

GALVESTON COUNTY

RULES, REGULATIONS AND REQUIREMENTS RELATING TO THE APPROVAL AND ACCEPTANCE OF IMPROVEMENTS IN SUBDIVISIONS OR RE-SUBDIVISIONS

**GALVESTON COUNTY
ENGINEERING DEPARTMENT**

**MARCH 3, 1997
Amendment No. 1, effective October 3, 2005**

**ORIGINAL REGULATIONS EFFECTIVE MARCH 3, 1997 MAY
BE FOUND ON FILM CODE #300-20-2062-300-20-271 OF THE
OFFICIAL PUBLIC RECORDS OF THE COMMISSIONERS'
COURT FOUND IN THE OFFICE OF THE COUNTY CLERK OF
GALVESTON COUNTY, TEXAS**

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land thirty (30') feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of (Name of City), Galveston County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

ADDITIONAL PARAGRAPHS TO BE ADDED AS APPROPRIATE AND AS FOLLOWS:

(When streets within the plat are to be developed without concrete pavement, gutters and storm sewers the following paragraph is appropriate:)

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

(When plat indicates building setback lines and public utility easements are to be established in adjacent acreage owned by the subdivider the following paragraph is appropriate:)

FURTHER, Owners do hereby certify that we are the owners of all property immediately adjacent to the boundaries of the above and foregoing plat of (name of subdivision) where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing plat and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public utility easements shown in said adjacent acreage.

(When private streets are established within the plat the following paragraph is appropriate:)

FURTHER, Owners do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets, shall be hereby established and maintained as private streets by the owners, heirs, successors and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for firemen, fire fighting equipment, police and other emergency vehicles of whatever nature at all times and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so designated and established as private streets.

FURTHER, Owners certify and covenant that they have complied with or will comply with the existing Galveston County regulations heretofore on file with the Galveston County Engineer and adopted by the Commissioners' Court of Galveston County.

(When the acknowledgment is attached to replat under the provisions of Section 232.009, Local Government Code, the following paragraph is appropriate:)

FURTHER, the Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; we further certify that no portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot.

EXECUTION OF OWNERS ACKNOWLEDGEMENT

EXAMPLE FORM

(When owner is an individual or individuals)

WITNESS my (or our) hand in the City of (Name of City), Texas, this (number) day of (month), (year).

(signature of owner or owners)
(Names to be printed)

(When owner is a company or corporation)

IN TESTIMONY WHEREOF, the (Name of Company) has caused these presents to be signed by (Name of President), its President, thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary or authorized trust officer), and its common seal hereunto affixed this (number) day of (month), (year).

(Name of Company)

By: (Signature of President)
President (print name)

or

Attest: (Signature of Secretary
authorized trust officer)
(print name)
Title

(affix corporate seal if appropriate)

Note: All owners' signatures shall be acknowledged by a Notary Public.

LIENHOLDERS ACKNOWLEDGEMENT AND SUBORDINATION STATEMENT

Note: Holders of all liens against the property being platted must execute the final plat or prepare separate instruments which shall be filed for record with the plat.

EXAMPLE FORM

I (or we), (Name of mortgagee or names of mortgagees), owner and holder (or owners and holders) of a lien (or liens) against the property described in the plat known as (name of plat), said lien (or liens) being evidenced by instrument of record in the Clerk's File No. _____ of Galveston County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and I (or we) hereby confirm that I am (or we are) the present owner (or owners) of said lien (or liens) and have not assigned the same nor any part thereof.

By: (Signature of Lienholder)
(Name to be printed)

Note: All lienholder signatures shall be acknowledged by a Notary Public.

NOTARY PUBLIC ACKNOWLEDGEMENT FOR ALL SIGNATURES

EXAMPLE FORM

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared (Names of persons signing the plat or instrument), (corporation titles if appropriate), known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed (add for corporations, "and in the capacity therein and herein stated, and as the act and deed of said corporation.")

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this (number) day of (month), (year).

(Signature of Notary Public)
Notary Public in and for the
State of

(Print Name)

(Affix Notary Seal)

My Commission expires:

CERTIFICATE FOR SURVEYOR

EXAMPLE FORM

I, (name of surveyor), am authorized (or registered) under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points or curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the nearest survey corner.

(Signature of Surveyor)
(Print Name)

Texas Registration No. _____
(Affix Seal)

CERTIFICATE FOR PLANNING AND ZONING COMMISSION

EXAMPLE FORM

This is to certify that the Planning and Zoning Commission of the City of _____, Texas has approved this plat (or instrument when appropriate) and subdivision of (name of subdivision) in conformance with the laws of the State of Texas and the ordinances of the City of _____ as shown hereon and authorized the recording of this plat (or instrument when appropriate) this (number), day of (month), (year).

Signature of the Chairman
By: or Vice Chairman
(Chairman or Vice Chairman)

Signature of Secretary
Director of Department of
By: Planning and Development
(Secretary)

(Affix Commission Seal)

CERTIFICATE FOR COUNTY ENGINEER FOR GALVESTON COUNTY

EXAMPLE FORM

I, (name of engineer), County Engineer of Galveston County, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Galveston County Commissioners' Court.

(Print Name)
County Engineer

CERTIFICATE FOR GALVESTON COUNTY DRAINAGE DISTRICT

EXAMPLE FORM

I, (name of director), Director (or Chairman) of Galveston County Drainage District No. _____, Galveston County, Texas, do hereby certify that the plat of this subdivision complies with requirements for drainage as adopted by the District.

(Print Name)
Director (or Chairman)

CERTIFICATE FOR GALVESTON COUNTY SURVEYOR

EXAMPLE FORM

I, (Name of County Surveyor), Galveston County Surveyor, do hereby certify that the plat of this subdivision complies as to land ties as shown.

(Print Name)
Galveston County Surveyor

TABLE OF CONTENTS

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
I	ADMINISTRATIVE PROCEDURES IN THE REVIEW OF SUBDIVISION PLATS AND CONSTRUCTION DRAWINGS	1
II	DRAWING REQUIREMENTS	23
III	DRAINAGE DESIGN REQUIREMENTS	27
IV	PAVING DESIGN REQUIREMENTS	50
V	STRUCTURES	60
VI	INSPECTION	62
VII	TESTING REQUIREMENTS	64
VIII	ACCEPTANCE OF IMPROVEMENTS WITHIN SUBDIVISIONS	71
IX	PAVING & DRAINAGE, STANDARD DRAWINGS	75

CERTIFICATE FOR GALVESTON COUNTY COMMISSIONERS' COURT

EXAMPLE FORM

APPROVED for filing, wherein Galveston County assumes no obligation for drainage, streets, roads or making any other improvements in said subdivision.

(Print Name)
Commissioner, Precinct No.____

(Print Name)
County Judge

The above subdivision titled (name of subdivision) as mapped, approved by the Commissioners' Court of Galveston County, Texas, by order dated _____, 19____.

(Print Name)
County Clerk
of Galveston County, Texas

COUNTY CLERK FILING ACKNOWLEDGEMENT STATEMENT

EXAMPLE FORM

I, (Name of County Clerk), County Clerk of Galveston County, Texas, do hereby certify that the written instrument was filed for record in my office on (date and month), (year), at (time) o'clock (a.m. or p.m.), and duly recorded on (date and month), (year), at (time) o'clock (a.m. or p.m.), in plat record _____ map number _____, Galveston County Map Records.

Witness my hand and seal of office, at Galveston, the day and date last above written.

(Print Clerk's Name)

County Clerk of Galveston
County, Texas

By: _____
Deputy

VACATION OF SUBDIVISION PLAT

EXAMPLE FORM

STATE OF TEXAS

COUNTY OF GALVESTON

KNOW ALL MEN BY THESE PRESENTS:

I (or we), (Name of owner or owners if individuals) or (Name of President and Secretary or authorized trust officer of a company or corporation), being the sole owner (owners) and proprietor of the following described property in (Name of City and County), Texas, to wit:

(Provide legal description of the property including, but not limited to, the acreage, the name of the recorded subdivision, the name of the Survey and Abstract Number, and recording references.)

do hereby desire and declare that said plat, subdivision and dedication thereon be vacated and canceled so as to convert all of said platted property to acreage tracts as same existed before such property was platted, subdivided and recorded.

(At this point any rights-of-way, easements or any other feature established in the subdivision being vacated which will not be canceled as a result of this vacation action should be described.)

AMENDING PLAT CERTIFICATES

Note: The following certificates and acknowledgments are requirements to be placed upon the face of all amending plats.

I, (name of surveyor), hereby certify that the following corrections were necessary to eliminate errors which appear on the plat of volume (number), page (number), of the Galveston County Map Records (or when applicable, film code numbers of the Map Records of Galveston County, Texas):

(Provide brief explanation of corrections required)

(Signature of surveyor)
(Print Name)

Texas Registration No. _____

(Affix Seal)

I (we), name(s) of owner(s), owner(s) of the property directly affected by this amending plat, being lot(s) _____ out of the block(s) _____ as indicted hereon, do hereby consent to this amending plat for the purposes herein expressed.

(Signature of Owner(s))
(Print Name)

Note: All owners signatures shall be acknowledged by a Notary Public.

APPROVED BY THE (Name of City) PLANNING AND ZONING COMMISSION on (date, month and year).

(Signature of the Chairman or Vice Chairman)
(Print Name)

(Signature of Secretary-Director Dept of Planning & Development)
(Print Name)

(Affix Commission Seal)

APPROVED BY THE GALVESTON COUNTY ENGINEER on (date, month and year).

(Print Name)

County Engineer

APPROVED BY THE GALVESTON COUNTY COMMISSIONERS' COURT on (date, month and year).

(Print Name)
Commissioner, Precinct No.____

(Print Name)
County Judge

SECTION I

**ADMINISTRATIVE PROCEDURES IN THE REVIEW OF
SUBDIVISION PLATS AND CONSTRUCTION DRAWINGS**

A. Administrative Procedures in the Review of Subdivision Plats and Construction Drawings.

Note: For properties located within the extraterritorial jurisdiction (ETJ) of an incorporated city or town and subject to the jurisdiction of the Planning and Zoning Commission of that city or town, general subdivision design criteria and layout requirements as established by the applicable Commission will apply.

1. Preliminary plat and preliminary drawings, five copies, to be submitted to the applicable Galveston County Drainage District and County Engineering Department for review and recommendations for changes to conform to their requirements, if necessary. Abutting owners and property lines will be shown. A table showing the acreage in each tract and total acreage will be shown.
2. Final plat shall be submitted complete with drawings and specifications including details, cross-sections and profiles showing line and grade of all streets, roads, bridges, sewers, ditches, utility easements and the course and location of existing pipelines or pipeline easements through such proposed subdivision (five copies). The design engineer shall furnish the proposed location of sewage disposal facilities and the source of water supply.
3. The final plat and drawings will be reviewed and the drawings either will be approved or recommendations made for further changes.
4. Upon approval of the plat and drawings by the County Engineer's Office, the final plat pursuant to plat recordation requirements will be submitted to Commissioners' Court for approval and will be delivered by Galveston County personnel to the County Clerk's Office for recording in the Map Records of Galveston County, Texas. The plat will be recorded by the County Clerk upon receipt of the required fee. The plat will be a maximum size of 24" x 36", be the original mylar signed with black non water soluble ink and contain a graphic scale. No sepias are acceptable.

The owner of the subdivision is required to post a bond or make a financial guarantee in lieu of the bond before the plat may be approved by the Commissioners' Court.

5. After recordation and before construction begins on the subdivision, the proper development permits will be obtained from the Galveston Floodplain Administrator.

B. PLAT RECORDATION REQUIREMENTS

The original plat drawing submitted to the County Engineering Department prior to approval by Commissioners' Court and recordation in the Galveston County Map Records is required to be accompanied by the following:

1. A title report, statement, or opinion, title policy or certificate or letter from a title company authorized to do business in the State of Texas or an attorney licensed as such in the State of Texas must be provided indicating ownership of the property, all liens against same, and any easements; said title information shall not have been executed more than sixty (60) days prior to the time the plat is received in the County Engineering Department.
2. A certificate from each tax collector of a political subdivision in which the property is located showing that all taxes owed to the County, School District, Utility District and/or any other political subdivision have been paid in full to date.
3. A letter to the County Engineer, signed by the County Health Officer, certifying that the subdivision's water and sewage treatment system has been approved in accordance with the requirements of the Texas Department of Health and existing laws.
4. A letter from the County Tax Assessor-Collector certifying that the name of the subdivision to be presented to the Commissioners' Court is not in conflict with any other subdivision previously recorded; this requirement applies to the first section only of multi-section subdivisions and is not applicable to street dedication plats designated by the street name.
5. If a portion of the plat lies within the 100-year floodplain, a letter is required from the developer/owner stating he is aware of the fact and will advise all prospective property owners of the fact. The same will apply to the 100-year floodway.
6. Two sets of approved construction drawings are to be on file in the County Engineering Department at the time the plat is submitted to Commissioners' Court; however, in the event a tract of land is being platted to create reserves for the purposes of sale only and there are no immediate plans for construction of improvements on said reserves, then a note shall be placed on the face of the plat stating the following:

"site drainage drawings for the future development of this reserve must be approved by the applicable Galveston County Drainage District and Galveston County Engineering Department."

7. A letter, statement or other instrument from the owner of any privately owned easement or fee strip within the plat boundaries where such easements or fee strips are proposed to be crossed by streets (either public or private) or public utility or drainage easements, stating that the owner of such easement or fee strip approves such crossing of the private easement or fee strip for the purposes intended and depicted upon the plat.
8. A bond with the owner of the subdivision named as Principal, this bond shall:
 - 8.1 be made payable to the County Judge and the Judge's successor(s) in office;
 - 8.2 be in the total amount of proposed paving and appurtenant drainage improvements;
 - 8.3 be executed with sureties as may be approved by the court;
 - 8.4 be executed by a company authorized to do business as a surety in this state; and
 - 8.5 be conditioned that the roads and streets will be constructed in accordance with the specifications adopted by Commissioners' Court; in the event that all paving and drainage improvements have not been constructed and accepted within three years from the date of plat recordation, the owner of the subdivision shall provide Galveston County with an equivalent substitute bond.
 - 8.6 The bond will be reviewed and approved by the County Legal Department.
9. In lieu of a bond an owner may deposit cash or a letter of credit issued by a federally insured financial institution. If a letter of credit is used, it must:
 - A. list as the sole beneficiary the County Judge of Galveston County, and
 - B. be conditioned that the owner of the tract of land to be subdivided will construct any roads, streets and drainage in the subdivision:
 1. in accordance with the specifications adopted by the Commissioner's Court; and
 2. within a reasonable time as set by the Commissioners' Court.

10. Additional information may be required by the County Engineering Department to clarify or support any of the aforementioned requirements.
11. A letter from the developer stating if street lighting is installed he is aware that he will have to pay the installation, maintenance, and monthly usage costs.
12. A letter from the developer stating if sidewalks and landscape berms or medians are installed he is aware that he will have to pay the installation and maintenance costs.
13. A letter from the developer stating he is aware that all other requirements and permits are his responsibility including, but not limited to, Corps permits for work in wetlands or navigable waters, EPA, CMP, GLO, Texas Attorney General, TNRCC, local and state health agencies.
14. If any portion of a proposed or planned street, collector or thoroughfare traverses any part of the land being subdivided, that portion of the street at the proposed ROW width shall be incorporated into the subdivision plan and shall be dedicated to the appropriate governmental entity.
15. If any portion of a proposed ditch, channel or drainage improvement traverses any part of the land being subdivided, that portion of the ditch, channel or drainage improvement as planned, at the proposed ROW width, shall be incorporated into the subdivision plan and shall be dedicated or conveyed to the appropriate governmental entity.
16. If the proposed subdivision necessitates the need for a FEMA FIRM or Floodway map amendment or revision the developer shall provide the engineering and all costs for these. The amendment or revision shall be completed and approved by FEMA before the subdivision can be approved.
17. All development shall conform to FEMA's National Flood Insurance Program and Related Regulations which have been adopted by Galveston County as a requirement to participate in the National Flood Insurance Program.
18. All development shall conform to the County Dune Protection & Beach Access Rules.
19. The State of Texas Engineering Practice Act should be reviewed in conjunction with these regulations.

20. The State of Texas Professional Land Surveying Practices Act should be reviewed in conjunction with these regulations.
21. No building permits will be issued in any subdivision until the road and drainage have been constructed per the approved plans and specifications and inspected and accepted by the county for compliance with the same.
22. All development shall conform to the State's Coastal Management Plan.

C. PLAT DEDICATION STATEMENTS AND CERTIFICATES

OWNERS ACKNOWLEDGEMENT

EXAMPLE FORM

STATE OF TEXAS

COUNTY OF (Name of County in which plat is located)

We, (Name of owner or owners) acting by and through (Name and title of officer) being officers of (Name of company or corporation), owner (or owners) hereinafter referred to as Owners (whether one or more) of the (Number of acres) tract described in the above and foregoing map of (Name of subdivision or development), do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or five feet six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. & A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back-to-back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. & A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.