



RED RIVER COUNTY PLAT FILING REQUIREMENTS AND STANDARDS FOR SUBDIVISIONS

PURPOSE

The subdivision platting requirements are derived from Chapter 232 of the Texas Local Government Code and have been prepared to aid in the orderly development of Red River County, Texas. They are to promote the general public's health, safety, and welfare. Utilizing this standard will ensure that surveyors include the essential elements in plats. It will subsequently provide an avenue of assurance for the Commissioners Court and County Clerk that the process was conducted according to current Texas statute and qualify for recording in the public record.

AUTHORITY

The final authority will be the Red River County Commissioner's Court in all matters of interpretation and application of these requirements. The requirements may be modified, amended, or voided by Commissioner's Court and replace any existing regulation, standard, or requirement previously adopted by Commissioner's Court.

PLATTING PROCEDURE

1. Plat Required. The owner of a tract of land located in Red River 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:
 - a. a subdivision of the tract, including an addition;
 - b. lots; or
 - c. streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the purchasers or owners of lots fronting on or adjacent to the streets, squares, parks, or other parts.
2. A division of a tract is included regardless of whether it is made by using metes and bounds description in a deed conveyance, in a contract for a deed, by using a contract of sale, other executory contract to convey, or by the use of any other method.
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).
4. Persons subdividing land in the unincorporated portions of Red River County shall comply with this Section for plat approval. No deed conveyance, contract for a deed, contract of sale, other executory contract to convey, or use of any other method can occur until final plat approval by the Commissioner's Court and subsequent filing in the plat records by the County Clerk.

5. Preliminary Submittal.

- A. At least fifteen (15) days prior to any subdivision of land and to a Commissioner's Court meeting, a preliminary submittal shall be made. Six (6) identical paper copies of the Plat shall be submitted for review to the following:
 - i. the Commissioner's Court
 - ii. any other governmental agency having jurisdiction
- B. One copy of the preliminary Plat, as approved, or marked to show the changes necessary for approval, will be returned to the subdivider or their designated representative. Unless the Commissioner's Court takes opposing action, the Preliminary Plat will remain valid for twelve (12) months from the submitted date. After that time, it will automatically become void.
- C. Approval of the Preliminary Plat by the Commissioner's Court will indicate acceptance of the right-of-way of streets, alleys, parks, and lots shown in the plan. Approval for recording may depend upon the acceptance of completed parks, streets, and electrical, sanitary, and water services.
- D. Preliminary Plat approval by the Red River County Commissioner's Court does not constitute acceptance of the subdivision. It only authorizes the owner to proceed with preparing the Final Plat. Suppose a Final Plat is not approved within the twelve (12) months allotted for the Preliminary Plat. In that case, the owner/agent will submit a new Preliminary Plat with all applicable fees and supporting documents for approval.

6. Preliminary Plat Standards

- A. Preliminary Plats shall be drawn on a 24" x 36" sheet, scale not to exceed 1" = 200'.
- B. Name, address, and telephone number of the owner and surveyor.
- C. The seal and signature of the surveyor responsible for the preparation of the Plat.
- D. The subdivision's proposed name, locations, width, and dimensions of all proposed and existing streets, alleys, easements, parks, public places, lot lines, and proposed land use. Streets, alleys, and access easements shall be a minimum of twenty (20) feet in width to enable adequate access for Emergency Service vehicles.
- E. The location of the existing boundary lines of the subdivision and total acreage, including the estimated acreage of each lot.
- F. A vicinity map showing the subdivision location within the County and the relationship to the nearest existing roads.
- G. The date the Plat was prepared.
- H. Scale, and North directional arrow.

- I. Description, location, and dimensions of any and all proposed utility easements. All easements shall be a minimum of ten (10) feet in width and be so designed to allow maintenance equipment to enter the easement and be able to perform the necessary work.
- J. The name of the water, sewer, communication service provider, and electric utility companies shall be noted on the Plat. A statement shall be provided if sewage disposal is by the individual on-site sewage facilities and/or water service by individual wells. On-site sewage facilities (OSSF) shall comply with Red River County Septic Permitting requirements.
- K. For subdivisions proposing individual water wells for water service, an engineer's report shall be required to certify that an adequate groundwater supply exists to serve the proposed subdivision. The report shall also clearly illustrate any existing septic systems within 200' of the proposed subdivision.

7. Final Plat Submittal

- A. The Final Plat procedure will be the same as the Preliminary Plat except as noted in this Section. Approval of the Preliminary Plat is required prior to submitting a Final Plat. The Commissioner's Court must approve the Final Plat, and the Plat must be recorded before any deed conveyance, contract for a deed, contract of sale, other executory contracts to convey, or use of any other method can occur. The Final Plat shall be recorded with the County Clerk within ninety (90) days of the Commissioner's Court approval. Final Plat approval does not include acceptance of streets/roads by the County for maintenance purposes. Red River County reserves the right to use and require the submittal of additional forms, contracts, plans, certifications, and any other necessary documents to enforce these requirements and standards.

8. Final Plat Standards

- A. Final Plats will be drawn at a scale not to exceed 1" = 200' and require the following:
 - i. Seven (7) copies - 18" x 24"
 - ii. One (1) copy - 8.5" x 14"
 - iii. One (1) Mylar copy - 24" x 36"
 - iv. Plat Filing Fee for 18" x 24" = \$71.00 / Larger than 18" x 24" = \$121. Either option must have the tax certificate attached.
- B. Final Plats will show the information this Section requires and the information as required and approved by the Commissioner's Court for the Preliminary Plat.
- C. A completed application form and the appropriate plat review fees.
- D. A certification letter from the water, sewer, and electric utility companies guaranteeing their intent to provide service to the proposed subdivision.
- E. An original tax certificate from the Tax Collector in which the property is located to certify that no delinquent taxes are due on the proposed subdivision.
- F. A space for the Commissioner's Court and County Clerk approval to file Plat for the record.

- G. A dedication, by the owner, of all streets, roadways, alleys, utility easements, and other land intended for public use, and the owners' certification that all parties with an interest in the title to the subject property have joined in such dedication duly executed, acknowledged, and sworn by the said owner before a notary public.
- H. The following statement shall appear on any plat containing private streets, drives, emergency access easements, recreation areas, and open spaces:

RED RIVER COUNTY SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND THE OWNERS OF SUCH PRIVATE THOROUGHFARES AND AREAS SHALL BE RESPONSIBLE FOR THEIR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES. FURTHERMORE, SAID OWNERS AGREE TO INDEMNIFY AND HOLD HARMLESS RED RIVER COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS OUTLINED IN THIS PARAGRAPH.

NOTE: All private roads, drives, or streets shall be designated as such to indicate their private status. The physical 911 address will be assigned by ATCOG 911 Rural Addressing services.

- I. The following shall be noted on the Final Plat:
- i. Blocking the flow of water and filling or obstruction of the floodway is prohibited; and,
 - ii. The existing creeks or drainage channels traversing along or across the subdivided tracts will remain as open channels and will be maintained by the individual owners of the lot or lots that have traversed by or adjacent to the creeks or drainage channels; and,
 - iii. Red River County will not be responsible for the maintenance and operation of drainage ways for the control of erosion located on private property; and,
 - iv. Red River County will not be responsible for any property damage, property loss, personal injury, or loss of life by flooding or flooding conditions; and,
 - v. Construction not completed within two (2) years of the recording date shall be subject to the then-current requirements and standards. This may result in repeating the Platting Procedure.
 - vi. Developers and owners are responsible for adherence to all applicable State and Federal regulations.

9. Severability Clause

Suppose any word, phrase, clause, sentence, Section, provision, or part of these Plat Filing Requirements and Standards for Subdivisions should be held invalid or unconstitutional. In that case, it shall not affect the validity of the remaining portions. It is hereby declared to be the intent of the Red River County Commissioner's Court that these requirements and standards would have been adopted as to the remaining portions, regardless of the invalidity of any part.

10. Enforcement/Penal Provisions

- A. The Commissioner's Court of Red River County shall have the authority to refuse approval or authorization of any map or Plat of any subdivision unless such map or Plat meets the requirements and standards set forth.
- B. At the request of the Commissioner's Court of Red River County, the County Attorney or other prosecuting attorney representing the County may file an action in a court of competent jurisdiction to:
- i. Enjoin the violation, or threatened violation, of a requirement established by or adopted under these requirements and standards;
 - ii. Recover damages in an amount adequate for the County to undertake any construction or other activity necessary to bring out compliance with a requirement established by or adopted under these requirements and standards;
 - iii. A person commits an offense if the person knowingly or intentionally violates a requirement established by or adopted under this Act by the Commissioner's Court.
- C. Oversight: The owner, by submitting a plat, acknowledges the authority of the County and State agencies to lawfully enter and inspect the property for purposes of execution of their statutory duties. Such inspection will not release the owner from the obligation to comply with the requirements and standards. Any such inspection or review will not subject the County or the State of Texas to any action for damages.
- D. Civil Penalty: A person who violates a rule adopted pursuant to Section 16.343 of the Texas Water Code is subject to a civil penalty of not less than \$50 nor more than \$100 for each violation and for each day of a continuing violation not to exceed \$5000 per day.
- E. Criminal Penalty: A person commits an offense if the person knowingly or intentionally violates a rule adopted by a County pursuant to Section 16.343 of the Texas Water Code. An offense under this Section is a Class B misdemeanor. An offense under Section VIII is a Class A misdemeanor.
- F. Injunction: In addition to other remedies, the Attorney General, the County or District Attorney of the County in which the violation occurred, or other local officials are authorized to apply to the District Court for, and the Court, at its discretion, may grant the State or political subdivision without bond or other undertakings, any injunction that the facts may warrant including a temporary restraining order, temporary injunction after notice and hearing, and permanent injunctions enjoining a violation of these requirements and standards.

APPROVED AND ADOPTED BY THE UNANIMOUS VOTE OF THE RED RIVER COUNTY
COMMISSIONERS COURT on this the 27th day of March, 2023.



County Judge



Commissioner, Pct. 1



Commissioner, Pct. 3

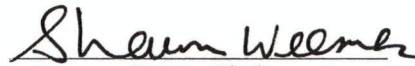


Commissioner, Pct. 2

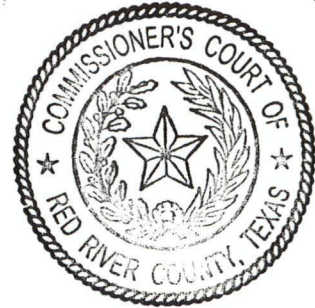


Commissioner, Pct. 4

Attest:



County Clerk





RED RIVER COUNTY PLAT FILING REQUIREMENTS AND STANDARDS FOR SUBDIVISIONS

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS)

COUNTY OF RED RIVER)

I, the undersigned Owner of the land shown on this plat and the area indicated by the metes and bounds description as shown hereon and designated herein as

_____ and whose name is subscribed hereto, hereby dedicated to the use of the public forever all streets, alleys, parks, easements, right-of-way and public places shown here.

Signature

Name (Typed or Printed)

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

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public, State of Texas
My Commission Expires: _____



**RED RIVER COUNTY PLAT FILING REQUIREMENTS AND
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SURVEY ACKNOWLEDGEMENT

STATE OF TEXAS)

COUNTY OF RED RIVER)

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

Given under my hand and seal this _____ day of _____, 20____.

Registered Professional Land Surveyor No. _____

Subscribed and sworn before me, a Notary Public in and for the State of Texas, this
_____ day of _____, 20____.

Notary Public, State of Texas
My Commission Expires: _____



**RED RIVER COUNTY PLAT FILING REQUIREMENTS AND
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ELECTRIC SERVICE ACKNOWLEDGEMENT

STATE OF TEXAS)

COUNTY OF RED RIVER)

I, _____, acting as an authorized agent representing the
Electrical Service Provider _____, do hereby certify that electrical
service can be obtained for the Plat and Metes and Bounds Description as shown hereon and
designated herein as _____.

Given under my hand and this _____ day of _____, 20____.

Signature

Name (Typed or Printed)

Subscribed and sworn before me, a Notary Public in and for the State of Texas, this
_____ day of _____, 20____.

Notary Public, State of Texas
My Commission Expires: _____



**RED RIVER COUNTY PLAT FILING REQUIREMENTS AND
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WATER SERVICE ACKNOWLEDGEMENT

STATE OF TEXAS)

COUNTY OF RED RIVER)

I, _____, acting as an authorized agent representing the
Water Service Provider _____, do hereby certify that water
service can be obtained for the Plat and Metes and Bounds Description as shown hereon and
designated herein as _____.

Given under my hand and this _____ day of _____, 20_____.

Signature

Name (Typed or Printed)

Subscribed and sworn before me, a Notary Public in and for the State of Texas, this
_____ day of _____, 20_____.

Notary Public, State of Texas
My Commission Expires: _____



RED RIVER COUNTY PLAT FILING REQUIREMENTS AND STANDARDS FOR SUBDIVISIONS

ON-SITE SEWAGE FACILITY (OSSF) ACKNOWLEDGEMENT

STATE OF TEXAS)

COUNTY OF RED RIVER)

I, the undersigned Owner of the land shown on this plat and the area indicated by the metes and bounds description as shown hereon and designated herein as

_____ and whose name is subscribed hereto, hereby do certify that On-Site Sewage Facilities (OSSF) will be used for sewage services. Furthermore, these must abide by the Red River County On-Site Sewage Facility (OSSF) permitting procedures.

Signature

Name (Typed or Printed)

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

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public, State of Texas
My Commission Expires: _____