official Public Records of Grayson County, Texas.

An amending plat does not require notice, a hearing, and the approval or other lot owners for the filing, recording, or approval of an amending plat.

### 3.8.2 Re-Plat

3.8.2.1 The owner of real property in a tract that has been subdivided may apply to the Commissioners Court for permission to revise the recorded plat. The Application is subject to the same requirements as original plats except to the extent a requirement is deemed inapplicable to the Re-Plat by the Director of Development Services or his/her designee.

3.8.2.2 Commissioners Court shall grant the Re-Plat by order if:

- The revision will not interfere with the established rights of way of any owner of another lot in the subdivision
- Each owner whose rights would be interfered with has agreed to the revision in writing

3.8.2.3 If a park, school road, public property, or other public interest would be affected by the proposed revision, the Commissioners Court shall publish a notice of the application in a newspaper of general circulation in the County, which includes identification of the time and place at which the Commissioners Court will meet to consider the application and hear protests to the plat revision

3.8.2.4 If a park, school road, public property, or other public interest would not be affected by the proposed revision, the Commissioners Court shall provide written notice to the owners of lots within 200 feet of the platted lot(s) to be revised, as indicated by the most recent appraisal district records and the notice of the application must be continuously posted on the County’s website for at least 30 days preceding the date of the meeting at which the application is to be considered.

3.8.2.5 A Re-Plat that would conflict with the deed restrictions, if any, applicable to the property may not be approved.

3.8.2.6 Depending on the nature of the revision, the Re-Plat may have to go through the OSSF review and approval process.

### 3.8.3 Vacation of Plat

3.8.3.1 A recorded plat may only be vacated per the provisions of Section ~~212.013~~ 232.008 of the Texas Local Government Code. **(Amended on 04/09/24)**

- 3.8.3.2 No vacated plat may be recorded in the county of jurisdiction without a public hearing and approval of the Commissioners Court.
- 3.8.3.3 The plat is vacated when a signed, acknowledged instrument declaring the plat vacated is approved and recorded in the manner prescribed for the original plat.
- 3.8.3.4 The county clerk shall write legibly on the vacated plat the word “Vacated” and shall enter on the plat a reference to the volume and page at which the vacating instrument is recorded.
- 3.8.3.5 On the execution and recording of the vacating instrument, the vacated plat has no effect.

3.9 General Notes

The following shall be included on all plats:

GENERAL NOTES

1. BLOCKING THE FLOW OF WATER OR CONSTRUCTION OF IMPROVEMENTS IN DRAINAGE EASEMENTS, FILLING OR OBSTRUCTION OF THE FLOODWAY, INTERFERING WITH A DRAINAGE PATTERN OR NATURAL FLOW OF SURFACE WATER IS PROHIBITED.
2. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
3. GRAYSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID DRAINAGE WAYS OR THE CONTROL OF EROSION.
4. GRAYSON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASSIONED BY FLOODING OR FLOODING CONDITIONS.
5. THE OWNER AGREES TO COMPLY WITH ALL STATE OR FEDERAL REGULATIONS RELATING TO SUBDIVISIONS OF THIS TYPE.
6. THERE WILL BE NO LOT SALES UNTIL THE FINAL PLAT HAS BEEN APPROVED BY GRAYSON COUNTY AND FILED IN GRAYSON COUNTY PLAT RECORDS.

3.10 Recording of Plat

The approved final plat must contain all required information, certifications, and Plat notes in order to be filed in the Official Public Records of Grayson County, Texas. Likewise, it must comply with the County Clerk’s requirements for filing.

3.11 No New Road or Drainage Infrastructure Improvements

If no new road or drainage infrastructure improvements are proposed, the recording of the final plat ends the subdivision process.

## 4. SUBDIVISION REQUIREMENTS

Plat package submission and the development shown on the plat shall comply with the Subdivision Rules set forth in these Regulations except where otherwise provided in the Regulations or applicable provisions of Chapter 232 of the Texas Local Government Code.

### 4.1 Streets or Roads

- All streets/roads within a subdivision submitted for final plat approval shall be constructed to meet the standards and specifications for roads as approved by the Grayson County Commissioners Court, this section, the Grayson County Standard Construction Details, and the Policy, Procedures And Specifications Of Grayson County, Texas For The Installation Of Driveway Culverts, Road Bores, Use Of Heavy Equipment And Utility Lines Within Grayson County Road Right-of-Way. The owner/developer of a subdivision is responsible for the cost of construction for all streets/roads, drainage, and other improvements within the subdivision. The Commissioners Court may require additional entrances to a subdivision from a County Road for emergency vehicle access and to provide for increased public safety.
- 4.1.1 Streets or roads shall be classified based upon definitions found in the Grayson County Engineering and Construction Standard Manual during the preliminary plat review. The Commissioners Court shall be the final authority for interpretations of road classifications.
- 4.1.2 The minimum typical cross section of each road classification is found in the Grayson County Thoroughfare Plan and the Grayson County Thoroughfare Design Requirements. Cross sections are required on plan sets for residential roads.
- 4.1.3 Cul-de-sacs shall have a minimum right of way radius of fifty (50) feet, a minimum paved roadway surface radius of thirty-three (33) feet and a base course of not less than a thirty-five (35) foot radius and provide a perimeter improved shoulder of not less than one (1) foot.
- 4.1.4 Streets/roads shall be designed using generally accepted engineering standards to handle a twenty-five (25) year flood within the right-of-way. All excess water shall be carried off by the use of adequate storm drainage structures or ditches. Refer to the most recently adopted Grayson County Drainage Design Standards for additional information.
- 4.1.5 A proposed subdivision that adjoins or encompasses an existing public street or a street shown on the Grayson County Thoroughfare Plan, ~~should~~ must comply with the minimum right of way requirements as shown for each road classification in the Grayson County Thoroughfare Plan and the Grayson County Thoroughfare Design Requirements. Alternatively, the developer may dedicate any required right of way in excess of sixty feet (60') for a subdivision containing both sides of said street or thirty feet (30') of one side of said street by easement agreement as shown in Appendix J. Any required setbacks or easements will be beyond the area included in the easement agreement. If the proposed subdivision abuts only one side of said street, then a minimum of one-half of the required right of way shall be dedicated by such subdivision. **(Amended on 11/19/24).**
- 4.1.6 All streets or roads shall either be connected at both ends to a dedicated street, or be provided with a turnaround. Connections to a dedicated street shall be separated by a minimum of ~~0.5 mile~~ 400 feet, otherwise they will be counted as a single point of access.

Turnarounds or cul-de-sacs shall meet the design requirements listed in the Grayson County Thoroughfare Design Requirements, "Dead End Street/Cul-de-Sacs/Stub Streets." A maximum of thirty (30) homes may be served by a roadway with a single point of access.

**(Amended on 04/09/24)**

- 4.1.7 Street or roads shall, where practical, intersect at a ninety (90) degree angle. Where this is not practical, the intersection, on the side of the acute angle, shall be rounded with a curve or a cut-back, but in no case shall the curve have less than a twenty-five (25) foot radius.
- 4.1.8 New streets or roads which are a continuation of an existing street or road shall be a continuation, without offset, of the existing road.
- 4.1.9 Where streets or roads in an adjoining subdivision end at the property line of the new subdivision, the streets or roads of the adjoining subdivision shall be continued throughout the new subdivision. Where no adjacent connections are platted, the roads in the new subdivision shall be a reasonable projection of the streets or roads in the nearest subdivision.
- 4.1.10 Names of new streets or roads shall be reviewed for use by the Grayson County 911 Addressing Coordinator. New streets or roads will be named to provide continuity with existing streets or roads in adjacent subdivisions that may be expected to extend to the proposed subdivision.
- 4.1.11 No landscaped "islands", ornamental entrances, trees, decorative squares, or any other obstruction to traffic shall be constructed or preserved within the right of way of a street or road dedicated to the public without authorization from the Commissioners Court. If landscaping and/or irrigation is proposed within the right of way, the owner shall create an organization (homeowners association or neighborhood association) that will be responsible for the maintenance and liability of the landscaping and/or irrigation system. The organization shall have assessment authority to insure adequate funding for maintenance.
- 4.1.12 An owner that desires to obtain final plat approval of a subdivision containing existing private/public roads within the subdivision shall provide satisfactory evidence to the Commissioners Court that said streets and roads comply with the minimum current standards for road construction as approved by the Court. The Commissioners Court may require a certification from a Professional Engineer, licensed to practice in the State of Texas, that the private streets/roads do comply with County construction standards and specifications. Additional inspection and testing of the streets/roads may be required as necessary. All expenses for certification, inspection and testing shall be the responsibility of the owner. The roadway design plans shall contain the following statement executed by the Professional Engineer responsible for the design:

I, \_\_\_\_\_, am a licensed professional engineer authorized to practice in the State of Texas. I have been involved in the preparation of the plat application submittal on behalf of the Applicant. The design of the proposed roadways and drainage improvements complies with the Grayson County Engineering and Construction Standard Manual.

- 4.1.13 The owner/developer shall be responsible for the installation of street identification signs and all other required signs identified on the construction plans prepared by the developer's engineer. All signs shall be designed and installed in accordance with the most current



version of the Texas Manual on Uniform Traffic Control Devices, unless approved by Grayson County Director of Development Services. Signs installed on roadways the county accepts for maintenance will be maintained by the county. All other signs will be maintained by the property owner's association.

- 4.1.14 Monument signs at the entrances to subdivisions shall be placed outside the right of way for roads that desire county maintenance.

#### 4.2 Acceptance of Subdivision Improvements

Acceptance of roads and drainage improvements for County maintenance requires a separate action of the Commissioners Court and is at the discretion of the precinct Commissioner. Approval of a final plat does not constitute acceptance of roads for County maintenance.

- 4.2.1 A developer may apply for an exception to the paving requirement for local streets or roads and the Commissioners Court may grant an exception when the smallest lot in the subdivision is ten (10) acres or more in area and the roadway is owned by a homeowner's association and it is privately maintained.
- 4.2.2 Any exceptions to these Regulations require approval from the Commissioners Court, which shall be granted only when the Commissioners Court, in its discretion, decides that there is good cause for such exception.

#### 4.3 Easements

- 4.3.1 Utility easements shall be a minimum of ten (10) feet in width along the front property line. It shall be the responsibility of the owner to ensure that all utility easements are of the proper width and location to serve the utility companies.
- 4.3.2 Installation of utility lines within Grayson County right of way shall meet requirements of the most recently adopted Grayson County Policy, Procedures And Specifications Of Grayson County, Texas For The Installation Of Driveway Culverts, Road Bores, Use Of Heavy Equipment And Utility Lines Within Grayson County Road Right-of-Way.
- 4.3.3 If new streets or roads are constructed over existing petroleum pipeline crossings the pipe shall be protected as follows:
- Encased pipe shall be a minimum of three (3) feet below the deepest proposed ditch line.
  - Non-cased pipe (of extra wall thickness meeting federal regulations) shall be a minimum of four (4) feet below the deepest proposed ditch line.
  - Grayson County will not accept roads for maintenance which contain a petroleum pipeline within the right of way, other than a crossing pipeline. Approval from the pipeline company is required for new streets/roads crossing easements.
- 4.3.4 Drainage easements shall be dedicated by the owner of sufficient width and location in order to maintain and construct the storm water drainage system based on plans prepared by a Professional Engineer.
- 4.3.5 Drainage easements shall generally be located along existing drainage channels and equal the top width of the channel plus ten (10) feet on each side.
- 4.3.6 Where drainage crosses a street or road the storm drainage shall be carried in pipe(s) or through bridges or culverts sized by a Professional Engineer at the developer's expense.

Additional drainage easements, outside the right of way and at culvert crossings may be required by the Commissioners Court for maintenance and/or protection of the street/road system.

- 4.3.7 Grayson County does not provide maintenance for drainage other than for drainage necessary for protecting the street or road system.

#### 4.4 Lots

- 4.4.1 If the owner of a proposed subdivision establishes, through soils test by a site evaluator, registered sanitarian, or a registered Professional Engineer (all to be registered in the State of Texas), that Class Ib, II, or III soils dominate a proposed subdivision, the owner may request approval of lot sizes less than one acre, but at least ½ acre in size for access to a public water supply and 1.0 acres without access to public water supply. Upon the request for small lots, the Grayson County Commissioners Court may consider and authorize the smaller lot. This process is to take place during the time the proposed subdivision plat is being considered by the Court.
- 4.4.2 Lot sizes shall comply with the most recently adopted Grayson County Order Entitled On-Site Sewage Facilities and shall meet all setback requirements identified in 30 TAC 285.90 Table X. If the Commissioners Court approves the ½ acres or larger lot size(s), the Director of Development Services may authorize the construction and use of an OSSF once the applicant meets all the other TCEQ and Grayson County requirements.
- 4.4.3 Any subdivision with lot sizes less than 1 acre must provide for concrete streets within the development and the full frontage length of any existing County Road. Specifications for construction are included in the Grayson County Engineering and Construction Standard Manual.
- 4.4.4 Building setback lines shall be set at the front of the property and shall be fifty (50) feet from the edge of the right of way along all existing state or federal roads and highways, as well as any road shown on the Grayson County Thoroughfare Plan. The building setback line from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the preliminary and final plats. For property located within the Lake Ray Roberts Zoning District, the provisions of the Lake Ray Roberts Zoning Ordinance shall apply for building setback requirements. No building or structure may be permitted in the area between the setback and the roadway right of way. **(Amended on 11/19/24)**
- 4.4.5 Lots shall be a minimum of sixty feet (60') in width as measured along the front property line. ~~No more than two lots that are not at least one hundred feet (100') in width as measured along the front property line may be placed adjacent to each other.~~ For lots fronting on a cul-de-sac, the minimum width should be measured as minimum of 60' on the building line setback. **(Amended on 04/09/24)**
- 4.4.6 All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of these Regulations and which has the required dedicated right of way.
- 4.4.7 In all subdivisions and additions, monuments shall be established at the corners of each block and lot in the subdivision, consisting of an iron rod or pipe that is easily distinguishable from any other markers, set flush with the top of the ground.

4.4.8: Driveways shall not encroach onto any adjacent lots. ***(Added on 11/19/24)***

4.4.9: When a proposed subdivision contains 30 lots or more, the developer can either submit a Traffic Impact Analysis or donate funds towards maintenance of the perimeter roads. ***(Added on 11/19/24)***

#### 4.5 Floodplains

Subdivisions that are located in a flood zone as shown on the current Flood Insurance Rate Map (FIRM) for Grayson County will comply with this section. Subdivisions containing a floodway may be subject to an encroachment review and required to submit an encroachment certification by a Professional Engineer. The developer shall be responsible for the costs of any engineering studies and certifications necessary to determine the impact of improvements on flood flows downstream and flood heights upstream and adjacent to the subdivision.

4.5.1 All subdivision submittals shall comply with the most recently adopted Grayson County Flood Damage Prevention Order.

4.5.2 The finished floor elevation for each lot located in the floodplain shall be shown on the plat and the boundaries of the floodplain shall be delineated.

4.5.3 The preliminary and final plat shall be noted "A development permit is required from Grayson County prior to any construction in the floodplain".

4.5.4 Permanent type benchmarks shall be set in appropriate locations with the description and elevation shown on the plat.

4.5.5 Grayson County is not responsible for the provision and maintenance of drainage to reduce flood damage on individual private lots.

#### 4.6 Private Subdivision Roadways

Private roadways are subject to the same platting, construction plan review, election of how to secure performance, construction, inspection, acceptance (as complete) processes and requirements, Warranty and Maintenance Bond requirements as a public road, and must be constructed to Grayson County Engineering and Construction Standard Manual unless otherwise provided in Section 4.2.1. Subdivisions utilizing private roads shall comply with the following requirements:

4.6.1 To secure complete construction of the infrastructure, the Applicant may elect to have the County withhold the recordation of the final plat until the County's acceptance of the roadway and drainage improvements as complete, or have the contractor provide a performance bond or other financial guarantee. Although the Applicant is the beneficiary of any financial guarantee, such financial guarantee must be submitted to the Director of Development Services for review and approval. This is to verify that the Applicant has adequately made provision for securing completion of the Private Road.

4.6.2 Where the Subdivision involves private roads, the following Plat Notes shall appear on or be appended to the final plat in addition to any other Plat Notes required by these Regulations:

- Except as otherwise provided by Grayson County's Subdivision Regulations, private roads must meet the requirements in the Grayson County Engineering and Construction Standard Manual.

- Streets/roads shown herein shall be maintained in perpetuity by the owners in the subdivision and provisions established for assessment of property to provide for perpetual maintenance.
  - Grayson County will never accept or maintain the streets/roads unless they meet the Grayson County Engineering and Construction Standard Manual in effect on the date of acceptance.
  - A homeowner's association will be created upon recordation of this plat. Membership is mandatory for each lot owner. The homeowner's association shall be responsible for maintenance of the roads in this Subdivision in perpetuity with such maintenance to be funded by dues collected from members. A copy of the association rules shall be submitted with the plat for recording.
  - All deeds conveying lots in this Subdivision must contain notice to the grantee that all roads in the Subdivision are private and will not be maintained by Grayson County.
  - Roads must be maintained to such a standard that will allow access by police, fire, and emergency service agencies. This, at a minimum, requires a travelable causeway with an all-weather surface capable of supporting 75,000 pounds.
  - Grayson County is not responsible for traffic enforcement within the Subdivision.
- 4.6.3 The developer will place a sign at the entrance to the subdivision advising that the streets/roads are privately maintained. The sign will be clearly visible and will be maintained in good repair by the developer and homeowners' association.
- 4.6.4 A sixty (60) foot minimum access easement is required for all private streets or roads to allow access by emergency services. This requirement may be waived by Commissioners Court if the property owners of 50% of the parcels on a plat sign a petition requesting a variance.
- 4.7 Design Requirements for Utilities
- 4.7.1 Utilities and their appurtenances shall be placed in dedicated utility easements.
- 4.7.2 Utility easements shall be outside the design-year (i.e., 25-yr) floodplain of the drainage conveyance system.
- 4.7.3 Utilities placed within the 100-yr floodplain shall meet all local, state, and federal requirements.
- 4.7.4 Refer to the Grayson County Engineering and Construction Standard Manual and Grayson County Flood Damage Prevention Ordinance for additional utility placement requirements.
- 4.7.5 No structures, walls, or other obstructions shall be built over utility easements.
- 4.8 Shared Access Driveways
- 4.8.1 Where adequate driveway spacing cannot be achieved to meet the regulations of the Texas Department of Transportation or Grayson County, shared access driveways may be considered on state-maintained roadways. Shared access driveways will not be considered from County Roads. TxDOT's approval of a proposed shared access driveway shall be submitted to Grayson County prior to plat approval.
- 4.8.2 Any plat submittal proposing shared access driveways shall also satisfy the following requirements:

- Each of the lots sharing use of the shared access driveway shall hold equal, indivisible, irrevocable and unrestricted rights in the shared access driveway, which rights shall be established by a recorded easement and the easement shall run with the land of each of the benefited lots. The easement instrument (plat or separate instrument) shall clearly state each lot's pro rata responsibility with respect to future maintenance and/or repairs of the shared access driveway.
- The postal address of each of the lots shall be based upon the public roadway from which the shared access driveway gains access, and the mailboxes for each of the lots shall be located together (i.e., clustered) along the edge of the right of way.
- Requirements as stated in Section 4.4.5.

4.8.3 Where a plat submittal proposes a shared access driveway, the following Plat Notes shall appear on or be appended to the final plat in addition to any other Plat Notes required by these Regulations:

- All deeds conveying lots in the Subdivision must contain a notice to the grantee that the access easement is private and will not be maintained by Grayson County.
- The access easement must be maintained to such a standard that will allow access by police, fire, and emergency service agencies. This, at a minimum, requires a travelable causeway with an all-weather surface capable of supporting 75,000 pounds.

#### 4.9 Commercial Off-Street Parking

4.9.1 All commercial parking stalls shall be a minimum of 10ft Wide by 20ft long. ***(Added on 04/09/24)***

## 5. VARIANCE

### 5.1 Criteria for Variances

5.1.1 The Commissioners Court shall have the authority to grant variances from these Regulations when a special public interest and/or the requirement of justice demands relaxation of the strict requirements of these rules. Any variance granted shall not have the effect of nullifying the intent and/or purpose of these Regulations. The conditions upon which the request for a variance is based shall be unique to the property in question, and not generally applicable to other property.

5.1.2 Factors to be considered by the Commissioners Court in evaluating a request for variance shall include:

- Whether strict enforcement of the Regulations would deny the Applicant the privileges or safety of similarly situated property with similarly timed development;
- The actual situation of the property in question in relation to neighboring or similar properties, such that no special privilege not enjoyed by other similar situated properties may be granted;
- That the granting of the variance will not be detrimental to the public health, safety, and welfare, or injurious to other property, or will not prevent the orderly subdivision of the land in the area in accordance with these Regulations; and,
- Whether there are special circumstances or conditions affecting the land involved in the proposed development such that strict application of these Regulations would deprive the Applicant of the responsible use of their land, or would result in undue hardship to the Applicant, through no fault of the Applicant.

### 5.2 Application Materials and Fees

5.2.1 Any person who wishes to apply for a variance should apply in writing to the Director of Development Services with a list of, and detailed justification for, any variance(s) requested at the time of plat submittal. The filing fee for a variance application shall be as set from time-to-time by the Commissioners Court. Variance fees will be set annually by the Grayson County Commissioners Court during their regular budget adoption process and can be found at <https://www.co.grayson.tx.us/page/dev.home>. All variance fees are NON-REFUNDABLE and NON-TRANSFERABLE.

### 5.3 Grant or Denial of Variance

The decision of the Commissioners Court to grant or deny a variance will be final.  
VARIANCES DO NOT APPLY TO OSSF REGULATIONS OR REQUIREMENTS OF STATE OR FEDERAL LAW.

## 6. ENFORCEMENT

The Commissioners Court of Grayson County shall have the authority to refuse to approve and authorize any map or plat of any such subdivision, unless such map or plat meets the requirements as set forth in these Regulations.

At the request of the Commissioners Court of Grayson County, the Criminal District Attorney or any other prosecuting attorney representing the County may file an action in a court of competent jurisdiction to:

- enjoin the violation or threatened violation of a requirement established by or adopted under these Regulations, or
- recover damages in an amount adequate for the County to undertake any construction or other activity necessary to bring about compliance with a requirement established by or adopted under these Regulations.
- a person commits an offense if the person knowingly or intentionally violates a requirement established by or adopted under this Act by the Commissioners Court.

## **7. SEVERABILITY**

If any provision of these Regulations or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Regulations and the application thereof to other persons and circumstances shall not be affected.



## 8. EXCEPTIONS TO PLATTING

Pursuant to the Texas Local Government Code, the following exceptions to ~~subdivision of land~~ and the filing of a plat are effective. The exceptions listed do not apply if new streets/roads are to be constructed in order to provide a daughter tract with access frontage on a public or private road or if access easements are provided for the use of tract owners adjacent to such easements. An owner who claims an exception to platting may be required to submit documentation to the County to verify he or she is complying with the qualifications of the exception. The documentation may include an affidavit claiming the exception to platting and including a detailed basis for the exception, under penalties of perjury, and copies of deeds or other instruments creating the daughter tracts.

Land divisions that are initially exempt, under this Section, or development on tracts which were a part of a division that was initially exempt, require approval under these Subdivision Regulations at the time that subdivision of the land, as defined herein, is proposed to occur or at the time that the intended development on the tract exceeds the nature of the particular exemption. Exemption from these Regulations does not exempt the Applicant from requirements arising under Grayson County Rules for On-Site Sewage Facilities and/or Floodplain Management Regulations. ***(Added on 04/09/24)***

### 8.1 Lot Size

A plat is not required if:

- all of the daughter tracts are more than ten (10) acres in area; and
- the owner does not lay out on the parent tract any 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.

### 8.2 Family Grants

A plat is not required if the owner of a tract divides the tract and:

- the owner does not lay out a part of the tract for streets, alleys, access easements, squares, parks, or other parts 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; and
- each of the lots is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity.

If any lot is sold, given, or otherwise transferred to an individual who is not related to the owner of the parent tract within the third degree by consanguinity or affinity, the platting requirements of these Regulations apply. Consanguinity and affinity are determined in accordance with Texas Government Code Chapter 573. In general, the term third degree of consanguinity refers to parents, children, brother, sister, grandparent, grandchild, great-grandparent, great-grandchild, aunt who is a sister of a parent of the owner, uncle who is the brother of a parent of the owner, nephew or niece who is a child of a brother or sister of

a parent of the owner. In general, the third degree of affinity includes the owner's spouse, any person related to the owner's spouse in the third degree of consanguinity and the spouse of any person related to the owner within the third degree of consanguinity.

### 8.3 Phased Subdivisions

A plat is not required of an owner who divides a tract into two or more parts if:

- one daughter tract is to be retained by the owner and the other daughter tract is to be transferred to another person who will further subdivide that tract subject to the plat approval requirements of these Regulations and the Texas Local Government Code; and
- the owner does not lay out any streets, alleys, access easements, 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.

Properties subdividing under this exemption are not eligible for an E911 address or an OSSF permit.

### 8.4 Agriculture Use

A plat is not required of a landowner who divides a tract into two or more parts if:

- the owner does not lay out a part of the tract for streets, alleys, access easements, squares, parks, or other parts 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; and
- every daughter tract is 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-d-1, Article VIII, Texas Constitution.

If any daughter 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.

Properties subdividing under this exemption are not eligible for an E911 address or an OSSF permit.

### 8.5 Veterans Purchase

A plat is not required if all of the lots are sold to veterans through the Veteran's Land Board program and the owner of the parent tract does not lay out any streets, alleys, access easements, 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.

### 8.6 Government Land

A plat is not required for the subdivision of a tract of land belonging to the State or any State agency, board, or commission or owned by the Permanent School Fund or any other dedicated funds of the State unless the subdivision lays out any streets, alleys, access easements, 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.

8.7 Sale of Government Land in a Floodplain

A plat is not required if the owner is a political subdivision of the State of Texas; the land is located in a floodplain and the land is sold to adjoining landowners.

8.8 Partition Among Original Owners

A plat is not required for the division of a tract if:

- all parts are transferred to persons who own an undivided interest in the original tract and a plat is filed before any further development of any part of the tract; and
- the owner does not lay out any streets, alleys, access easements, 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.

8.9 Process for Exemptions

To avoid the misapplication of an exemption which could result in the violation of these regulations, an owner is required to apply for a formal determination by filing an Application for Formal Determination of Exemption Status with the Director of Development Services. No fee is required. The Director of Development Services shall review the application and the reasoning provided therein, and within ten (10) business days of receipt shall make his/her formal determination in writing, which shall be mailed to the owner. If the formal determination is that an exemption from these Subdivision Regulations does not apply, the owner may appeal that determination pursuant to the procedures in these Subdivision Regulations. **(Added on 04/09/24)**

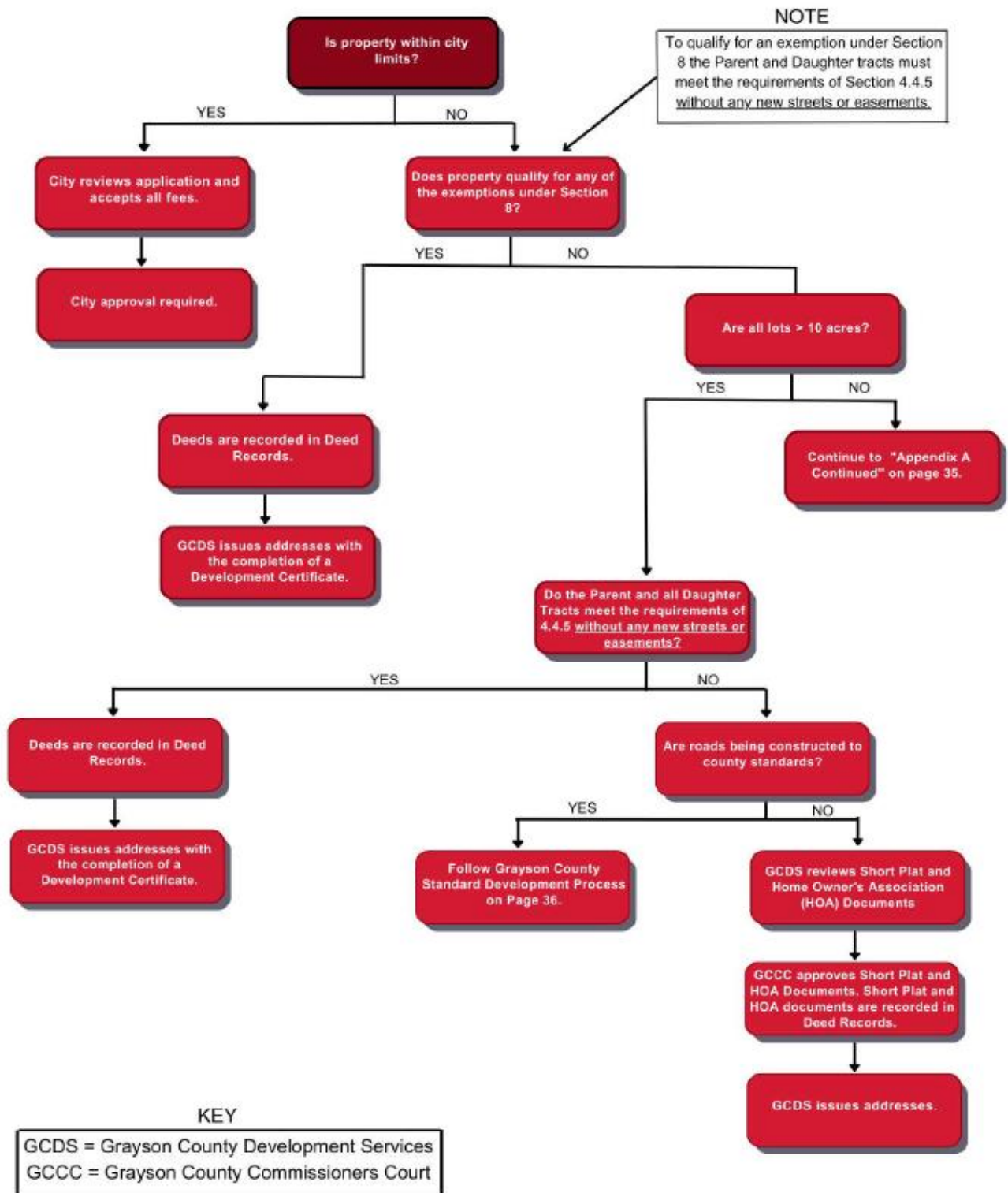
8.10 Version of Regulations Applicable

- A plat that has received approval prior to the effective date of this 2024 amendment to the Regulations, and has not expired, shall be subject to the subdivision regulations in effect immediately prior to these Amended Regulations, and such regulations are kept in effect for such purposes. **(Added on 04/09/24)**
- A plat application that is pending at the time that this 2024 amendment to the Regulations is adopted by the Commissioners Court shall be subject to the subdivision regulations in effect immediately prior to these Regulations, and such regulations are kept in effect for such purposes. **(Added on 04/09/24)**
- A plat application filed after the effective date of this 2024 amendment to the Regulations is subject to these amended regulations. J. OSSF Permit, Culvert Permit, or Other Required Permit No OSSF Permit, Culvert Permit, nor other applicable required permit shall be issued for a lot in a subdivision for which a plat has not been approved. **(Added on 04/09/24)**

8.11 Appendices Incorporated

The appendices to these Regulations are incorporated herein by reference and are hereby made a part of these Regulations. **(Added on 04/09/24)**

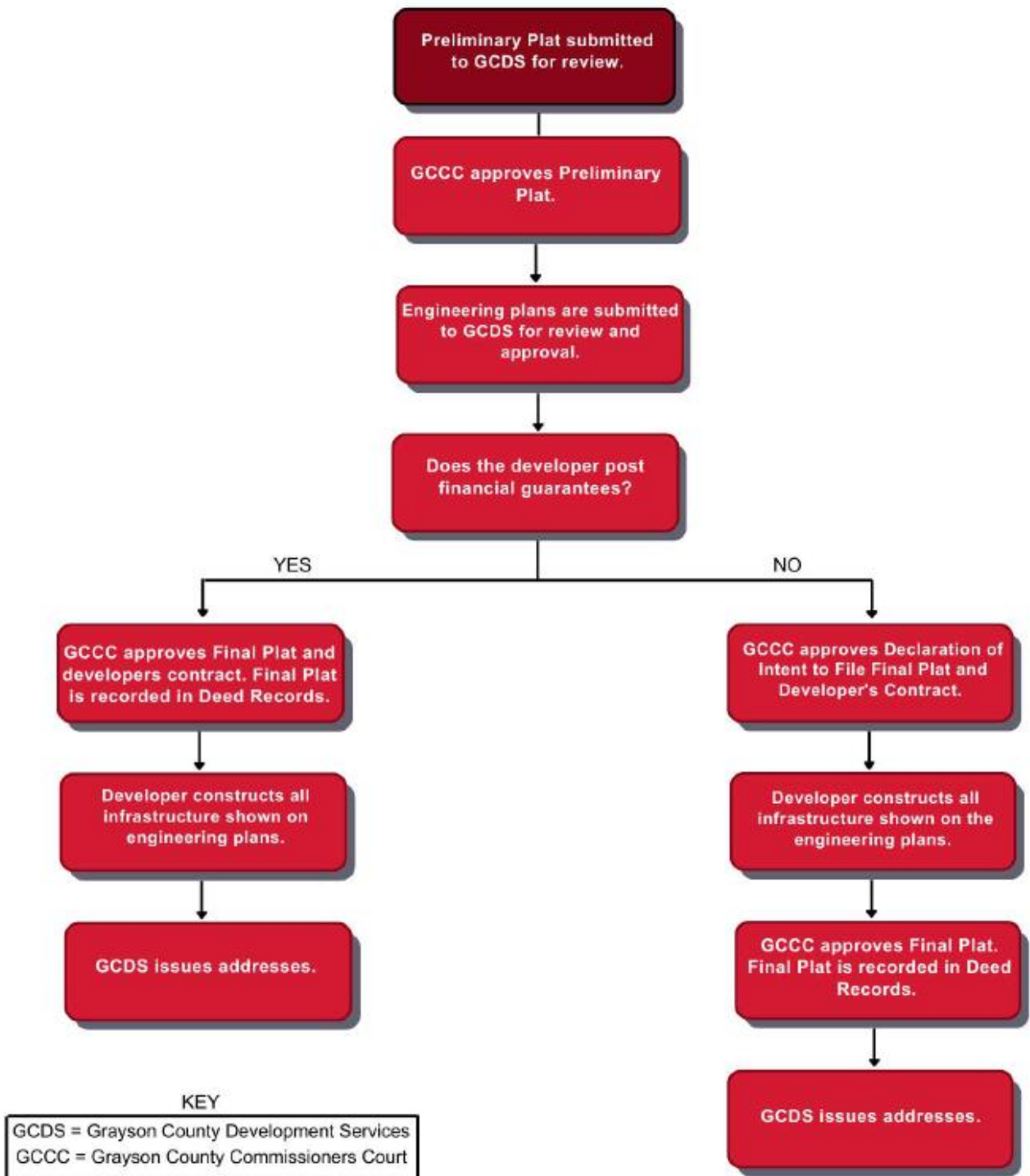
**Appendix A – APPROVAL FLOW CHART**



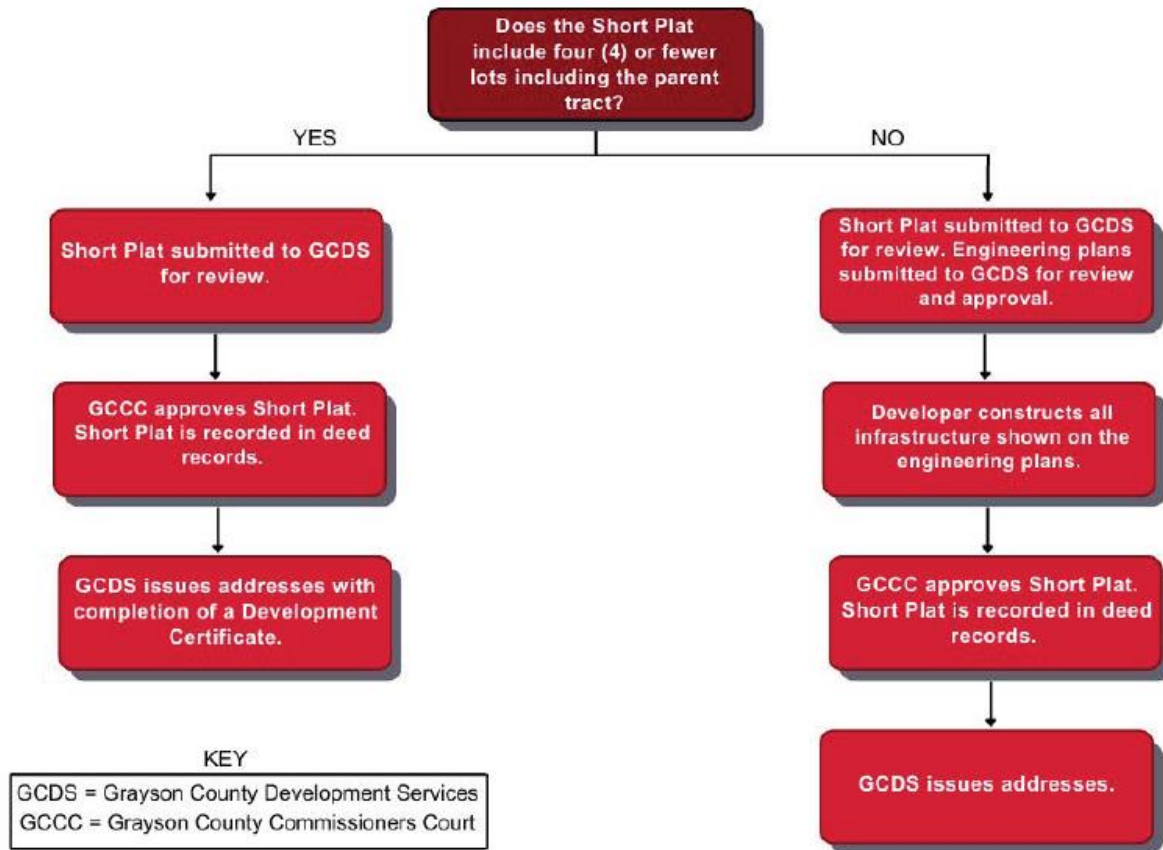
Appendix A – APPROVAL FLOW CHART CONT'D



**Appendix A – APPROVAL FLOW CHART  
STANDARD DEVELOPMENT PROCESS**



**Appendix A – APPROVAL FLOW CHART  
SHORT PLAT PROCESS**





**Appendix B - PLAT NOTES FOR COUNTY OFFICIALS**

**County Commissioners Approval**

STATE OF TEXAS           §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF GRAYSON   §

I, \_\_\_\_\_(CURRENT COUNTY JUDGE), County Judge of Grayson County, Texas do hereby certify that this final plat, with field notes hereon, having been fully presented to the Commissioners Court of Grayson County, Texas and by the said Court duly considered, was on this day approved and the plat is authorized to be registered and recorded in the proper records of the County Clerk of Grayson County, Texas.

\_\_\_\_\_  
(Current County Judge), County Judge  
Grayson County, Texas

\_\_\_\_\_  
Date

**County Clerk's Approval**

**Certificate of Compliance**

The undersigned, the County Clerk of Grayson County, Texas, does hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Grayson County Commissioners Court by appropriate minute order did find that this final plat of \_\_\_\_\_ is in compliance with applicable state and county subdivision regulations and did approve the same for filing in the plat records of Grayson County, Texas.

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Clerk  
Grayson County, Texas

**Appendix B– PLAT NOTES FOR COUNTY OFFICIALS  
(Page 2)**

**Acceptance of Dedication of Any Public Ways**

Certificate Acceptance of Dedication

The undersigned, the County Clerk of Grayson County, Texas does hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that all the owners of real property described above did execute and deliver unto the Grayson County Commissioners Court their dedication of all streets, alleys, parks, easements, and other public areas to the public, a copy of which is affixed to the face of this plat; and the Grayson County Commissioners Court did by appropriate minute order accept the dedication of all streets, alleys, parks, easements and other public areas on behalf of the public.

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
County Clerk  
Grayson County, Texas

**Dedication Statement for Privately Maintained Roads**

The undersigned owner of the above described property states and acknowledges that the \_\_\_\_\_ - foot wide strip of land designated as \_\_\_\_\_ is a private access easement for the benefit of adjoining landowners only and that the road on said easement is a private road and not a public road nor a County Road of which all buyers or transferees of adjoining property are hereby notified and should take notice.

Witness my hand on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Owner

## Appendix C - DEVELOPER'S CONTRACT

STATE OF TEXAS                    §  
COUNTY OF GRAYSON    §

This agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Grayson County Commissioners Court (hereinafter referred to as GCCC) and \_\_\_\_\_ (hereinafter referred to as Developer), WITNESSETH THAT:

WHEREAS, as the Developer desires to obtain approval of proposed improvements to the subdivision known as \_\_\_\_\_ and to have the GCCC approve the streets, roads, and drainage improvements, the Developer and the GCCC have reached agreement in regard thereto :

NOW, THEREFORE, in consideration of the premises, the Developer and the GCCC do enter into the following agreement :

- A. Upon the execution of this agreement, the plat, plans, specifications, and orders of the GCCC, made in connection with the approval of this project, are confirmed, ratified, and agreed upon by both parties and the Developer agrees to comply with such orders of GCCC as applicable to said Subdivision; and all work will be done under the supervision of the GCCC to County standards and in accordance with applicable County regulations.
- B. The plat, plans, specifications, and County orders of the GCCC, referred to in Part 'A' above, are made a part thereof.
- C. The Developer will pay for and transfer ownership to the County or legally recognized homeowner's association (or equivalent), free and clear of all liens and costs, all of the improvements provided by the plat, plans, specifications, and orders of the GCCC as mentioned in Part 'A' and 'B' above.
- D. The Subdivision may be developed in segments, but no construction of any building or any lots within the Subdivisions (if the improvements are constructed in segments) shall occur nor public utilities be supplied to any of said lots within the second segment, until financial guarantees are deposited with the County, (if any of the improvements are to be constructed by the County) or contracts and performance bonds are hereinafter required for the first segment are delivered to and accepted by the County.
- E. No work shall be performed within the proposed Subdivision until the Developer presents to the GCCC a satisfactory financial guarantee in favor of the County. Such guarantee shall be made for one hundred percent (100%) of the contract price for all streets, roads, and drainage work to be installed in the new Subdivision and shall be in the form as promulgated by the GCCC.
- F. No public facilities will be made available to any lot within any segment until the work on each segment is performed as agreed upon.
- G. All of the plans and specifications of the improvements herein mentioned shall be prepared by a Texas Licensed Professional Engineer, and all of the improvements shall be built under

the supervision of such engineer, and the engineer shall certify to the County that, as each segment is built, such segment as built is true and correct in accordance with the plans and specifications, and that same was built under his supervision, and the certificate shall be signed and sealed by such engineer. All of the expenses of such engineering shall be paid for by the Developer. All contracts and engineering shall be delivered to the County.

- H. Before work is begun on any improvement, the County shall be notified and arrangements made for inspection by the County at such stages of construction as required and no improvement constructed underground shall be covered by the Developer until inspected by the County. At any time any construction is contrary to the plans and specifications, or the installation is not satisfactory to County specifications, the County shall be empowered to stop construction and require correct construction and installation at the Developer's risk and without liability to the County.
- I. The work will be coordinated between the County and the Developer so that the utilities will be in place before the permanent improvements are installed.
- J. The requirements of this contract shall be binding on the Developer's heirs, executors, and assigns, and the Developer agrees to notify the assignee of any undeveloped lot of the requirements of this contract before any conveyance is made.
- K. The Developer will make his own arrangements with gas, electric, and telephone service for extensions of their utilities.
- L. TIME LIMITATIONS: All conditions, requirements, approvals, inspections and other actions Referred to herein shall be completed within twelve (12) months of the date of this agreement.
- M. SPECIAL PROVISIONS:

IN WITNESS WHEREOF parties have caused this agreement to be executed in duplicate as of the first date above written.

DEVELOPER:

\_\_\_\_\_

By: \_\_\_\_\_

ATTEST:

GRAYSON COUNTY COMMISSIONERS COURT:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Judge

**Appendix D - DECLARATION OF INTENT  
TO  
APPROVE FINAL PLAT**

STATE OF TEXAS                    §  
COUNTY OF GRAYSON       §

A Declaration of Intent, issued by the Grayson County Commissioners Court (hereinafter referred to as "GCCC") on this date \_\_\_\_\_ for the purpose of laying out the terms and conditions which must be met before the authorization of the filing of the forthcoming final plat of \_\_\_\_\_.

WHEREAS, the GCCC has been presented a preliminary plat of the subdivision of Property within the unincorporated area of Grayson County; and WHEREAS, the GCCC has reviewed the preliminary plat for compliance with existing Subdivision Regulations and Road Standards duly adopted by the GCCC; and WHEREAS, the GCCC has approved the preliminary plat and authorized the preparation of the final plat based on conformance to the preliminary plat; and WHEREAS, the GCCC hereby issues this Declaration of Intent in response to a written request from the Developer.

NOW, THEREFORE, the GCCC hereby declares its intent to approve the final plat of \_\_\_\_\_ If and when the following terms and conditions are met Within six (6) months from the date of this Declaration:

- 1) Final plat prepared and submitted to GCCC for review in conformance with the approved preliminary plat,
- 2) Engineering plans and specifications for all public improvements have been submitted and approved,
- 3) Developer's Contract and all other Documents, as required, have been submitted, and
- 4) SPECIAL PROVISIONS:

ATTEST:

\_\_\_\_\_  
Developer

\_\_\_\_\_  
County Clerk, Grayson County

\_\_\_\_\_  
County Judge, Grayson County

**Appendix E – OWNER AUTHORIZATION FORM**

Description of Property to be Subdivided:

Authorization.

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of a Plat Application for the subdivision of the Property. I/we hereby authorize \_\_\_\_\_ to sign the Plat Application and other necessary instruments on my/our behalf, and to act on my/our behalf during the processing and presentation of the Plat Application. \_\_\_\_\_ shall be the principal contact with the County in processing the Plat Application.

OWNER(S)

\_\_\_\_\_

Signature

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Signature

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Signature

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

[Continue with additional pages if necessary]

**Appendix F – CERTIFICATIONS**

Unless the context clearly shows otherwise, the following Certifications must be on or appended to each Plat.

**1. Owners Certificate [where there is a public dedication]**

STATE OF TEXAS

COUNTY OF GRAYSON

Whereas, \_\_\_\_\_(owners name) are the owners of a tract of land situated in the (name) Survey, Abstract No. (#), Grayson County, Texas, and being out of a (#) acre tract conveyed to them by (name), and being more particularly described as follows:

**(property description to be provided here)**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That \_\_\_\_\_(owner name) acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as (Subdivision Name), an addition to Grayson County, Texas and does hereby dedicate to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The (owner name) does herin certify the following:

1. The streets and alleys, if any, are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications are free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown, and created by this plat, are dedicated, for the public use forever, for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other imnprovements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements.
5. Utility easements may be used for the mutual use and accommodation of the all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public’s use thereof.
6. The public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements.
7. The Public Utilities shall at all times have the full right of ingress and egress to or from their respective easement for the purpose of construction, reconstructing, inspecting, patrolling,

maintaining, reading meters and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

8. The owners of the lots adjacent to or upon which drainage easements are created by this plat or the homeowner's association will be responsible for the maintenance and or the reconstruction of the drainage improvements constructed in said easements for the purpose of assuring the flow of storm water to the degree required by the design and original construction
9. Grayson County will not be responsible for maintenance or repair of drainage improvements on private lots or adjacent thereto.
10. Grayson County shall have the full right of ingress and egress to or from a drainage easement if necessary to maintain or repair the effect the drainage system in that easement is having on the use and maintenance of a roadway and the drainage sysetms of the roadway.
11. Roadways of the Subdivision are public roads and neither applicant or any future owner has the right to obstruct the Roadways by a fence, gate, or otherwise.
12. All modifications to this document shall be by means of plat and approved by Grayson County.
13. This plat is subject to the Subdivision Regulations of Grayson County, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BY:

---

Authorized signature.

---

Printed name and title.

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

---

Notary Public, State of Texas

My commission expires: \_\_\_\_\_



**2. OWNER CERTIFICATION-PRIVATE**

STATE OF TEXAS  
COUNTY OF GRAYSON

Whereas, \_\_\_\_\_(owners name) are the owners of a tract of land situated in the (name) Survey, Abstract No. (#), Grayson County, Texas, and being out of a (#) acre tract conveyed to them by (name), and being more particularly described as follows:

**(property description to be provided here)**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That \_\_\_\_\_(owner name) acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as (Subdivision Name), an addition to Grayson County, Texas

The owner(s) of the property described above and wish to subdivide same into lot(s) and block(s), do hereby adopt this plat attached hereto and titled “\_\_\_\_\_ to Grayson County, Texas” as our legal subdivision of same and do hereby dedicate to the owners of the lots in said subdivision, public utilities serving said subdivision, emergency services providers with jurisdiction and public service agencies, the use of all the private streets and other easements shown hereon and do hereby grant an express easement across said private streets shown hereon for the use, benefit and accommodation of the County for any purpose related to the exercise of a governmental service or function, including, but not limited to emergency vehicle access, inspection services and code enforcement and for the mutual benefit, use and accommodation of all public utility entities. All streets shown hereon are private streets and are not dedicated for use as public streets or rights-of-way, and the public shall have no right to use any portion of such private streets. The sale of the lot(s) shown on this plat shall be made subject to the restrictions and conditions recorded in the Official Public Records of Grayson County

By filing this plat of record, owner(s) and all future owners by purchasing lots with reference to this plat **acknowledge and covenant that Grayson County is not accepting the Subdivision Roadways for maintenance and shall have no obligation to maintain or repair the Roadways in this Subdivision.**

That Utility easements may be used for the mutual use and accommodation of the all public utilities desiring to use or using the same unless the easement limits the use to particular utilities.

That the public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements.

That the Public Utilities shall at all times have the full right of ingress and egress to or from their respective easement for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, reading meters and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

That the owners of the lots adjacent to or upon which drainage easements are created by this plat or the homeowner's association will be responsible for the maintenance and or the reconstruction of the drainage improvements constructed in said easements for the purpose of assuring the flow of storm water to the degree required by the design and original construction.

That Grayson County will not be responsible for maintenance or repair of drainage improvements on private lots or adjacent thereto.

Grayson County shall have the full right of ingress and egress to or from a drainage easement if necessary for emergency repair if the drainage system in that easement is causing flooding or damage downstream.

A homeowner's association will be created upon recordation of this plat. Membership is mandatory for each lot owner. The homeowner's association shall be responsible for maintenance of the roads in this Subdivision in perpetuity with such maintenance to be funded by dues collected from members.

Roads will be maintained to such a standard that will allow access by police, fire, and emergency service agencies. This, at a minimum, requires a travelable causeway with an all-weather surface capable of supporting 75,000 pounds.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BY:

---

Authorized signature.

---

---

---

Printed name and title.

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires: \_\_\_\_\_

**3. LIENHOLDER CERTIFICATE (IF APPLICABLE)**

\_\_\_\_\_ (hereinafter "Lienholder") holds a lien on the property made the subject of the foregoing Subdivision Plat which is shown by an instrument filed at \_\_\_\_\_ in the Official Public Records of Grayson County, Texas (hereinafter "Lien"). Lienholder agrees to subordinate its Lien to the interests of the public in the roads and public easements dedicated by the foregoing Plat. Lienholder joins in the dedication of the roads and public easements as shown on the Plat to the extent of its lien interest in the property. The undersigned covenants that he/she is authorized to sign this certification on behalf of the Lienholder and to bind the Lienholder by his/her signature.

\_\_\_\_\_ ("Lienholder")

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires: \_\_\_\_\_

**4. SURVEYOR'S CERTIFICATION**

I am a Registered Professional Land Surveyor licensed by the State of Texas. This Plat is a true and accurate representation of the property described and platted hereon as determined by an actual survey made on the ground under my direction and supervision.

The property \_\_\_\_ is \_\_\_\_ is not \_\_\_\_ is partially within the 100 year floodplain

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

R.P.L.S. Number: \_\_\_\_\_

(Seal):

**5. CERTIFICATE OF APPLICANT'S ENGINEER**

I, \_\_\_\_\_, am a licensed professional engineer authorized to practice in the State of Texas. I have been involved in the preparation of the plat application submittal on behalf of the Applicant. The design of the proposed roadways and the design of the proposed drainage improvements and facilities complies with the Grayson County Engineering and Construction Standard Manual. Based on my review, the Subdivision is suitable for the use of On-Site Sewage Facilities.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

P.E. Number: \_\_\_\_\_

(Seal):

**6. CERTIFICATE OF DIRECTOR OF DEVELOPMENT SERVICES OR DESIGNEE**

This Plat meets the requirements of the Grayson County Subdivision Regulations.

\_\_\_\_\_  
Grayson County Director of Development Services

Date: \_\_\_\_\_

**7. CERTIFICATE OF DIRECTOR OF DEVELOPMENT SERVICES OR DESIGNEE WHERE APPROVAL OF PLAT INSTRUMENT DELEGATED**

CERTIFICATION OF GRAYSON COUNTY, TEXAS

I, \_\_\_\_\_, as Director of Development Services (designee) have been delegated the authority to approve the foregoing \_\_\_\_\_ Plat on behalf of the Commissioners Court of Grayson County, Texas. I hereby certify I exercised this authority on \_\_\_\_\_ to APPROVE the foregoing \_\_\_\_\_ Plat as the act and deed of the Grayson County Commissioners Court. This approval does not create an obligation upon Grayson County for the construction and/or maintenance of any roads or other improvements shown on the foregoing instrument.

\_\_\_\_\_  
Grayson County Director of Development Services (or Designee)



**Appendix G – SAMPLE PERFORMANCE BOND**  
Performance Bond for Subdivision Improvements

**Date:** \_\_\_\_\_

**Bond No.** \_\_\_\_\_

**Penal Sum:** \$ \_\_\_\_\_ ( \_\_\_\_\_ and \_\_\_\_\_/100 U.S. Dollars)

**Obligee:**

Grayson County, Texas  
County Judge  
Grayson County Courthouse  
100 W Houston St.  
Sherman, TX 75090

**Principal/Subdivider:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Surety:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Effective Date:** On submission of the Performance Bond to the Grayson County Development Services Department, being \_\_\_\_\_.

**Start Date:** On the date the Developer’s Contract and Final Plat are Approved.

**Expiration Date:** On the date a Substantial Completion Letter is issued by the Director of Development Services. This period being described herein as the “Performance Period.”

KNOWN BY ALL MEN THESE PRESENTS: That we, \_\_\_\_\_ (“Principal”) as Principal, and \_\_\_\_\_ (“Surety”) as Surety, are held and firmly bound unto Grayson County, Texas (“Obligee”) as Obligee, in the penal sum of

\_\_\_\_\_ DOLLARS AND \_\_\_\_\_/CENTS (“Penal Sum”) for payment whereof the said Principal and Surety bind themselves and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents:

WHEREAS, Principal will construct, or cause to be constructed the Road and Drainage Infrastructure Improvements (as defined below) shown on the Final Plat and in the accompanying filings pursuant to the plans and specifications approved by the County for the \_\_\_\_\_ SUBDIVISION (the "Subdivision"), a Final Plat being on file with the Grayson County Clerk, with such construction to be completed within the Performance Period set forth above and free of defects that prevent acceptance by the County of the Subdivision Improvements as complete.

WHEREAS, this bond is issued pursuant to the County's Subdivision Regulations (as the same may be amended from time to time), and must be in the amount of One Hundred Percent (100%) of the estimated construction costs of the Road and Drainage Infrastructure Improvements which are defined as: roads, streets, alleys, bridges, ditches, stormwater control and drainage improvements and facilities, and items associated therewith. The Road and Drainage Infrastructure Improvements are hereinafter referred to as "Subdivision Improvements".

WHEREAS, Principal and Surety firmly bind themselves to the obligation to construct the Subdivision Improvements in accordance with the County-approved plans and specifications within the Performance Period, free of defects that prevent acceptance by the County of the Subdivision Improvements as complete.

**NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that**

If within the Performance Period the Principal shall faithfully complete the Subdivision Improvements in accordance with the County-approved plans and specifications, then this obligation shall be void; otherwise to remain in full force and effect. If the Principal fails in its obligation, on demand by the Obligee the Surety must: 1) within 30 calendar days after notice is issued by Obligee pay over to the Obligee the cost to complete the Subdivision Improvements in accordance with the County approved plans and specifications as determined by the Obligee's engineering estimate, and/or to repair or reconstruct any defective work preventing acceptance by the County of the Subdivision Improvements as complete as determined by the Obligee's engineering estimate; OR 2) Within fifteen (15) calendar days after notice is issued by Obligee, notify the Obligee in writing of its election to promptly commence and complete construction, re-construction, replacement, repair, or maintenance of the Subdivision Improvements pursuant to the County-approved construction plans and specifications for the Subdivision Improvements. The surety may not engage the Principal to complete the Subdivision Improvements without prior written consent of the Obligee, which consent may be withheld in the Obligee's sole discretion.

Unless a separate Maintenance Bond is Provided, this Bond shall extend to cover the Two (2) year warranty period required by the County's Subdivision Regulations and shall protect the Obligee against defects in materials or workmanship, including but not limited to damage to or deterioration of the Subdivision Improvements, that occur before and during the Two (2) year period following the County's acceptance of the Subdivision Improvements as complete, due to any cause and to ensure that the Subdivision Improvements remain serviceable and maintained during such period.

Surety for value received stipulates and agrees that no change, extension of time, alteration or addition of time for completion or the work to be performed, or the plans, specifications or drawings shall in any way affect its obligation on this Bond, and Surety does hereby waive notice of any such change, extension of time, or change to plans and specifications or to the work to be performed thereunder.

Any action under this Bond or arising out of the project covered by this Bond shall have as its sole, mandatory venue a court of competent jurisdiction in Grayson County, Texas. Texas law shall govern.

Signed, sealed and dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Principal:** \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Surety:** \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ACKNOWLEDGMENT

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MYHAND AND SEAL of the office this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D.

\_\_\_\_\_  
Notary Public in and for the State of Texas

ACKNOWLEDGMENT

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MYHAND AND SEAL of the office this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_A.D.

\_\_\_\_\_  
Notary Public in and for the State of Texas

**Appendix H – SAMPLE MAINTENANCE BOND**  
Maintenance Bond

**Date:** \_\_\_\_\_

**Bond No.** \_\_\_\_\_

**Penal Sum:** \$ \_\_\_\_\_ ( \_\_\_\_\_ and \_\_\_\_\_/100 U.S. Dollars)

**Obligee:**

Grayson County, Texas  
County Judge  
Grayson County Courthouse  
100 W Houston St.  
Sherman, TX 75090

**Principal/Subdivider:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Surety:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Start Date:** Date of Final Acceptance as complete of the Road and Drainage Infrastructure Improvement(s) by the Director of Development Services. Acceptance Date: \_\_\_\_\_.

**Expiration Date:** On the date that is TWO (2) year after the Acceptance Date of the completed Road and Drainage Infrastructure Improvement(s) (hereinafter "Subdivision Improvements"). Said two years being described herein as the "Maintenance Period."

KNOWN BY ALL MEN THESE PRESENTS: That we, \_\_\_\_\_ ("Principal") as Principal, and \_\_\_\_\_ ("Surety") as Surety, are held and firmly bound unto Grayson County, Texas ("Obligee") as Obligee, in the penal sum of

\_\_\_\_\_  
( \_\_\_\_\_ DOLLARS AND \_\_\_\_\_/CENTS) ("Penal Sum") for payment whereof the said Principal and Surety bind themselves and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents:

WHEREAS, Principal has constructed, or caused to be constructed, and the County has approved the Subdivision Improvements (defined below) for the \_\_\_\_\_ SUBDIVISION (the "Subdivision").

WHEREAS, this bond is issued pursuant to the County's Subdivision Regulations (as the same may be amended from time to time), and covers One Hundred Percent (100%) of the construction costs for the Subdivision Improvements which consist of Road and Drainage Infrastructure Improvements for the Subdivision defined as roads, streets, alleys, bridges, ditches, stormwater control and drainage improvements and facilities, vegetative cover, and items associated therewith.

**NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that**

1. The foregoing recitals and statements are each all true and correct.

If Principal shall maintain and keep in good repair the Subdivision Improvements, including maintenance and repair due to defects in materials, workmanship, and including damage to or deterioration of the Subdivision Improvements that occur before and during the Maintenance Period due to any cause, and further ensure that the Subdivision Improvements remain serviceable and maintained during for the Two (2) year Maintenance Period, this bond shall be null and void; otherwise this bond shall remain a valid and enforceable obligation of the Principal and the Surety. Generally, the Principal will be given notice and a 30 day cure period unless the time remaining on Maintenance Period does not allow for a 30 day cure period.

2. If the Principal defaults on its obligation hereunder, a notice of default will be sent to the Principal and the Surety. The Surety shall have the following options:

- (a) Within 15 days of the date that notice of default is issued by the Obligee, agree to the Obligee doing or causing the work to be done, and pay the Obligee for such work in the amount of the engineer's cost estimate determined by the Obligee's engineer. The cost estimate is not required to exist at the time of the agreement. Once agreed, the engineered cost estimate will be determined.

- (b) Pay the Obligee within fifteen (15) calendar days after notice of default is issued by the Obligee, the amount the Obligee deems necessary based on a general cost estimate including contingency as set forth in the default letter, to ensure that any or all of the Subdivision Improvements are performing and do not have defects in materials or workmanship, correct damage to or deterioration of the Subdivision Improvements, and take action to make the Subdivision Improvements serviceable and maintained. Such payment shall be paid to Obligee in Grayson County, Texas, before 2:00 p.m. Central Standard Time on or before the twentieth (20<sup>th</sup>) day after the date of such notice. Funds may be received by wire transfer, or

- (c) Within fifteen (15) calendar days after notice of default is issued by Obligee, notify the Obligee in writing of its election to promptly commence and complete construction, re-construction, replacement, repair, or maintenance of the Subdivision Improvements pursuant to the County-approved construction plans for the Subdivision Improvements. The surety may not engage the Principal to complete the Subdivision Improvements without prior written consent of the Obligee, which consent may be withheld in the Obligee's sole discretion.

If the surety does not notify the Obligee of the option to be utilized within fifteen (15) calendar days after notice of default is issued by Obligee, Surety agrees that such shall constitute an election by Surety to pay the Obligee as provided in Section 2 (b) above.

Surety for value received stipulates and agrees that no change, extension of time, alteration, or addition of time for completion or the work to be performed, or the plans, specifications or drawings shall in any way affect its obligation on this Bond, and Surety does hereby waive notice of any such change, extension of time, or change to plans and specifications or to the work to be performed thereunder.

Any action under this Bond or arising out of the project covered by this Bond shall have as its sole, mandatory venue a court of competent jurisdiction in Grayson County, Texas. Texas law shall govern.

Signed, sealed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**Principal:** \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Surety:** \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ACKNOWLEDGMENT

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MYHAND AND SEAL of the office this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D.

\_\_\_\_\_  
Notary Public in and for the State of Texas

ACKNOWLEDGMENT

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MYHAND AND SEAL of the office this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D.

\_\_\_\_\_  
Notary Public in and for the State of Texas



**Appendix I – ALL BILLS PAID AFFIDAVIT**

Owner:

Affiant:

Bank:

Project Description/Location:

In order to induce the Owner and Bank as stated above the undersigned Affiant hereby certifies, under oath, that all obligations of Affiant incurred in the connection with Work completed at the site of otherwise named have been paid.

Affiant warrants, represents, and certifies that all laborers, subcontractors, materialmen, and all other person or parties who have provided labor or materials through, for, or on behalf of the Affiant to the above-noted construction project have been paid in full, and the Affiant is not aware of any claim for payment or lien by such person or party who has furnished Work on the project through or under Affiant.

Affiant, and all of his or its agents, employees, successors, assigns, subsidiaries, and legal representatives, will and do hereby waive and release all Mechanic's liens, or similar lien rights, which have or might arise as a result of the Affiant's or Affiant's agents' or employees providing labor and materials to the above-noted project covered by applications for payment by Affiant.

Affiant indemnifies and holds Owner harmless from any liens, debts or obligations which arise as a result of labor or material provided by or through Affiant to the project.

\_\_\_\_\_  
By: \_\_\_\_\_

[Signature of Affiant]

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

SUBSCRIBED AND SWORN TO before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
\_\_\_\_\_, \_\_\_\_\_ [title] of \_\_\_\_\_

[subcontractor/supplier], known to me or proved through photo identification.

\_\_\_\_\_ Notary Public in and for the State of Texas My commission  
expires: \_\_\_\_\_

**Appendix J – RIGHT-OF-WAY EASEMENT AGREEMENT**

**RIGHT-OF-WAY EASEMENT**

**STATE OF TEXAS** §  
§  
**COUNTY OF GRAYSON** §

For and in consideration of the sum of ten dollars (\$10.00) in hand paid by Grayson County, Texas, the receipt of which is hereby acknowledged, and other good and valuable consideration, including the benefits that will accrue to my property, I, \_\_\_\_\_, (“GRANTOR”) of Grayson County, Texas, as the owner of that certain tract of land in Grayson County, Texas, depicted by metes and bounds description in Exhibit “A” attached hereto and incorporated herein for all purposes of this dedication, do hereby dedicate same to Grayson County, Texas, for the use and benefit of the public as a perpetual right-of-way and easement for the passage and accommodation of vehicular and pedestrian traffic, and the construction, operation, use, maintenance, inspection, repair, alteration, and replacement of a paved road within the boundaries of the right-of-way and easement area, and for all other purposes for which a public road and right-of-way is commonly used, including installing, repairing, maintaining, altering, replacing, relocating and operating utilities in, into, upon, over, across, and under said right-of-way, and including but not limited to all such uses permitted by the Laws of the State of Texas and the rules of Grayson County, Texas.

**TO HAVE AND TO HOLD** said right-of-way and easement unto Grayson County, Texas, its successors and assigns, and GRANTOR hereby binds himself, his successors and assigns to warrant and forever defend, all and singular, said premises unto Grayson County, Texas, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

GRANTOR covenants and agrees that GRANTOR and GRANTOR’S heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed in, into, upon, over, across or under any easements granted herein any temporary or permanent structures, and it is further agreed that Grayson County, Texas, shall have the right to excavate and fill upon said permanent easement, any fences, buildings or other obstructions as may now be found upon said permanent easement.

It is further intended that the permanent right-of-way and easement herein granted to Grayson County, Texas, shall run with the land and forever by a right in and to the land belonging to GRANTOR, and GRANTOR’S successors and assigns, and said grant is expressly excepted from any right of reversion of

said premises under any prior deeds in GRANTOR'S chain of title. The permanent right-of-way and easement rights and privileges granted therein are exclusive, and GRANTOR covenants that he will not convey any other easement or conflicting rights within the area covered by the grant to any other person.

IN WITNESS WHEREOF, this dedication instrument is executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
\_\_\_\_\_, Grantor

**ACKNOWLEDGEMENT**

**THE STATE OF TEXAS**

**COUNTY OF GRAYSON**

BEFORE ME the undersigned authority in and for Grayson County, Texas, on this day personally appears \_\_\_\_\_, known to be or proved to be through \_\_\_\_\_ (description of identity or other document) to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

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

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's Name (Printed)

(Notary Seal) `

Notary's Commission Expire

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest and real property conveyed by this dedication instrument the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, from \_\_\_\_\_ to Grayson County, Texas, has been duly accepted subject to all terms and conditions contained therein, and the Commissioners Court of Grayson County, Texas, has consented to recordation of such dedication instrument to its duly authorized officer.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grayson County Judge

ATTEST:  
  
\_\_\_\_\_  
Grayson County Clerk

**RIGHT-OF-WAY EASEMENT**  
**EXHIBIT “A” – PROPERTY DESCRIPTION**