



COUNTY OF ELLIS
RULES, REGULATIONS, AND
SPECIFICATIONS FOR
SUBDIVISIONS AND MANUFACTURED HOMES

Ellis County
DEPARTMENT OF DEVELOPMENT
109 South Jackson Street
Waxahachie, Texas 75165
(972) 825-5200
(972) 825-5205 Fax

ELLIS COUNTY COMMISSIONERS COURT

ORDER NO. 192.02

On this the 13th day of MAY, 2002, The Commissioners Court Of Ellis County, Texas, convened in Regular Session of said Court, at 113 East Franklin, Waxahachie, Texas, with the following members present, to-wit:

County Judge
Commissioner Precinct #1
Commissioner Precinct #2
Commissioner Precinct #3
Commissioner Precinct #4

Al Cornelius
Hallie Joe Robinson
Jerry Holland
Jackie Miller, Sr.
Ron Brown

And among other proceedings, the following order was passed:

WHEREAS, the State of Texas by the Texas Local Government Code in Chapter 232 relating to County Regulation of subdivisions; and

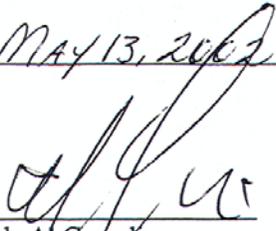
WHEREAS, the Commissioners Court of Ellis County, Texas adopted Subdivision Rules and Regulations on March 27, 1986 and revised the Subdivision Rules and Regulations on March 11, 1991, January 20, 1998, July 27, 1998, November 23, 1998 and March 8, 1999 had also issued other such orders pertaining to subject regulations: and

WHEREAS, the Commissioners Court of Ellis County, Texas considered the matter and deem it appropriate to replace the revised Subdivision Rules and Regulations, adopted March 11, 1991, and other specific orders pertaining to subject regulations and a new Order relating to Rules and Regulations, and Specifications for Subdivisions and Manufactured Homes and all applicable laws.

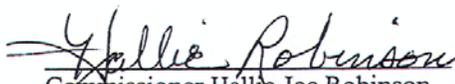
NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF ELLIS COUNTY, TEXAS, that the following Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes be adopted and shall take effect twenty-one (21) calendar days from the date of this order.

Approved By:

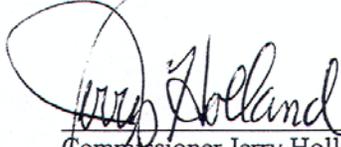
Ellis County Commissioners Court MAY 13, 2007, 2007.



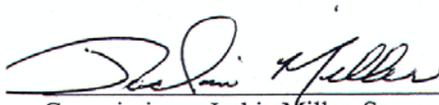
Honorable Al Cornelius
Ellis County Judge



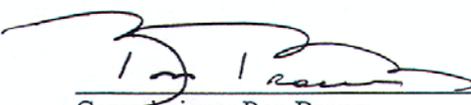
Commissioner Hallie Joe Robinson
Precinct #1



Commissioner Jerry Holland
Precinct #2



Commissioner Jackie Miller, Sr.
Precinct #3



Commissioner Ron Brown
Precinct #4

Attest:



Cindy Polley
County Clerk

TABLE OF CONTENTS

RULES, REGULATIONS, AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS

SECTION I	GENERAL INFORMATION
1-A	PURPOSE OF RULES, REGULATIONS, AND SPECIFICATIONS
1-B	REQUIREMENTS FOR A PLAT
1-C	DISCLAIMER
1-D	DISCLAIMER
1-E	DISCLAIMER
1-F	DISCLAIMER
1-G	TIMELY APPROVAL OF PLATS
1-H	CERTIFICATION OF ADEQUATE GROUNDWATER
1-I	INFRASTRUCTURE DEVELOPMENT PLAT (I.D.P.)
1-J	I.D.P. MINIMUM DRAWING REQUIREMENTS
1-K	DOCUMENTS TO BE INCLUDED IN I.P.D
1-L	INSPECTION AND IMPROVEMENTS
1-M	UTILITIES
1-N	TIMELY APPROVAL OF I.D.P
1-O	WATER SUPPLY FACILITIES
1-P	WASTEWATER DISPOSAL FACILITIES
1-Q	ROADWAYS
1-R	SIGNAGE PLAN
1-S	TRAFFIC IMPACT STUDY
1-T	DRAINAGE
1-U	EFFECTIVE DATE
1-V	STATUTORY AUTHORITY
1-W	DEFINITIONS
SECTION II	<u>PRELIMINARY PLAT</u>
2-A	SUBDIVISION NAME
2-B	NAMES OF OWNER/OWNERS
2-C	BOUNDARY LINES
2-D	LOT AND STREET LAYOUT
2-E	DRAINAGE AND TOPOGRAPHY
2-F	LAND USE
2-G	DRAWING REQUIREMENTS
2-H	UTILITY SERVICE
2-I	LOT AND BLOCK NUMBERS
2-J	CERTIFICATE FOR DEPARTMENT OF COUNTY DEVELOPMENT
SECTION III	<u>FINAL PLAT</u>
3-A	LIST OF CHANGES BETWEEN PRELIMINARY PLAT AND FINAL PLAT
3-B	SUBDIVISION NAME
3-C	NAMES OF OWNER/OWNERS
3-D	BOUNDARY LINES
3-E	LOT AND STREET LAYOUT
3-F	DRAINAGE AND TOPOGRAPHY
3-G	LAND USE
3-H	DRAWING REQUIREMENTS

- 3- I UTILITY SERVICE
- 3-J PHYSICAL ADDRESSES
- 3-K DEED RESTRICTIONS
- 3-L ENGINEERING PLANS
- 3-M TAX CERTIFICATES
- 3-N CERTIFICATION AND DEDICATION BY OWNER
- 3-O CERTIFICATION BY REGISTERED SURVEYOR
- 3-P CERTIFICATION AND APPROVAL BY CITY
- 3-Q ISSUANCE OF DEVELOPMENT PERMIT

SECTION IV SIMPLIFIED PLAT

- 4-A PURPOSE
- 4-B APPLICABILITY
- 4-C APPLICATION PROCEDURE AND REQUIREMENTS

SECTION V GENERAL REQUIREMENTS

- 5-A STREET ARRANGEMENT
- 5-B DEAD-END STREETS AND CUL-DE-SACS
- 5-C ADJOINING STREETS AND LAND
- 5-D UTILITY EASEMENTS
- 5-E CULVERTS
- 5-F CONSTRUCTION
- 5-G TESTING
- 5-H INSPECTIONS
- 5-I UTILITIES
- 5-J SIGNS
- 5-K COMPLETION OF STREETS, ROADS, SIGNS, UNDERGROUND UTILITIES,
AND DRAINAGE FACILITIES
- 5-L HOUSES ON LOTS LOWER THAN THE ROAD
- 5-M ACCESS TO SUBDIVISIONS
- 5-N DRAINAGE EASEMENTS
- 5-O AUTHORITY TO ENFORCE DEVELOPER DEED RESTRICTIONS
- 5-P PLAT REVISION
- 5-Q DECORATIVE/LANDSCAPED SUBDIVISION ENTRANCE(S)
- 5-R DRIVEWAYS
- 5-S FENCE

SECTION VI SUBDIVISION PLAT REVISION

- 6-A APPLICABILITY
- 6-B APPLICATION FOR PLAT REVISION
- 6-C NOTICE OF APPLICATION
- 6-D ADOPTION ORDER
- 6-E FILING FOR RECORD

SECTION VII SUBDIVISION CANCELLATIONS

- 7-A APPLICABILITY
- 7-B RESTRICTIONS
- 7-C CANCELLATION NOTICE
- 7-D DELINQUENT TAXES
- 7-E APPLICATION FOR CANCELLATION
- 7-F ACTION TO ENJOIN CANCELLATION
- 7-G PROTEST OF CANCELLATION

SECTION VIII SUBDIVISION STANDARDS

- 8-A RESIDENTIAL LOTS
- 8-B STREET LAYOUT
- 8-C WATER FACILITIES, LOTS SERVED BY INDIVIDUALLY-OWNED WATER WELLS
- 8-D PUBLIC WATER SYSTEMS
- 8-E SEWAGE AND WASTE DISPOSAL
- 8-F MANUFACTURED HOMES AND PARK REGULATIONS

SECTION IX CONSTRUCTION PROCEDURES AND SPECIFICATIONS

- 9-A PREPARING AND CLEARING THE RIGHT-OF-WAY
- 9-B ROADWAY EXCAVATION AND EMBANKMENT
- 9-C SUBGRADE AND BASE COURSES
- 9-D PAVEMENT WIDENING
- 9-E CULVERTS AND STRUCTURES
- 9-F TESTING AND INSPECTIONS
- 9-G STREET AND ROAD PLANS
- 9-H SIGNS

SECTION X PERFORMANCE GUARANTEES

- 10-A GENERAL
- 10-B CONSTRUCTION BOND
- 10-C MAINTENANCE BOND
- 10-D IRREVOCABLE LETTER OF CREDIT (IN LIEU OF BOND)
- 10-E OTHER SECURITY
- 10-F SEVERABILITY
- 10-G ENFORCEMENT AND PENALTIES

SECTION XI RELIEF BY COUNTY COMMISSIONERS COURT

- 11-A GENERAL RULE
- 11-B SPECIAL CONDITIONS
- 11-C RELIEF TO SUBDIVISION BY GIFT, DEVISE OR SECENT

SECTION XII DEVELOPER INFORMATION

DOCUMENTATION REQUIRED FOR PLATTING
REQUIRED TAX CERTIFICATE

APPENDIX "A" DRAINAGE REQUIREMENTS CRITERIA & DESIGN STANDARDS

- A. PURPOSE
- B. DEFINITIONS
- C. GENERAL DRAINAGE REQUIREMENTS
- D. STORM DRAINAGE DESIGN CRITERIA

APPENDIX "B" TAKINGS IMPACT ASSESSMENT

- A. WAIVER OF TAKINGS IMPACT ASSESSMENT
- B. TAKINGS IMPACT ASSESSMENT CHECKLIST

SECTION I

GENERAL INFORMATION

1-A. PURPOSE OF RULES, REGULATIONS, AND SPECIFICATIONS

The purpose of these Rules, Regulations, and Specifications is to provide (1) for the health, safety, and general well-being of the public by assuring that adequate streets and drainage facilities are provided in all subdivisions, and to provide facilities which can be maintained without imposing a burden to taxpayers, (2) standards for the approval and recording of all subdivision plats, and (3) procedures to follow in meeting the requirements of the Ellis County Commissioners Court for acceptance and approval of said plats and the improvements therein.

These regulations are not intended to prohibit testamentary land divisions, division of land as a result of the dissolution of a corporation or partnership, or subdividing land for agricultural purposes.

1-B. REQUIREMENTS FOR A PLAT

According to Local Government Code Chapter 232.001, the owner or a tract of land located outside the limits of a municipality in Ellis County, Texas who divides the tract 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 must have a Plat of the Subdivision prepared.

1. A division of a tract under this subsection includes any 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. To be recorded, the plat must; describe the subdivision by metes and bounds; locate the subdivision with respect to an original corner of the survey of which it is a part; and state the dimensions if the subdivision and of each lot, street, alley, square, park or other part 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 street, alley, square, park, or other part. The owner or proprietor of the tract or the owner or proprietor's agent must acknowledge the plat in the manner required for the acknowledgement of deeds. The plat must be filed and recorded with the county clerk of the county in which the tract is located. The plat is subject to the filing and recording provisions of Section 12.002, Property Code.
2. In accordance with the Local Government Code Section 232.0015, a Subdivision Plat is not required if the owner of a tract divides the tract into two or more parts and does not lay out 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:
 - a. The land is used primarily for agricultural use as defined by Section 1-d, Article VII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use, within the meaning of Section 1-d-1, Article VII, Texas Constitution; or

- b. The tract is divided into four or fewer parts and the parts are sold, given, or otherwise transferred to an individual who is related to the owner within the third degree of consanguinity or affinity, as determined under Chapter 573, Government Code; or
- c. All of the lots of the subdivision are more than 10 acres in area; or
- d. All of the lots are sold to veterans through the Veterans' Land Board program; or
- e. The tract is owned by the state or other state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state; or
- f. The owner of the land is a political subdivision of the state, the land is situated in a flood plain, and the lots are sold to adjacent landowners; or
- g. One new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of the regulations; or
- h. All parts of the tract are transferred to persons who owned an undivided interest in the original tract, and a plat is filed before any further development of any part of the tract.

3. If the tract described in Sections 2a, b, c, d, e, f, g, or h ceases to meet the exemption described therein, then platting requirements shall immediately apply.

1-C. Subject to the exemptions in Section B 2a-h, no land shall be divided and sold or conveyed until the Subdivider:

- 1. Has received approval of a Final Plat of the tract; and
- 2. The legally approved plat for recordation in the Map Records of Ellis County has been filed with the County Clerk

1-D. These rules and any preceding rules shall apply to land, which has been divided on or after September 1, 1999. A division of a tract referenced in this section is defined as using a metes and bounds description in a deed of conveyance or a contract for a deed, using of a contract of sale or other executory contract, purchase option rental agreement, or using any other method to convey property.

1-E. Approval of a Plat by the Commissioners Court shall not be deemed an acceptance of the proposed dedications, if any shown thereon, and shall not impose any duty upon the County concerning maintenance or improvements of any such dedications. The Commissioners Court determines which dedications will be accepted for County maintenance after the owner maintenance period has expired.

1-F. (1) Manufactured Home Rental Communities. A property developed as manufactured home rental community and not subdivided from another tract as defined in Section II of these Regulations is not subject to the subdivision regulations established herein. However, the owner intends to use the land for a manufactured home rental community must have an infrastructure development plan prepared that complies with minimum infrastructure standards established in Section I, J of these Regulations. A Manufactured Home Rental Community is a plot tract of land that is separated into two or more spaced 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 residencies.

(2) Recreational Vehicle Rental Community. A Recreational vehicle rental community is a parcel, which has been established for the purpose of providing sites for recreational vehicles on a short-term basis of ninety days or less. At the end of the ninety-day period, the vehicles must be re-located.

- 1-G. TIMELY APPROVAL OF PLATS. Plats are to be reviewed in an expeditious manner by the Department of Development. The following established requirements for timely approval:
1. The Department of Development requires a pre-submittal meeting for the application of a preliminary; replat; or simplified/minor plat. This will help the Department of Development process your application in a timely manor and to correct or make changes before submission.
 2. If a person submits a Plat application to the Department of Development that does not include all of the documentation or other information identified on the Final Plat Submission Checklist, the Department of County Development shall, not later than the 10th business day after the date of receipt of the Plat, notify the application of the missing documents or other information. The sixty (60) day window for approval commences when the COMPLETE application (as defined in Section II and Section III) is presented to the Department of County Development.
 3. An application that contains all the documents and other information listed on the Final Plat Submission Checklist is considered complete and ready for review.
 4. Final action shall be taken on the Plat application not later than the 60th day after the date the completed Plat application is received by the Department of Development.
 5. If the Commissioners Court or the Department of Development disapproves a Plat application, the applicant shall be given a complete list of the reasons for the disapproval.
 6. The 60 day period:
 - a. May be extended for a reasonable period, if agreed to in writing by the applicant and approved by the Department of Development;
 - b. May be extended 60 additional days if a takings impact assessment is required in connection with a Plat application as per Chapter 2007, Government Code; and
 - c. Applies only to a decision wholly within the control of the Commissioners Court or the Department of Development
 7. The Department of Development shall make a determination on Section I, G, 6 or whether the 60 day period will be extended not later than the 20th day after the date a completed Plat application is received by the Department of Development.
 8. If the Commissioners Court or the Department of Development fails to take final action on the Plat, in accordance with this section, then:
 - a. If the Commissioners Court has assessed a Plat application fee, the Court shall refund the greater of the unexpended portion of the Plat application fee or deposit or 50 percent of the Plat application fee or deposit that has been paid;
 - b. The Plat Application is granted by operation of law; and
 - c. The application may apply to a district court in Ellis County for a writ of mandamus to compel the Commissioners Court to issue documents recognizing the Plat's approval.
 9. Section a, I, G of these regulations applies only to a Plat application submitted to the County on or after October 1, 1999.

- 1-H. CERTIFICATION THAT ADEQUATE GROUNDWATER IS AVAILABLE FOR THE SUBDIVISION. If groundwater is the source of water supply for the subdivision, the Commissioners Court requires a statement attached to the Plat application, prepared and sealed by a licensed professional engineer registered to practice in Texas, that certifies that adequate groundwater is available for the subdivision, according to the certification form and content as promulgated by the Texas Natural Resource Conservation Commission.
- 1-I. INFRASTRUCTURE DEVELOPMENT PLAN. An Infrastructure Development Plan (IDP) is required for all manufactured home rental communities developed after August 30, 1999.
1. The development shall have a minimum of sixty (60) feet fronting an interior street or roadway, which has been previously dedicated to the public for the public's use and benefit as a street or roadway. Access roads to the individual rental spaces must be constructed and paved to a minimum width of 20 feet with five (5) inch thick Concrete paved surface, 7 inch thick crushed stone base, and, if located in clay or sandy soils, a 10 inch thick lime stabilized sub-grade.
 2. No space may contain more than one single-family residential unit. No common driveways shall be allowed. Each space shall have separate and individual access.
 3. A survey of the property shall be submitted to the Department of Development prior to the request by the owner or occupier of the lot any permit and/or utility services.
 4. The owner shall submit a letter of application, signed by the owner, that stipulates the intention of the owner; name, address, phone number of the owner; names of water and electricity providers; and name of wastewater provider or type and usage of onsite sewage facilities
- 1-J. The Manufactured Home Rental Community Infrastructure Development Plan (IDP) shall show at minimum the following:
1. Only 18" x 24" sheets will be acceptable and at a maximum scale of 1"=200' (1"=100' preferred), or as approved by the Department of Development. An index on the first sheet is required when more than two sheets are required for the IDP.
 2. Names, locations, dimensions (bearings and distances), and layouts of existing and proposed streets, alleys, easements, and other public right-of-ways and public/private encumbrances (deed restrictions, etc.) on the property and any proposed street right-of-way, easement, alley park, or other public dedication.
 3. Dimensions bearings and distances, of the proposed rental spaces.
 4. Signatures and date of approval and certifications on the IDP. These approval signatures shall be not more than six(6) months prior to the submission. Examples of the required acknowledgements and certifications are as contained in the exhibits attached hereto.
 5. Legal description, acreage, and name of the proposed Development. The Development's name shall not be spelled or pronounced similarly to the name of any existing Development or Subdivision located within the County.
 6. The boundary of the Development indicated by a heavy line and described by bearings and distances.
 7. Scale, legend, north arrow, spot elevations on 100' or an appropriate grid, with two feet (2.0') contour lines. Alternate contour intervals may be submitted based on terrain, with approval from the Department of Development.
 8. Deed record, name of owner, volume and page number of adjoining properties.

9. Dates of survey and preparation of IDP.
10. Identification code, location, description, and elevation of the USGS or appropriate benchmark used in the survey.
11. Front building setback lines. Back and side building setback lines by note.
12. Location of any City's corporate limit line or extra territorial jurisdiction line.
13. Vicinity map with streets, ditches, and general drainage flow directions to the ultimate outfall, city limits and ETJ's, and other major land features.
14. Net area (gross area less easements) of rental spaces to the nearest 1/100 of an acre for lots using On Site Sewage Facilities and/or well water.
15. Limits of flood hazard areas as defined by the appropriate FEMA FIRM panel and the proposed finished floor elevation of buildings within these flood hazard areas on each space.
16. A certification by a Surveyor or Engineer describing any area of the Development that is in a Flood plain or stating that no area is in a Flood plain, as delineated by the appropriate FEMA FIRM panel and date.
17. A surveyor's signature and seal on the IDP for certification.
18. The description of the water and sewer facilities, electricity and gas utilities, and roadways and easements dedicated for the provision of water and sewer facilities that will be constructed or installed to serve the Development and a statement of the date by which the facilities will be fully operable, prepared by a Engineer (may be included in an attached document). A certification must be included that the water and sewer facilities described by the IDF, or document attached to the IDP, are in compliance with these Regulations.
19. Approvals by other regulatory and governing bodies, as required.

1-K. The IDP submittal shall also include the following documents:

1. Letters signed and dated from water, wastewater, (if applicable) electric utilities and telephone of a service commitment to the project.
2. A tax certificate showing that all taxes currently due with respect to the original tract, have been paid, in accordance with Section XII of these rules.
3. Results of soil analysis certified by a qualified Registered P.E. or Registered Sanitarian for on-site sewage facilities (OSSF).
4. Engineering Design Construction plans for roadway access to each rental space for fire and emergency vehicles.
5. Drainage design plans to ensure adequate drainage off of the rental spaces to drainage channels and out to the Department, including the design of drainage structures, culverts, and/or systems using a 10 year storm frequency, such that the drainage out of the Development does not have a negative drainage impact on neighboring properties. If additional right of way (ROW) is required for existing County road drainage and access as determined by the Department of Development to achieve a 60-foot wide right-of-way or to meet requirements of the Ellis County Thoroughfare Plan and the owner shall dedicate these rights of way to the County.

1-L. INSPECTION OF IMPROVEMENTS. Construction of a proposed Manufactured Home Rental Community may not begin before the date the Department of Development approves the IDP. Periodic inspection of improvements may be required, as directed by the Department of Development directs that final inspection is required, it must be completed not later than the second business day after the date the County Engineer

received a written confirmation from the owner that the construction of the infrastructure is complete. If the inspector determines that the infrastructure improvements comply with the IDP, then the Department of Development shall issue a Certificate of Compliance not later than the fifth business day after the date the Department of Development receives written confirmation from the owner that the infrastructure has been completed and in compliance with the IDP.

1-M UTILITIES. A Utility may not provide utility services, including water, sewer, gas, and electric services, to a Manufactured Home Rental Community subject to an IDP or to a manufactured home in the community unless the owner provides the utility with a copy of the Certified of Compliance issued by the Department of Development. This requirement applies to:

1. A municipality that provides utility services;
2. A municipally owned or municipally operated utility that provides utility services;
3. A public utility that provides utility services;
4. A non profit water supply or sewer service corporation organized and operating under Chapter 67, Water Code, that provides utility services;
5. A County that provides utility services; and
6. A special district or authority created by state law that provides utility services.

1-N TIMELY APPROVAL OF INFRASTRUCTURE DEVELOPMENT PLANS. Not later than the 60th day after the date the owner of a proposed manufactured home rental community submits an infrastructure development plan for approval the Department of Development shall approve or reject the plan in writing. If the plan is rejected, the written rejection must specify the reasons for the rejection and actions required for approval for the plan. The failure to reject a plan within the period prescribed herein constitutes approval of the plan.

This plan, which shall be signed, dated, and sealed by a licensed professional engineer registered in Texas, shall contain detailed and definitive information on the following:

1-0 WATER SUPPLY FACILITIES.

1. Public Water Systems
 - a. If the water supplier is a political subdivision of the state; a city, municipality, utility district, water control and improvement district, nonprofit water supply corporation, etc., the Developer shall furnish a signed letter of service availability from the water supplier to provide the state's minimum requirements of quality and quantity of water to the proposed Development.
 - b. Where there is no existing facility or owner intending to construct and maintain the proposed water supply facilities, the Developer may establish an investor-owned utility or create a municipal utility district and obtain a Certificate of Convenience and Necessity (CNN) from the Texas Natural Resources Conservation Commission (TNRCC) and include evidence of the CNN issuance for the Development area. Prior to IDP approval, plans and

specifications for the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed project, including TRNCC.

- c. Water service must be extended into the Development to each lot or rental space if the existing water lines are located within 300 feet of the Development and if there is sufficient water available by the water supplier.
2. Private Wells or Non-public Water Systems – Quantitative and qualitative results of sampling test wells in accordance with requirements promulgated by the TNRCC and the Texas Department of Health shall be included where individual wells are proposed for the supply of drinking water to residences and other establishments. The results of the analyses shall be made available to the prospective property owners or renters.
3. Prior to IDP approval, plans and specifications for the proposed water facilities systems shall have been approved by all entities having jurisdiction over the proposed project, including TNRCC. Evidence of the approvals shall be included in the Engineering Report.

1-P WASTEWATER DISPOSAL FACILITIES

1. Centralized Sewerage Facilities
 - a. If wastewater treatment is provided by a political subdivision of the state (city, municipality, utility district, water control and improvement district, nonprofit water supply corporation or an existing investor-owned water supply corporation, etc.) the Developer shall furnish a signed letter of service availability to provide the state's minimum wastewater treatment standard for the proposed Development from the utility.
 - b. Where there is no existing entity or owner to build or maintain the proposed wastewater treatment and collection facilities, the Developer may establish an investor-owned utility or a municipal utility district by obtaining a Certificate of Convenience and Necessity (CCN) from the TNRCC.
 - c. Prior to IDP approval, an appropriate permit to treat and/or dispose or waste for the ultimate build-out of the Development shall have been obtained from the TNRCC and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project, including TNRCC. Evidence of the approvals shall be included in the Engineering Report.
 - d. Wastewater disposal service must be extended into the Development to each lot or rental space if the existing wastewater lines are within 200 feet of the Development and there is sufficient wastewater capacity available from the wastewater service provider.
2. On-site Sewage Facilities – The engineering report shall include soils analysis results as required under the Ellis County Regulations for On-Site Sewage Facilities.

- 1-Q ROADWAYS. The Engineering Report shall include a description of the roadways within the Community, and include information on the roadway cross section, pavement width and thickness, base thickness, sub grade treatment, material specifications and other information as required in these Regulations. Plans and specifications for these

improvements shall also be submitted to the Department of Development for approval prior to construction.

- 1-R SIGNAGE PLAN. A signage plan for the streets to be constructed, if any, is to be included that shows an overall street layout depicting the location and description of signs and traffic control devices to be installed.
- 1-S TRAFFIC IMPACT STUDY. For Manufactured Home Rental Communities of 100 spaces or greater, the Engineering Report may, at the request of the Department of Development, be required to include a Traffic Impact Study in accordance with the requirements of the Ellis County Thoroughfare plan to assess the effects of additional traffic on the existing and proposed transportation system.
- 1-T DRAINAGE. The Engineering Report shall include information on the Development and roadway drainage, culverts, conveyances, outfalls, and other information as required to properly convey storm water within and away from the Development. Plans and specifications for these improvements shall also be submitted to the Department of Development for approval prior to construction.

NOTE: A new subdivision, which ties into an existing county road, must not cause drainage problems to the existing county road.

- 1-U EFFECTIVE DATE. These Rules, Regulations, and Specifications shall become effective July 27, 1998. Subdivision plats approved in preliminary or final form before July 27, 1998 shall be subject to the Rules, Regulations, and Specifications in effect at the time of plat approval except that, where these new Rules, Regulations, and

Specifications require less stringent requirements; the Developer of a subdivision approved under previous rules may request application of these new Rules, Regulations, and Specifications.

These Rules, Regulations, and Specifications may be considered for amendment by the presentation to the Commissioners Court of a draft proposed rule or rule change not inconsistent with State Law. Such proposal shall be reviewed by the Director, Department of Development, and be forwarded to the Court with comments for Court approval or rejection.

- 1-V STATUTORY AUTHORITY. This Order is adopted under the authority of the Constitution and laws of the State of Texas, particularly Texas Law, Local Government Code, including, but not limited to Chapter 232, Local Government Code, Vernon's Annotated Texas Civil Statutes (as amended by the 77th Legislature, Regular Session, 2001), and amendments thereto.
- 1-W DEFINITIONS. For the purpose of these Rules, Regulations, and Specifications, the following terms, phrases, words and their derivations shall have the meaning ascribed to them in this section:

ALLEY – a narrow street behind or between buildings.

ALL WEATHER – is a surface, which allows vehicular traffic regardless of the weather conditions. This does not include 4x4 vehicles or other vehicles capable of navigating unimproved surfaces.

AVENUE – a wide street or main thoroughfare.

BLOCK – a piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the Department of Development may determine the outline of the block. Also used to designate a series of lots within a subdivision for platting purposes.

BOULEVARD – a broad avenue.

BUILDING LINE OR SETBACK LINES - A line or lines designating the area outside of which a building may not be erected.

COMMISSIONERS COURT - Commissioners Court of Ellis County, Texas.

COUNTY - Ellis County, Texas.

COUNTY JUDGE - County Judge of Ellis County, Texas.

COUNTY ENGINEER - A Registered Professional Civil Engineer employed in the Department of Development, or on consulting status with Ellis County.

COUNTY ROAD - A public road or street, which has been accepted by the County, through prescription or dedication for maintenance purposes or street that was constructed and maintained by the County.

CUL-DE-SAC - A street having but one outlet to another street and terminated on the opposite end by vehicular turn-around. In no case shall the CUL-DE-SAC be longer than one thousand (1,000) feet in length. If at a later date a cul-de-sac is connected to another street, then all frontage, setback and right of way requirements must be met or the street must remain a cul-de-sac.

CUL-DE-SAC CORNER - Enlargement of a 90-degree intersection by a forty (40) foot radius from the intersection of the centerline of the two streets.

DEAD-END STREET: A street, other than a cul-de-sac, with only one outlet.

DEED RESTRICTIONS: A restrictive covenant expressed in a contract between the buyer and the seller of real property that imposes duties on the buyer or restricts the buyer's use of the land. These restrictions are usually expressed in the form of language in the deed to the property. Deed Restrictions are not enforced by the County.

DEPARTMENT OF DEVELOPMENT: The Department of Development.

DETENTION: The temporary storage of storm water runoff, with controlled peak discharge rates.

DETENTION TIME: The amount of time a body of water is actually present in a storm water detention facility.

DEVELOPER OR OWNER: Any person, partnership, firm, association, corporation (or any combination thereof), or any officer, agent employee, servant or trustee thereof, who performs or participated in the performing of any act toward the subdivision of land within the intent, scope and purview of these regulations.

DRAINAGE, BUYERS RESPONSIBILITY – It is the responsibility of the buyer of a lot to take the steps necessary to allow water from the lot to flow to the drainage ditch in the front, rear or side which ever is the case. It is not the responsibility of the County Commissioner or other County official to solve drainage problems on private land.

DRIVEWAY: A portion of a lot used for access to the lot from a public highway, road, or street and not used for public circulation.

DWELLING – Any building, or portion there of, which is designed or used as living quarters for one or more families; a residence.

EASEMENT: A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.

- a) **drainage easement:** the right for the passage of natural drainage across private land, together with the right to enter thereon for the purpose of maintaining drainage structures and the free flow of drainage.
- b) **non-access easement:** an easement dedicated to the County prohibiting vehicular access.
- c) **utility easement** – an easement granted for access, over or under land, together with the right to enter thereon with machinery and other vehicles necessary for the construction and maintenance of utilities.

ELEVATION CERTIFICATE: FEMA form 81-31, Jul 00 (or revision)

ENGINEER: A person duly authorized and properly registered under the provisions of the Texas Registration Act to practice the profession of engineering.

EXTRATERRITORIAL JURISDICTION: The unincorporated area, not a part of any city, which is contiguous to the corporate limits of any city. The extraterritorial jurisdiction of the various population classes of cities applicable to Ellis County (as defined in Chapter 42.021, Local Government Code, V.T.C.A.) shall be as follows:

- a) The extraterritorial jurisdiction of any city having a population of less than five thousand (5,000) inhabitants shall consist of all the contiguous unincorporated area, not a part of any other city, within one-half (1/2) mile of the corporate limits of such city.

- b) The extraterritorial jurisdiction of any city having a population of five thousand (5,000) or more inhabitants, but less than twenty-five thousand (25,000) inhabitants shall consist of all the contiguous unincorporated area, not a part of any other city, within one (1) mile of the corporate limits of such city.
- c) The extraterritorial jurisdiction of any city having a population of twenty-five thousand (25,000) or more inhabitants, but less than fifty thousand (50,000) inhabitants, shall consist of all the contiguous unincorporated area, not a part of any other city within two (2) miles of the corporate limits of such city.

FAMILY – One or more persons related by blood, marriage, or adoption; or a group not to exceed four (4) persons not related by blood, marriage, adoption or guardianship, occupying a dwelling unit.

FLAG LOTS: A tract of land or lot connected to a public road by a long driveway or frontage less than 150 feet shall not be permitted in Ellis County.

FLOODPLAIN: The area subject to inundation by a flood event of a magnitude which would be expected to be equaled or exceeded once on the average in any given year based on existing conditions of development within the watershed area, as determined by or approved by the Department of Development and the Federal Emergency Management Agency (FEMA).

FLOODWAY: The channel of a stream, plus any adjacent floodplain areas within which no obstructions to flow would be allowed so that the 100 year flood under fully developed (ultimate) watershed conditions may pass without cumulatively increasing the 100 year water surface elevation more than one (1) foot, provided that hazardous velocities are not produced. The floodway and floodplain limits are to be defined based on standard engineering practices or as determined by the Department of Development, the Federal Emergency Management Agency (FEMA), the Federal Insurance Administration (FIA), and Flood Insurance Rate Maps (FIRM).

HIERARCHY OF STREETS AND ROADS:

LOCAL: The lowest order residential street in the hierarchy, usually carries no through traffic and includes short streets, cul-de-sacs, and courts.

COLLECTOR OR SECONDARY THOROUGHFARE: The minor collector provides passage to country lanes and conveys traffic to major collectors. Through traffic is discouraged. It serves the principal street in a subdivision.

MINOR ARTERIAL OR PRIMARY THROUGHFARE: A high-volume street or county road that provides access to the subdivision and connects to major state and interstate highways. Backbone of the street system.

REGIONAL ARTERIAL: A county road or state highway that should have no residences on it. Its function is to conduct traffic between communities and activity centers and to connect communities to major state and interstate highways.

More detailed information concerning streets can be found in the Thoroughfare Plan for Ellis County.

INTERIOR STREET/ROD – a street contained within a subdivision, which serves only the subdivision and does not connect with one or more streets/road outside the subdivision.

LANE – a narrow way or passage as between hedges; any narrow or well-defined route or course.

LOT – any portion or piece, division or parcel of land.

LOT, CORNER – a lot touching the intersection of two or more streets, roads, etc.

LOT, INTERIOR – a lot other than a corner lot.

LOT LINES: The property lines of any given tract or parcel of land which circumscribe the area divided by any plat of record in the plat records of Ellis County, Texas, or in the absence of such a plat, the lot lines shall mean those property lines circumscribing the lot.

MANUFACTURED HOME: A movable or portable dwelling or office connected to utilities and constructed to be towed on its own chassis by a motor vehicle over Texas roads or highways. It may consist of two or more units, which are separately towable but designed to be joined into one integral unit.

MANUFACTURED HOME PARK: Any facility or area developed as a site for the lease or rental location of two or more manufactured homes.

MULTI-FAMILY RESIDENCE: A duplex, triplex, quadraplex, apartments, condominium, garden home, or townhouse as those structures are commonly defined.

ON-SITE SEWAGE FACILITY: All systems and methods used for the disposal of sewage, other than organized disposal systems, operated under a valid permit issued by the Ellis County Department of Development.

PLAT – a plan of a subdivision of land creating building lot or tracts showing all essential dimensions and other information essential to comply with the subdivision rules and regulation of Ellis County, and approved by the Ellis County Commissioners Court and filed with the County Clerk of Ellis County.

PLAT, PRELIMINARY: A map of a proposed development showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

PLAT, FINAL (RECORDATION): A map of a subdivision prepared in a form suitable for filing or recording with the necessary affidavits, dedications and acceptances and with complete bearings and dimensions of all lines defining lots and blocks, streets, public areas and other dimensions of land and subdivision requirements of Ellis County, Texas.

PRIVATE STREETS, ROADS, EMERGENCY ACCESS EASEMENTS, ETC. – a vehicular access way under private ownership and maintenance.

PUBLIC STREET: Any area, parcel, or strip of land (road) which provides vehicular access to adjacent property or land whether designated as a street, highway, freeway, thoroughfare, avenue, land boulevard,

road, place, drive, or however otherwise designated and which is either dedicated or granted for public purposes or acquired for public use by prescription.

RECREATIONAL VEHICLE: a vehicle such as a camper or a motor home, used for traveling and/or recreational purposes, with running gear.

REPLAT – a map of a subdivision incorporating changes, amendments, improvements, and/or corrections to a plat such as changes in lot size, further subdividing of existing lots, relocation of street lines/lot lines that is on record in the County Clerk’s office.

RIGHT-OF-WAY: That portion of the subdivision dedicated for public roads with the adjacent lot lines being the boundaries of the right-of-way.

ROAD – a long stretch with a smoothed or paved surface made for traveling by motor vehicles; a highway; a strip of land appropriated and used for purposes of travel and communication between different places.

ROAD FRONTAGE – contiguous frontage on a public road.

ROADWAY: that portion of any street or road designated for vehicular traffic not including shoulders or curbs.

SHALL, MAY: The word “shall” is mandatory and not permissive. The word “may” is permissive and not mandatory.

STREET – a public road, usually paved, with or without sidewalks, curbs and guttering with houses on each or at least one side of the same.

STREET, INTERSECTION – any street that joins another street at an angle, whether or not it crosses the other.

SUBDIVISION: Any division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, for lease, transfer of ownership by deed or contract for deed or otherwise, or building or lot development must be platted.

SURVEYOR: A Licensed State Land Surveyor or Registered Professional Land Surveyor (RPLS), as authorized by the State Statutes to practice the profession of surveying.

THROUGH ROAD/STREET – a street or road running through a subdivision that connects two or more thoroughfares.

THOROUGHFARE – as defined in the Ellis County Thoroughfare Plan.

TNRCC - Texas Natural Resource Conservation Commission.

TRACT – a single individual parcel of land.

TRAIL – a path or track across a wild or region.

TXDOT - Wherever mentioned refers to the Texas Department of Transportation.

TXDOT SPECIFICATIONS - Refers to the current Standard Specifications for Construction of Highways, Streets and Bridges.

USEABLE ACREAGE – the land remaining after excluding the floodplain, as authorized by TNRCC Rules and Regulations, or other applicable law, restricting the amount of land available for construction of an On-site Sewage Facility. With the submittal of an engineer sealed alternative plan the Department of Development will consider the alternative plan, but reserves the right to accept or reject the plan.

UTILITIES - Electric, gas, television/cable, and telephone lines; water and sewer systems, or other buried or aerial utilities the construction of which may be regulated by the County.

VARIANCE – an adjustment in the application of specific regulations of the Subdivision Rules and Regulations to a parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity. Only the Commissioners Court of Ellis County can grant a variance, except as outlined in Section XI, C. of these rules.

WRECKING YARD (JUNKYARD OR AUTO SALVAGE) – my lot upon which three or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of current registration and/or current state inspection, have been placed for the purpose of storage, obtaining parts, recycling, repair or resale.

DEFINITIONS NOT EXPRESSLY PRESCRIBED HEREIN ARE TO BE CONSTRUED IN ACCORDANCE WITH CUSTOMARY USAGE IN SUBDIVISION PLANNING AND ENGINEERING PRACTICES.

SECTION II
PRELIMINARY PLAT

The applicant shall submit ten (10) blue line prints of a preliminary plat of any proposed subdivision or development to the County Department of Development for presentation to the Commissioners Court. The complete plat application, including submission of the required filing fee, shall be submitted a minimum of twenty-one (21) days prior to the first Commissioners Court date of each month. After receipt of the completed application, the Department of Development may schedule a hearing at a Commissioners Court meeting at an earlier date. All preliminary plats will be sent to and reviewed by Ellis-Prairie Soil and Water Conservation District. The preliminary plat shall show or be accompanied by the following information.

2-A **SUBDIVISION NAME:**

The proposed name of the subdivision shall not conflict with the name of any other subdivision in the county, and the names of adjacent subdivisions.

2-B **NAMES OF OWNER/OWNERS:**

The names, addresses and telephone numbers of the Owner and/or Owners of the proposed subdivision and the name, address and telephone number of the Engineer or Surveyor responsible for the preparation of the preliminary plat.

2-C **BOUNDARY LINES:**

The perimeter boundary of the subdivision shown with bearings and distances, referenced to a corner of the original survey and described by metes and bounds, together with the names and location map of adjacent subdivisions, if any. The boundary line description of the tract being subdivided shall close to an accuracy of one in ten thousand (1:10,000). **THE ACREAGE IN EACH SURVEY MUST BE SHOWN.** The plat shall show the locations of City limit lines and outer border of the City's extraterritorial jurisdiction if either traverses the subdivision, forms part of the subdivision, or is contiguous to the subdivision boundary as indicated by City records. Otherwise, the plat shall contain a notice that this subdivision or any part thereof is not located within the extraterritorial jurisdiction of any incorporated city or town.

2-D **LOT AND STREET LAYOUT:**

The location and width of existing and proposed streets, roads, lots (accurate dimensions and useable acreage) and alleys, building lines, easements, parks, school sites, and any other features relating to the proposed subdivision. The plans shall show the outline of adjacent properties for a distance of at least one hundred (100) feet and how the street, alleys or highways in the proposed subdivision may connect with adjacent land or with adjacent subdivision, which are of record. The acreage of the proposed subdivision shall be indicated on the plat. See Section VIII, Subsection A., **RESIDENTIAL LOTS**, for required lot sizes and street frontage.

2-E DRAINAGE AND TOPOGRAPHY:

A drainage study showing the physical features of the property including water courses, the 100 year floodplain boundaries (and source of information), or the highest flood control easement recorded by the Ellis-Prairie Soil and Water Conservation District, ravines, bridges, culverts, present structures, and other features of importance to lot and street layout. (See Appendix "A", Drainage Requirements Criteria & Design Standards, para. C.1., "Preliminary Drainage Plans"). It shall be prepared, stamped, and certified by an Engineer. Topography of the tract shall be shown on the preliminary plat by means of contours of ten (10) foot intervals tied to United States Geological Survey (USGS); contours of lesser intervals may be required to better determine topography and drainage.

Where development may create a drainage problem within the subdivision, provisions shall be made for drainage easements to allow for proper control of drainage, and for future maintenance within the easement area. If the construction of the subdivision shall induce drainage impacts to adjacent areas, provisions shall be made for appropriate mitigation actions outside the boundaries of the proposed plat. Retaining ponds may be required to help control excessive run-off.

2-F LAND USE:

Designation of the proposed uses of land within the subdivision. Indicate areas for residential, commercial, industrial, or public use, such as parks, churches, etc.

2-G DRAWING REQUIREMENTS:

North Point, scale and date. The preliminary plat shall be drawn to a scale not exceeding one (1) inch equals two hundred (200) feet. Preliminary plats shall be presented on standard size sheets of 18"x24". If the proposed subdivision is too large to be accommodated by a single standard sheet size, then two or more sheets may be used, with match lines clearly shown. If the original plat has been reduced for filing, then the reduction must be no more than 50% of the original size. A location map at a scale of not more than 2,000 feet to an inch clearly showing existing adjacent subdivisions, major streets, other pertinent landmarks also shall be shown on the plat. All existing and proposed utility easements shall be shown on the plat and identified. All signatures on plats and other documents must be in either blue or black ink. Colored ink signatures will not be accepted. One copy will be distributed to the Ellis Prairie Soil and Water Conservation District for determination whether any portion of the subdivision falls within any EPS & WCD easement. One copy will be distributed to the 911 Coordinator for assignment of physical address.

2-H UTILITY SERVICE:

Letters signed by each utility company stating their plan for providing utility service within the proposed subdivision, e.g., electric, gas, telephone, television/cable, trash pickup, water and sewer disposal system.

All fire hydrants must connect to a minimum water main of 6" which provides adequate flow and pressure according to NFPA and ISO. They must face county road and be accessible to local fire-fighting vehicles. Fire hydrant locators shall consist of four inch by four inch (4"x4") blue reflector traffic buttons properly placed to comply with local fire protection agent and Ellis County Department of Development.

In accordance with ISO and IFSTA Standards, in residential districts, one hydrant must be located at each street intersection with intermediate hydrants so located that spacing does not exceed 450 feet between hydrants. Fire hydrants shall be as specified by the water company providing service to the subdivision. Operation nuts, hose nozzles and pumper nozzle shall be compatible for use by the local fire-fighting agency.

Utility easement of not less than twenty (20) feet shall be provided where needed. The proposed water supply shall be shown, e.g., municipal water, rural water supply corporation, privately owned water system, individual wells, etc.

The plan for sanitary sewage treatment and/or disposal shall be indicated, e.g., municipal sewer service, privately owned sewage disposal system or individual on-site sewage facilities. A site evaluation must be completed for entire subdivision. The location of each soil analysis and the area that it covers shall be shown on the plat. If it is the owner's intent to allow conventional soil absorption systems, representative soil analysis shall be performed by Registered P.E. or Registered Sanitarian. The location of each soil analysis and the area that it covers shall be shown on the plat. If surface application systems are proposed, it shall be clearly stated on the plat and a site evaluation must be completed for entire subdivision.

Whenever an organized disposal system is developed within 300 feet of a lot with an on-site sewage facility, that facility shall be connected to the organized disposal system. In addition, the development and use of an organized disposal system is encouraged, where practicable, to serve the disposal needs of the citizens of Ellis County.

2-I LOT AND BLOCK NUMBERS:

Number of all lots and blocks arranged in a systematic order clearly shown in distinct and legible figures.

2-J CERTIFICATE FOR COUNTY PUBLIC WORKS DEPARTMENT:

The following statement: "This plat has been approved by the Department of Development, for on-site sewage facilities, pending any and all information as may be required by Department of Development". This statement must be signed by the Department of Development Director.

If the location of the subdivision or any part thereof is within the extraterritorial jurisdiction of any city or town within Ellis County, Texas, the plat shall be approved by the governing body of that jurisdiction prior to submission to the Commissioners Court. If the location of the subdivision is not in the extraterritorial jurisdiction of any city or town, it must be clearly stated on the plat. In the event the land is subject to both municipal subdivision regulations and these regulations, the more stringent

provisions prevail. The developer bears the burden of establishing whether plat approval by a municipality is required.

The plat shall be approved by the Commissioners Court prior to the request for a hearing on the final plat. Approval of the preliminary plat does not constitute acceptance of the subdivision, but is merely an authorization to proceed with the preparation of the final plat for record. No placement of manufactured homes, grading of streets, or construction is authorized in the subdivision before the final plat and engineering plans are approved by the Commissioners Court.

The plat must contain the following, **“I HEREBY CERTIFY THAT THIS PROPOSED SUBDIVISION DOES NOT LIE IN THE EXTRA-TERRITORIAL JURISDICTION OF ANY CITY.”** This certification is to be signed by the developer.

NOTES:

- (1)Plats using terms, titles, or verbage inconsistent with terms, titles, or verbage contained in these Rules will not be accepted.
- (2) The total number of lots for a subdivision and/or phase shall be shown on the plat below the name of the subdivision.
- (3) Regardless of the Rules, Regulations and/or Ordinances of any city exercising authority in the ETJ, a preliminary plat is required by Ellis County consistent with this section.
- (4) Ellis County, as the filing authority of plats, will not accept any plat for consideration that uses terminology than Preliminary Plat in the title block.

SECTION III **FINAL PLAT**

The final plat must be submitted no later than twelve (12) months after preliminary plat approval. The Commissioners Court may grant an extension for the submission of the final plat for a period not to exceed six (6) months if the delay is due to the required approval of other governmental agencies or legal proceedings related to the plat approval. If the final plat is not submitted within said time, a new preliminary plat under the then existing subdivision rules and regulations will be required.

The applicant shall submit (10) blue line prints of a final plat of any proposed subdivision or development to the County Department of Development for presentation to the Commissioners Court. A digital copy of proposed plat must be submitted to the Department of Development at the time of filing the final plat. If one is not provided, the developer must pay a \$75.00 fee.

After the preliminary plat has been approved by the Commissioners Court, a complete final plat application, including submission of the required filing fee, shall be submitted to the Department of Development a minimum of twenty-one (21) days prior to the Commissioners Court or each month. After receipt of the completed application, the Department of Development Director may schedule a hearing at a Commissioners Court meeting at an earlier date. The final plat shall show or be accompanied by all of the information required for the preliminary plat plus the following additional information:

- 3-A **LIST OF CHANGES BETWEEN PRELIMINARY PLAT AND FINAL PLAT:**
A written list of any and all changes made to the final plat that is different from the preliminary plat.

- 3-B **SUBDIVISION NAME:**
Same as preliminary plat.

- 3-C **NAMES OF OWNER/OWNERS:**
Same as preliminary plat.

- 3-D **BOUNDARY LINES:**
Same as preliminary plat.

- 3-E **LOT AND STREET LAYOUT:**
Final engineering drawings and specifications for all public facilities to be installed, i.e., water and sewer facilities, streets and related improvements, bridges, and storm drainage (see subsection L, ENGINEERING PLANS). Three (3) blue line copies of said plans shall be submitted. Plan profile sheets shall be included for each proposed street in the subdivision, except in those instances where a city exercising its extraterritorial authority requires a different sheet size and/or scale, or upon prior approval of the Department of County Development. These plan profile sheets shall show the right-of-way of the street and a portion of the right-of-way of all intersecting streets in the plan portion. The plan portion shall show existing ground at left and right, right-of-way, and proposed centerline or back-of-curb elevations and drainage ditch elevations.

The final plans shall show the location of the Center Line Intersection of any subdivision street or road with a county street or road by bearing to the nearest minute and distance to the nearest foot from the Center Line Intersection of two existing county roads or other easily identifiable road map feature. The Commissioners Court shall have the right, when future conditions warrant, to specify that one or more points of street or road Center Line Intersection be defined in accordance with NAD 1983 Standard Grid Coordinate System (or later), the unit of measurement that may be required (metric or English), and the accuracy of such location.

Front building setback lines shall be shown on all lots, and shall provide for a minimum setback distance of at least thirty (30) feet on roads located within the subdivision and forty (40) feet on lots bordering existing county roads or farm-to-market roads. Corner lots will have a forty (40) setback on the sides, which border any road. Building setback lines, sides and rear lot lines, shall be at least ten feet. If lots within subdivision are larger, a greater setback distance shall be considered.

3-F DRAINAGE AND TOPOGRAPHY:

The size and location of all drainage structures, storm sewers, curb inlets, etc., and direction of flow of all storm water. The drainage area map shall show limits of all on-site and off-site water draining to the project. The drainage calculations defining drainage areas, runoff factors, storm intensity, time of concentration, and quantity of runoff shall be provided. Drainage standard criteria is shown in Appendix "A", "Drainage Requirements Criteria and Design Standards".

The 100-year floodplain and floodway design calculations shall be made assuming ultimate (fully developed) watershed conditions. The contributing drainage area will consider existing developments and will assume for undeveloped areas the equivalent runoff for single-family residential on lots of one (1) acre or more (see Appendix "A, "Drainage Requirements Criteria & Design Standards").

The following flood notes shall be placed on the plat, when appropriate:

- (1) Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.
- (2) The existing creeks or drainage channels traversing along or across this 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) Ellis County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
- (4) Ellis County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.

A developer and/or a developer's engineer shall not place a statement on the final plat limiting or denying any liability they may have for flooding or drainage problems.

Lots located in depressions and in or adjacent to the 100-year floodplain, or other critical elevations established by a flood control easement, shall show on each lot the minimum recommended finished floor elevations, based on Engineers design, which shall be not less than one (1) foot above the 100-year floodplain elevation, or the more critical elevation. Ellis County will not be responsible for any flooding or flood conditions that occur in these areas.

The final plat shall show the location of a minimum of two (2) permanent benchmarks within the subdivision, which were used to establish the 100-year floodplain, other critical floodplains, if any, and recommended finished floor elevation in lots. Reference recorded subdivision plats or adjoining platted land by record names, and deed record volume and page. The 100-year floodplain shall be clearly shown by shading. Contour intervals required for the preliminary plat, shall not be shown on the final plat.

The Department of Development reserves the right to require an Elevation Certificate (FEMA Form 81-3 JUL)) or current addition) on any or all lots in a subdivision if it deems necessary to require.

3-G LAND USE:

Same as preliminary plat.

3-H DRAWING REQUIREMENTS:

The recording plat on permanent type material. All figures and letters shown must be plain, distinct, and of sufficient size as to be easily read, and must be of sufficient density to make a lasting and permanent record. Ten (10) copies of the signed final plat shall be submitted to the Department of Development. The Department of Development will distribute a copy to the Ellis County Appraisal District and one (1) copy will be given to the Ellis County Clerk upon signature and approval by the County Judge and County Commissioners Court of Ellis County and one copy will be given to Ellis-Prairie Soil Water Conservation District for determination whether any portion of the subdivision falls within any EPS & WCD flood easement. All existing and proposed utility easements shall be shown on the plat and identified. All signatures on plats and other documents must be in either blue or black ink. No colored signatures will be accepted.

3-I UTILITY SERVICE:

A plan for providing water and sewer service within the proposed subdivision, if such service is not provided by utility companies, including a description of the extent to which water will be made available to the subdivision, if it will be made available, how, and when.

3-J PHYSICAL ADDRESSES:

Identification of the physical addresses. Addresses for inclusion on the plat are to be coordinated with the Emergency Management Director/911 Coordinator for Ellis County. Addresses shall be shown in tabular form and shall correspond with lot and block numbers.

3-K RESTRICTIONS OF SUBDIVISION:

A copy of the subdivision restrictions, including those imposed by the developer, properly signed, notarized, and ready to be filed for record by the Department of County Development.

A lot shown on an approved and recorded final plat is required before a permit to construct an on-site sewage facility can be obtained. It is the responsibility of the lot owner to meet Ellis County Rules and Regulations for on-site sewage facilities.

The restrictions shall indicate that all driveway culverts shall be installed in accordance with the policies of Ellis County and shall be of sufficient size to pass the five (5) year storm. (In no case shall driveway culverts be less than eighteen (18) inches in diameter). The driveway above the culvert shall be constructed such that the drive is sufficiently below the outside edge of the main road so that storm water, which exceeds the capacity of the culvert, can pass over the culvert without entering the road or street. Safety End Treatments are optional. If determined by the Director of Department of Development and the precinct County Commissioner to be required in special cases, they shall be installed in accordance with TxDOT, Item 467. Material shall be either corrugated galvanized metal pipe or reinforced concrete pipe. A permit must be obtained from TxDOT for driveways and culverts intersecting Farm-to-Market roads or state maintained roads.

3-L ENGINEERING PLANS:

Engineering plans including three (3) copies of the plan profile sheets for the construction of streets and drainage facilities which show the following, except in those instances where a city exercising its extraterritorial authority requires a different scale, or upon approval of the Department of County Development. The seal and signature of the engineer responsible for the designs shall be shown on all sheets.

1. Street construction plans will show:

- (a) The plan and profile of the street in no larger than 1" = 50' scale horizontal and 1" = 5' scale vertical showing the location of the proposed pavement, ditches and drainage structures within the street right-of-way;
- (b) The street grades and elevations;
- (c) Vertical curve information;
- (d) Typical street sections;

2. Drainage construction plans shall show:

- (a) The plan and profile of the drainage facilities (same scale as above).
- (b) The open channel ditch or storm drain grades, and the design flow, depth, velocity, and capacity of water.

- (b) A plan and profile of all culverts under any street with the design flow of water, headwater and tail water depths, and the tail water velocity.
- (d) The size of all driveway culverts to carry the design flow of water at each lot in the subdivision when the culvert is installed at the designated ditch grade. (Table is acceptable).
- (e) Typical ditch sections, and the width of right-of-way and drainage easements needed.
- (f) Summary sheet of drainage facilities.

3-M TAX CERTIFICATES:

Current tax certificates showing that all taxes owed are fully paid and shall be provided and filed with the plat.

3-N CERTIFICATION AND DEDICATION BY OWNER:

Certification by the owner of his dedication of all streets, roadways, alleys, utility and drainage easements, right-of-way, parks, if any, and other land dedicated for public use, signed and acknowledged before a Notary Public by said owner. All dedications shall be free and clear of all encumbrances at the time of conveyance. SEE ADDENDUM #10

In response to the Private Real Property Rights Preservation Act, Chapter 2007 of the Government Code of Texas, which went into effect September 1, 1997 for County governments in Texas, a "Takings Impact Assessment (TIA)" must be prepared by the county to determine if such a transfer of private real property constitutes a "taking" without compensation of the owner. If the proposed action is not determined to be exempt from the TIA requirements, at least 30 days notice of the Counties intent must be provided in a newspaper of general circulation in Ellis County.

In order to expedite and shorten the approval process for the final platting of private property, the owner may choose to sign a waiver of a TIA to be filed by the Department of Development with the County Clerk prior to final plat approval by the Commissioner Court. A copy of a Waiver of "Takings Impact Assessment (TIA)" and a Takings Impacts Assessment Checklist are found in Appendix B.

3-O CERTIFICATION BY REGISTERED PUBLIC SURVEYOR:

Seal, signature and certification by a surveyor to the effect that the plat correctly represents a survey made by him, and that all the lot corners and boundary markers are correctly placed as shown thereon. Markers shall be of metal or concrete firmly placed in the ground so as to be permanent.

3-P CERTIFICATION AND APPROVAL BY CITY:

Certification of approval signed by the appropriate representatives of any city having extraterritorial jurisdiction over the area in which all or part of the subdivision is located.

3-Q ISSUANCE OF A FLOOD PERMIT:

No floodplain permit will be issued for a lot in any subdivision until a copy of the subdivision deed restrictions, if any, indicating a filing with the County Clerk of Ellis County, is delivered to and filed by Department of County Development.

After examination of the final plat and engineering plans, the Commissioners Court shall approve or disapprove the final plat. If the plat is disapproved, it shall be returned to the owner with reasons for the disapproval.

A surety bond or irrevocable letter of credit for construction of roads, streets, underground utilities, signs and required drainage and drainage structures (see Section X, Performance Guarantees) shall be presented to the Department of County Development with submission of final plat.

Five spaces shall be provided on the final plat for signature by the County Judge and the County Commissioners Court. After the final plat approval, the final plat and accompanying restrictions of subdivisions, are filed with the County Clerks Office by the Department of Development.

A pre-construction meeting must be scheduled between developer, contractor, and Department of Development prior to any construction of infrastructure.

NOTE: No construction on any lot, or movement of manufactured homes onto a site, may begin until the final plat is filed and the subdivision is accepted by the County Commissioners Court, and floodplain permit, on-site sewage facility permit, and culvert sizing has been issued to the property owner.

NOTE: After final plat approval, the Department of Development reserves the right to designate lots in a subdivision with unique topography to receive prior authorization from the Department of Development concerning house placement and location prior to issuance of floodplain permit and/or O.S.S.F. permit.

NOTE: The plat must contain the following, "I hereby certify that this proposed subdivision does not lie in the extra-territorial jurisdiction of any city." This certificate is to be signed by the developer.

NOTE: The total number of lots in the subdivision and/or phase shall be shown on the plat below the name of the subdivision.

NOTE: Plats using terms, titles, or verbiage inconsistent with terms, titles, or verbiage contained in these Rules will not be accepted.

SECTION IV SIMPLIFIED PLAT

4-A **PURPOSE.** A simplified plat may be used solely for the purpose of subdividing land that is undeveloped or used for single-family residential purposes into one to four lots, or for creating one lot when the remaining tract exceeds ten (10) acres.

4-B **APPLICABILITY.** A simplified plat may be used to record such subdivision of property, or to record the remainder of a tract created by the simplified platting of a portion of the property provided that:

- 1) The resulting lots are undeveloped or used for single-family residential or agricultural purposes;
- 2) Neither the lot(s) nor remaining tract(s) of land or any portion thereof has been previously recorded as a simplified plat within one year of an application for a simplified plat involving any portion of the same lot(s) or remaining tract(s):
- 3) No new roads will be created on the simplified plat.
- 4) All subdivision regulations and requirements such as fire hydrants, driveway spacing, etc. apply to Replats and Simplified Plats as well as any other subdivision of land

4-C **APPLICATION PROCEDURES AND REQUIREMENTS.**

1. **Application Requirements.** The property owner shall submit an application, together with the required supporting documents and fees, and shall include all information listed below. The following plat requirements shall apply to the lot(s) being created and not to any remaining tract that exceeds fifteen (15) acres.
 - a. The boundary lines with accurate distances and bearings and the exact location and width of all existing or recorded streets intersecting the boundary or the tract.
 - b. True bearings and distances to the nearest established street lines or official monuments, which shall be accurately described on the plat; municipal, township, county, or section lines accurately tied to the lines of the subdivided area, or addition, by distances and bearings.
 - b. An accurate location of the subdivided area, or addition, with reference to the abstract and survey records of the County.
 - c. The exact layout including
 - (a) Existing street names.
 - (b) The length of all acres, radii, internal angles, points of curvature, length, and bearings of the tangents.
 - (c) Easements and rights-of-ways dedications
 - (d) All lot numbers and lines with accurate dimensions in feet and hundredths of feet and with bearings and angles to street and alley lines.
 - (e) Location and identification of existing structures.

- e. The accurate location, material description, and approximate size of all monuments and corners.
- f. The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon.
- g. Assigned address of the subdivided lots.
- h. Name and address of the property owner.
- i. North point, scale, and date.
- j. Certification by a Registered Professional Land Surveyor to the effect that the plat represents a survey made by him and that all the monuments shown thereon actually exist, and their location, size, and material description are correctly shown.
- k. Additional certificates to properly dedicate easements or rights-of-ways as may be necessary.
- l. Boundary survey closure and area calculations.
- m. Construction plans shall not be required except where utility, and drainage improvements, other than electrical and water tap-on service to any structure, are proposed by the owner. Construction plans, easements, and dedications as appropriate shall be submitted concurrent with the simplified plat. The construction plans, if any, shall be prepared by or under the supervision of a professional engineer registered in the State of Texas and shall bear his seal on each sheet.
- n. A certificate of ownership and dedication of all rights-of-way for existing streets and alley rights-of-way to public use forever, signed and acknowledged before a Notary Public by the owner and lien holder of the land along with complete and accurate description of the land subdivided and the streets dedicated, where applicable.
- o. Letters signed by each utility company stating their plan for providing utility service to the subdivided area, or addition, e.g., electric, gas,
- p. telephone, television/cable, trash pickup, water, and sewer disposal system. This requirement also applies to manufactured homes to be placed on said lots.
- q. OSSF Statement (plat)

2. STANDARD FOR APPROVAL

- a. Access. All tracts, parcels, lots or sites created by a simplified plat shall have one hundred-fifty (15) feet front to back frontage and ownership to an existing paved public street. Access to a public street by easement is not allowed.
- b. Dedication of Right-of-Way. Dedication of right-of-way to a public road is required where a simplified plat is used to record the remainder of a tract, fifteen acres or less, created by the simplified platting of a portion of the property.

3. APPROVAL PROCEDURE. A simplified plat meeting all requirements of the County shall be placed on the consent agenda of the County Commissioners Court. Simplified plats shall be approved provided they comply with all appropriate County orders and attested to by the signature of the County Judge or appointed commissioner.

4. EFFECT.

- d. Simplified plat approval and acceptance by the County does not relieve the owner from obligations, including fees, required by other sections of this or other orders of the County pertaining to the improvement of the property or extension of services as required to make the property suitable for development.
- e. Dedication of right-of-way shall not relieve the property owner from obligations for street construction or assessments associated with public street improvement programs. Easements for access, utilities and drainage may be recorded on simplified plats.
- f. A simplified plat may be vacated, revised (replatted), or superseded in total or in part by compliance with the procedures and requirements of these Rules, Regulations, and Specifications.

SECTION V
GENERAL REQUIREMENTS

General Requirements pertaining to subdivisions within Ellis County, Texas, having been considered by the Commissioners Court, shall be as follows:

5-A **STREET ARRANGEMENT:**

The design of new streets or the extension of existing streets shall be done to facilitate both present and future traffic flow and to adequately provide for storm water drainage. In all cases, the design engineer shall be cognizant of local drainage and shall plan local streets such that the new street does not create a localized problem for existing development.

Every effort shall be made to provide interior driveways in the subdivision to minimize driveways intersecting principal arterials and major thoroughfares.

Streets must be numbered and marked by the developer with permanent metal signs. The developer shall assure that there is no conflict with the name, or number of another public road or street within the unincorporated part of the County or nearest city.

5-B **DEAD-END STREETS AND CUL-DE-SACS:**

Except in very unusual cases no dead-end streets will be approved unless such dead-end streets are provided to connect with future streets on adjacent land, and in no case shall the dead-end exceed 1,000' in length. Cul-de-sacs may be permitted where the form or contour of the land makes it difficult to plat with connecting streets. Such cul-de-sacs shall provide proper access to all lots, and a turn-around shall be provided at the closed end, with an outside edge of pavement radius of at least forty (40) feet. Cul-de-sac streets shall not exceed 1,000 feet in length.

5-C **ADJOINING STREETS AND LAND:**

The system of streets designated for the subdivision, except in very unusual cases, must connect with streets already dedicated in adjacent subdivisions; and where no adjacent connections are platted, must be continued to the boundaries of the tracts subdivided, so that other subdivisions may connect therewith.

5-D **UTILITY EASEMENTS:**

Utility easements shall be provided as needed by utility company plans. When utility easements are required they shall be at least twenty (20) feet in width (normally ten (10) feet on each side of side lot lines). Front and rear lot easements shall be at least twenty (20) feet in width.

5-E **CULVERTS:**

A culvert permit is required for each individual lot. If a second drive is desired, the property owner must comply with the driveway spacing requirement, and a permit must be obtained for each drive. Culvert size shall be determined by the engineer that

designed the drainage for the proposed subdivision. If a drainage study was not done on an individual property the D.O.D. and/or the County Engineer will determine the culvert size. A final inspection made by the Department of Development and/or county engineer will follow installation to insure proper type, proper size and proper installation.

Culverts shall be constructed of corrugated metal unless otherwise approved by the Department of Development and the Commissioner in that precinct. However, concrete culverts, including concrete box culverts, will be allowed in locations that require a culvert that is larger than is practicable for a corrugated metal culvert. See Section IX, Subsection E., "Culverts & Structures."

All driveway culverts must be a minimum of eighteen (18) inches in diameter or as determined by the Department of Development or the Precinct Commissioner. The driveway above the culvert shall be constructed such that the driveway is sufficiently below the outside edge of the main road so that the storm water which exceeds the capacity of the culvert can pass over the culvert without entering the roadway and driveway entrance to the house. Culvert safety end treatments are optional. See Section III, subsection K, DEED RESTRICTIONS.

The landowner or developer shall install all drainage culverts as designated on the plat based on the drainage study on file in the Department of Development.

5-F CONSTRUCTION:

All installations and work in any subdivision must be approved by the Department of Development and the Commissioner of the precinct where the subdivision is located. All work shall be constructed and finished in accordance with good engineering practices. All development construction shall conform to the requirements of the National Flood Insurance Program as administered by Ellis County. No construction on any lot, or movement of manufactured homes onto a site, may begin until the final plat is filed and the subdivision is accepted by the County Commissioners Court, and floodplain permit, on-site sewage facility permit, and culvert sizing has been issued to the property owner.

5-G TESTING:

All testing required by these rules and regulations to determine conformance to specifications shall be performed by a qualified engineer or a testing laboratory, approved by the Department of Development. The cost of all testing will be borne by the Owner/Developer of the subdivision. The following tests will be required:

Subsurface Investigation:

A subsurface investigation to evaluate subgrade characteristics, stabilization requirements, and pavement section thickness in support of a request for a variance from construction requirements included in the subdivision rules, regulations, and specifications.

Materials:

Pavement materials and mix designs shall be analyzed and evaluated for their suitability for pavement usage.

Construction:

Materials, engineering testing and inspection services shall conform to the TxDOT Laboratories recommended scope of services.

5-H INSPECTIONS:

Ellis County shall perform the minimum amount of inspections and testing as set forth in these regulations, to assure compliance. However, the burden of inspection, testing, and responsibility for compliance shall rest with the developer. Inspection, approval, and acceptance by the Commissioners Court does not relieve the developer of his responsibility to inspect, test, and construct the work in complete compliance with the Subdivision Rules, Regulations, and Specifications.

Inspection, approval, and acceptance by the Commissioners Court shall not constitute a waiver of rights, and includes the right to collect for additional work that is determined to be required to comply with these rules and regulations, and/or for work unintentionally not completed.

5-I UTILITIES:

All utility lines crossing a subdivision road shall be installed to at least the minimum requirements shown in the next paragraph and meet any other requirements of a utility company and/or as required by statute. See attachment "A".

Utility lines crossing a road shall be installed a minimum of 18" below the ditch line or a minimum of 36" below the crown line of the road, whichever is greater. All lines carrying liquid products must be encased in metal or PVC schedule 40 a minimum depth of 36" below the crown line of the road from ditch line to ditch line.

All utility lines, except those crossing a road, shall be installed in the utility easements of the subdivision.

NOTE: All existing and/or new utilities are 100% responsibility of the developer to properly install and/or relocate (existing utilities in order to comply with county set-backs and/or right-of-way).

5-J SIGNS:

All streets must be named and the signs installed by the developer (see Section IX, subsection H, "Signs").

All road signs must be in place prior to final acceptance of the subdivision by the Commissioners Court. The appropriate County Commissioner shall be contacted to assure all new road signs are compatible with existing signs in their Precinct.

5-K COMPLETION OF STREETS, ROADS, SIGNS, UNDERGROUND UTILITIES, AND DRAINAGE FACILITIES:

After completion and acceptance by the County, all streets, roads, signs, underground utilities, drainage ditches, and drainage structures, shall be maintained by the developer for a period of two years. The developer shall then request County maintenance of the facilities.

The County shall give written notice of maintenance deficiencies during the two-year maintenance period, i.e., missing signs, drainage problems, etc. The developer shall have 14 workdays after notification to complete appropriate action, except for missing traffic signs, which must be replaced within 24 hours. If the items have not been corrected within the allotted time, the County may elect to accomplish the work and draw its cost against the developer's maintenance bond.

5-L HOUSES BUILT ON LOTS WHICH ARE LOWER THAN THE ROAD:

Houses built on lots which are lower than the road or roads on which it fronts and/or abuts shall be built at a finished floor elevation above the proposed grade of the yard adjacent to the slab on the uphill side of the property, and/or a shallow dip section (swale) shall be built in the yard to prevent storm drainage water from ponding and damaging houses on properties that are lower than the road. Careful attention shall be paid to the drainage design for the subdivision in order to alleviate potential localized flooding on individual lots.

The developer is responsible for notifying prospective buyers of the above requirements. Ellis County shall not be responsible for any flooding or flood conditions that occur in these areas.

5-M ACCESS TO SUBDIVISIONS:

Access to all new subdivisions shall be from a County maintained street (road) or a state or federally maintained road or street. Ellis County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas, and open spaces.

5-N DRAINAGE EASEMENTS:

The drainage easements must be left unobstructed so that equipment can be used to clean and maintain them when necessary. See Appendix "A", Drainage Requirements Criteria and Design Standards, Section E., Easements.

5-O AUTHORITY TO ENFORCE DEVELOPER DEED RESTRICTIONS:

No authority for the enforcement of the developer's deed restrictions lies with Ellis County. Such enforcement, if any, shall rest solely with the developer, property owner, purchaser, or landowner's association.

5-P PLAT REVISION:

A revised plat must be approved by the Commissioners Court for the conveyance of portions of one or more previously platted lots in a subdivision. (See Section VI, Subdivision Plat Revision).

5-Q DECORATIVE/LANDSCAPED SUBDIVISION ENTRANCE(S)

In those subdivisions where a decorative and/or landscaped entrance(s) is provided, it is understood that these decorative and/or landscaped entrances shall not be dedicated to the county, nor will the county provide any upkeep or maintenance to these entrances. In the event that these entrances become damaged, unsightly, or a hazard to traffic, at the option of the Precinct Commissioner, they may be removed with the county suffering no liability for this removal.

5-R DRIVEWAYS

All lots in a subdivision must have an all weather driveway capable of providing a place to park all vehicles normally at the site. Parking on a county, state or federal road is prohibited.

5-S FENCE

Any new or replacement fence must be placed outside the county right-of-way and in no case closer than thirty (30) feet from the center of the road.

5-T RIGHT-OF-WAY

For residential development directly adjacent to County or State right-of-way, the Developer shall be responsible for adequate setback and/or sound abatement measures to mitigate traffic noise.

SECTION VI
SUBDIVISION REPLAT

REVISION OF PLAT - SECTION 232.009,
LOCAL GOVERNMENT CODE, V.T.C.A., 1998

6-A **APPLICABILITY:**

This section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities, as determined under Chapter 42, Local Government Code, V.T.C.A.

6-B **APPLICATION FOR PLAT REVISION:**

A person who has subdivided land that is subject to the subdivision controls of the county in which it is located may apply in writing to the Commissioners Court of Ellis County for permission to revise the subdivision plat that has been filed for record with the County Clerk.

6-C **NOTICE OF APPLICATION:**

After the application is filed with the Commissioners Court, the Court shall cause a notice of the application to be printed in a newspaper of general circulation in the County. The notice must include a statement of the time and place at which the Commissioners Court will meet to consider the application and to hear protests to the revision of the subdivision plat. The notice must be published at least three times within the period beginning on the 30th day and ending on the 7th day before the date of the meeting. If all or part of the subdivided tract has been sold to non-developer owners, notice shall also be given to each owner, at his address on said tract, by certified mail or registered mail, return receipt requested at the owner's address in the subdivided tract. If the owner does not reside on said tract(s), then the same requirements of notification shall be made to the address for owner of this tract(s) as listed on the Ellis County tax rolls.

6-D **ADOPTION OF ORDER:**

The Commissioners Court, during a regular term of the Court, shall adopt an order permitting the person to revise the subdivision plat if it is shown to the Court:

(1) That the division will not interfere with the established rights of any owner of a part of the subdivided land; or

(2) If the revision may interfere with the rights of an owner of a part of the subdivided land, that the owner has agreed to the revision.

6-E **FILING FOR RECORD:**

If the Commissioners Court permit a person to replat a subdivision plat, the replat becomes effective when filed with the County Clerk of Ellis County by the Department of Development. All fees associated with the replat are the responsibility of the person requesting the replat.

SECTION VII
SUBDIVISION CANCELLATION

CANCELLATION OF SUBDIVISION - SECTION 232.008,
LOCAL GOVERNMENT CODE, V.T.C.A., 1987

7-A **APPLICABILITY:**

This section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities, as determined under Chapter 42, Local Government Code, V.T.C.A.

7-B **RESTRICTIONS:**

A person owning real property in this state that has been subdivided into lots and blocks or into small subdivisions may apply to the Commissioners Court of the county in which the property is located for permission to cancel all or part of the subdivision, including a dedicated easement or roadway, to reestablish the property as acreage tracts as it existed before the subdivision. If, on the application, it is shown that the cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision, or it is shown that the purchaser agrees to the cancellation, the Commissioners Court by order shall authorize the owner of the subdivision to file an instrument canceling the subdivision in whole or in part. The instrument must describe the subdivision or the part of it that is canceled. The court shall enter the order in its minutes. After the cancellation instrument is filed and recorded in the deed records of the county, the county tax assessor-collector shall assess the property as if it had never been subdivided.

7-C **CANCELLATION NOTICE:**

The Commissioners Court shall publish notice of an application for cancellation. The notice must be published in a newspaper, published in the English language, in the county for at least three weeks before the date on which action is taken on the application. The court shall take action on an application at a regular term. The published notice must direct any person who is interested in the property and who wishes to protest the proposed cancellation to appear at the time specified in the notice.

7-D **DELINQUENT TAXES:**

If delinquent taxes are owed on the subdivided tract for any preceding year, and if the application to cancel the subdivision is granted as provided by this section, the owner of the tract may pay the delinquent taxes on an acreage basis as if the tract had not been subdivided. For the purpose of assessing the tract for a preceding year, the county tax assessor-collector shall back assess the tract on an acreage basis.

7-E **APPLICATION FOR CANCELLATION:**

On application for cancellation of a subdivision or any phase or identifiable part of a subdivision, including a dedicated easement or roadway, by the owners of 75 percent of the property included in the subdivision, phase, or identifiable part, the Commissioners Court by order shall authorize the cancellation in the manner and after notice and a hearing as provided by Subsection B and C. However, if the owners of at least 10 percent of the property affected

by the proposed cancellation file written objections to the cancellation with the court, the grant of an order of cancellation is at the discretion of the court.

7-F ACTION TO ENJOIN CANCELLATION:

To maintain an action to enjoin the cancellation or closing of a roadway or easement in a subdivision, a person must own a lot or part of the subdivision that:

- 1) abuts directly on the part of the roadway or easement to be canceled or closed; or
- 2) is connected by the part of the roadway or easement to be canceled or closed, by the most direct feasible route, to:
 - (A) the nearest remaining public highway, county road, or access road to the public highway or county road; or
 - (B) any uncanceled common amenity of the subdivision.

7-G PROTEST OF CANCELLATION:

A person who appears before the Commissioners Court to protest the cancellation of all or part of a subdivision may maintain an action for damages against the person applying for the cancellation and may recover as damages an amount not to exceed the amount of the person's original purchase price for property in the canceled subdivision or part of the subdivision. The person must bring the action within one year after the date of the entry of the Commissioners Court's order granting the cancellation.

SECTION VIII
SUBDIVISION STANDARDS

The entrances and/or exits to a subdivision shall be by public road or street, and each lot shall front upon a public street. When lots of a proposed subdivision front on a narrow (less than sixty (60) feet right-of-way) County or public road other than a Federal or State road, the Developer shall be encouraged to dedicate for future public use an appropriate width on each side of the center line of such road to allow for improvements to the public road. Houses built on a sloping lot, which is lower than the road on which it fronts shall be built at an elevation high enough to prevent damage from drainage flow from the road. The Developer is responsible for notifying a prospective buyer of this requirement. The residential lots shown on approved and recorded final plats dated prior to the effective date of these rules shall remain approved as platted.

Gated subdivisions (security gates or guard stations) are considered privately owned and will be maintained without any County contribution. However, they must be platted and constructed according to these Rules and Regulations. Adequate provisions must be made and approved for entrance of emergency vehicles.

1. Private Streets – The term “private streets” shall be inclusive of alleys, if such are to be provided within the subdivision. All private streets must be designated as “private” on Final Plat prior to acceptance by the County.
2. Construction and Maintenance – The County shall not pay or be responsible for any portion of the cost of construction or maintaining a private street, or for any utilities or related facilities that are adjacent to private streets.
3. Infrastructure – All required water, sewer and drainage facilities and signs placed along private streets shall be installed in accordance with County standards.
4. Plans and Inspections – Subdivisions with private streets must include the same engineering consideration and plans required for public streets and utilities.
5. Restricted Access – The entrances to all private streets must be marked with a sign stating that it is a private street and that the street and related improvements are not maintained by the County.

8-A **RESIDENTIAL LOTS**

Subdivision residential lots having an individual water supply well and an individual on-site sewage system shall have a minimum lot size of three (3) acres. Such lots must have a minimum paved street frontage of three hundred (300) feet. Should topographic information indicate a portion of a lot is in an area of a floodway, the lot shall be enlarged to allow a minimum required lot size outside the area of a floodway for the home site, water well, and on-site sewage disposal system.

Subdivisions served by a public water supply and by a public sewage disposal system shall have an average density of not more than four (4) lots per acre. Lots on County or State roads must have minimum of 150’ of frontage from the front of the lot to the back of the lot. Lots facing other public street thoroughfare must comply with corresponding entity requirements.

Flag lots shall not be permitted, except if approved by the Commissioners Court as a variance in accordance with Section XI, Relief by County Commissioners Court.

Multi-family home lots served by a public water supply and a public sewage disposal system shall have a minimum lot size of not less than five thousand (5000) square feet of useable acreage. Such lots must have a minimum of thirty (30) feet of street frontage. The minimum street frontage for lots on the turnaround of a cul-de-sac or cul-de-sac corner shall be thirty (30) feet, chord length, for multi-family home lots.

The minimum street frontage for single family lots on the turn around of a cul-de-sac or cul-de-sac corner shall be fifty (50) feet, chord length.

Lots served by a public water supply but using individual on-site sewage facilities for sewage disposal shall have a minimum surface area of at least one useable acre for any O.S.S.F. systems, and a minimum of one hundred fifty (150') feet of a County or State road frontage from front of lot to back of lot. Lots facing other public street thoroughfare must comply with corresponding entity requirements.

For multi-family subdivisions, adequate provision shall be made by the Developer for common ownership and maintenance of community facilities such as recreation and open space, parking, access and similar common use areas. Such open space and service areas shall, at a minimum, provide for one-half (1/2) acre for each family unit in the development. The subdivider shall also furnish deed restrictions limiting the property to multi-family home use and provide disposition and maintenance covenants for all open space or other common ownership areas. Such restriction shall be recorded at the time of plat recordation.

No floodplain, on-site sewage facility and culvert sizing permit will be issued for a lot in any subdivision until a copy of the subdivision deed restrictions, if any, indicating a filing with the County Clerk of Ellis County, is available.

8-B STREET LAYOUT

Adequate streets shall be provided by the Developer. Street arrangement, character, extent, width, grade and location of each shall conform to these regulations, and shall relate to existing and planned streets, to topographical conditions, to public safety and convenience, and aesthetic relationship to the proposed uses of land to be served by such streets. The street layout shall be devised for the most advantageous development of the subdivision and accessibility for emergency equipment.

Dead-end streets and streets to cul-de-sacs shall not exceed 1,000 feet in length. Subdivisions with interior streets and/or cul-de-sacs shall be designed to have more than one street for entry and exit and with driveway access to interior streets only. Individual lots with direct driveway access to arterial streets must provide a minimum driveway spacing of 150 feet, and a minimum street spacing of 1,000 feet. All lots fronting on major collectors or minor arterials shall be designed with sufficient "turn-around" room to prevent backing into high volume roads.

Traffic impact studies shall be required to be performed by the developer for any development proposal expected to generate traffic volumes that will significantly impact the capacity and/or safety of the street/road system. An example where such traffic impact studies shall be required is to determine the need for turning lanes entering subdivisions from busy streets, especially minor and major arterials during rush hour traffic.

Surveyor must research future local thoroughfare plans and address Right-of-Way issues relation to "proposed" roads. A statement acknowledging thoroughfare location in retrospect to proposed development must be on the preliminary and final plat along with accommodations for plan.

All streets shall be concrete and constructed in compliance with the specifications herein (See Attachment "B").

As recommended by the United States Postal Service and the Texas Department of Transportation, the use of cluster mailboxes in proposed subdivisions is encouraged. In the event cluster mailboxes are impractical, the use of breakaway mailboxes on individual lots is encouraged. The use of brick, rock, or other solid structured mailboxes are discouraged on non-curbed streets, roads and highways. It is recommended that all mailboxes on non-curbed streets, roads and highways be located a safe and reasonable distance away from the surface of the roadway. In the event Ellis County commences construction or maintenance to one of its roads or drainage ditches located within its right-of-way, all mailboxes located within the right-of-way shall be removed from the right-of-way at the expense of the property owner.

Where adjoining areas are not subdivided, the arrangement of streets in the subdivision may make provision for the proper projection of streets into such unplatted areas. Dead-end streets shall be prohibited except at boundary lines to permit future expansion. Temporary turnarounds shall be provided on dead-end expansion streets. No lot shall front on a dead-end expansion street. Cul-de-sacs shall have a turnaround right-of-way of not less than one hundred-twenty (120) feet in diameter with a paved area no less than eighty (80) feet in diameter. Street jogs with center line offsets of less than one hundred-fifty (150) feet shall be avoided.

No squares, "islands", or other obstructions to traffic shall be reserved or constructed within the street right-of-way of the subdivision. Flared entrances to subdivisions shall be provided to accommodate access by large trucks.

All streets and roads preferably shall intersect at ninety-degree angles. Where this is not practical, the intersection on the side of the acute angle must be cut back, but in no case shall the cut back be less than twenty-five (25) feet.

Where part of a road or street has been dedicated in an adjoining subdivision adjacent to and along the common property lines of the two subdivisions, enough width of right-of-way must be dedicated in the new subdivision to provide the minimum width specified herein, and that right-of-way shall be paved such that the full pavement width will correspond with Attachment "B".

Minimum design requirements for new streets or roads are shown in Table VIII-A:

TABLE VIII-A

Summary of Ellis County Road Standards				
Functional Classification Avg. Daily Traffic (one-way trip) <u>1/</u>	Local 0 - 250	Collector or Secondary Thoroughfare 250 - 1,000	Primary Thoroughfare 1,000 - 3,000	Regional Arterial <u>2/</u> 3,000 - 5,000
Design Speed	20 mph	20 mph	35 mph	45 mph
Number of Lanes	2	2	2	2 - 4
Min. Row Width	60'	60'	60'	70'
Min. Pavement Width (Traveled Way)	22' - 24' <u>3/</u>	24'	30' <u>4/</u>	36'
Min. Width of Shoulders	3'	3'	4'	5'
Min. Centerline Radius	100'	150'	300'	675'
Min. Radius for edge of pavement at Intersections	15'	25'	25'	25'
Maximum Grade <u>5/</u>	12%	10%	10%	9%
Min. Stopping Sight Distance	50'	150'	250'	350'
Min. Intersection Sight Distance	200'	200'	300'	450'
Steepest Ditch Fore slope Grade <u>6/</u>	3:1	3:1	4:1	4:1

- 1/ Lots that are restricted to one single-family residence by plat note shall be presumed to generate 10 one-way trips per day.
- 2/ All elements, including geometric layout and cross-section, for major arterials (more than 5,000 trips) shall be approved by the Department of County Development Director on a case-by-case basis.
- 3/ A width of 24' is required if curbed.
- 4/ If residences do not front on street, a 26-foot pavement w/shoulders is sufficient.
- 5/ Occasional short runs between intersections may exceed the amounts shown, but maximum grades through intersections may not exceed the amounts shown.
- 6/ The entire side ditch shall be totally contained within the R-O-W or dedicated drainage easement. Metal beam guard fencing normally will not be required. However it is the responsibility of the Developer and his design engineer to (a) provide embankment heights and

side slopes which would preclude the need for such traffic barriers; or (b) to determine the need for such structures in the interest of public safety.

All buried utility distribution mains shall be installed within the road right-of-way. After roads and streets have been accepted for maintenance by the County, no construction shall be done or excavations made within the right-of-way without:

1. Giving the County 30-day advance notice of such work.
2. Agreeing to pay cost of warning signs and other necessary barriers in accordance with the Texas Manual of Uniform Traffic Control Devices, TxDOT, 1980.
3. Providing letters of credit or bond in an amount necessary to restore roadways to its condition prior to work being done.
4. Providing a letter to the County assuming full liability for any accident that might occur resulting from such construction or opening of the roadway.

Emergency repairs may be made without advance notice. However, the utility company must provide adequate safety protection and will assume full liability for accidents that occur while making emergency repairs.

All streets within a subdivision in Ellis County shall be constructed of concrete as per specifications in Attachment B & C.

8-C WATER FACILITIES, LOTS SERVED BY INDIVIDUALLY-OWNED WATER WELLS

In subdivisions with ten (10) or more lots, one well shall be maintained and kept operational either by a subdivision homeowners association or by appropriate deed restriction. A four thousand (4,000) gallon or larger storage tank shall be furnished beside this well. The tank shall be fitted with connections approved by the County fire departments. County fire personnel shall have access to the well and tank for fire fighting purposes only. The County Department of Development shall have access to this well for water monitoring purposes only.

Whenever a Developer creates lots without a public water system or without supplying water from an approved source to each lot, the Developer or his agents shall notify every purchaser, in writing, that there is no approved water supply furnished to such lot, that the development of a private water supply on the lot in question will be at the purchaser's own risk and expense, and furthermore, that Ellis County accepts no responsibility for the availability or lack of availability or the quality of water supplies which are to be developed privately on an individual lot basis.

The restrictive covenants covering lots served by individually-owned water wells shall include provisions covering the sanitary control easement circling the water well as to (1) size of the easement, and (2) prohibited facilities and activities therein that are real or potential pollution hazards to the quality of the water. Lots in Ellis County requiring an individual water well and an on-site sewage disposal system shall be of the size set forth in subsection A, RESIDENTIAL LOTS, of this section.

8-D PUBLIC WATER SYSTEMS

If a public water supply is to be installed, wells must be tested a minimum of thirty-six (36) hours, pumping at the desired gallons per minute rate, to be used for production standards by the State Board of Health. Ellis County shall have the right to inspect all phases of public water wells during development.

For all lots proposed to be supplied with water from a public water supply system, the Developer shall furnish the Commissioners Court evidence that the system has received the required approvals of the appropriate State regulatory agencies and that the minimum production of the system shall at least equal the requirements of the regulatory agency for the number of residences projected.

Public water systems, including fire hydrants, shall conform to American Water Works Association (AWWA) specifications as to design, materials, construction, and testing and comply with the rules and regulations of TNRCC.

8-E SEWAGE AND WASTE DISPOSAL

Every parcel of land to have a home site or commercial activity shall have an adequate system for sewage and wastewater disposal upon occupancy by either:

1. connection to an approved community sewage disposal system; or
2. construction of a properly designed and operational individual on-site sewage facility.

On-site sewage facilities can be sources of pollution to ground water, soil surface, and the environment if not properly sized, constructed, and maintained. A permit for the construction and location on a lot is required in the interest of public health and welfare. Connection to a community sewage disposal facility and system is preferred where possible.

Public sewage systems shall conform to the rules and regulations of TNRCC and Ellis County as to design, materials, and construction. The Developer shall present proof of TNRCC acceptance, and that of any other State or County agency controlling sewage disposal systems. If a public sewage system is to be installed, the plans for the location of such systems must be approved by the County and thereafter by the appropriate State regulatory agency prior to approval of the final plat by the County. If connection is to be made to an existing public sanitary sewage system, evidence must be presented that such system has previously received such approval and has sufficient capacity to handle the additional demand.

If an individual on-site sewage facility is to be utilized, the developer shall prominently annotate the preliminary and approved final plat that homeowners are to be responsible for the construction of an approved on-site sewage facility.

Details for the design and construction of a sewage facility are found in the most current edition of the ARules of Ellis County, Texas for Sewage Facilities.≡

8-F MANUFACTURED HOMES AND PARK REGULATIONS

1. General.

All manufactured homes to be placed in areas of special flood hazard, as indicated on Ellis County's Flood Insurance Rate Map (FIRM), i.e., land in the floodplain subject to a one percent or greater chance of flooding in any given year, shall be installed using methods and practices which minimize flood damage in accordance with Ellis County's Certification and Flood Damage Prevention Order, authorized by 44 CFR Section 60.3(d). Such manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State anchoring requirements for resisting wind forces (Article 5221f, Texas Manufactured Housing Standards Act, as amended).

2. Manufactured Home Parks.

The purpose of this subsection is to achieve orderly development of manufactured home parks, to promote and develop the use of land to assure the best possible community environment, and to protect and promote the health, safety, and general welfare of the residents of Ellis County.

Lots in a manufactured home park shall front on a street with not less than a sixty (60) foot width right-of-way. Parks served with a public water system and public sewage disposal system shall have an average density of not more than four lots per acre in size with a minimum frontage of seventy-five (75) feet.

The County will withhold all permits for manufactured home parks until the MANUFACTURED HOME PARK PLAN has been approved in the manner prescribed by these regulations. The requirements for a manufactured home park plan are as follows:

- a. Each applicant seeking approval of a manufactured home park shall submit to the Department of Development seven (7) blue or black-lined copies of a manufactured home park plan as outlined in paragraph (d) below.
- b. Upon receipt of a manufactured home park plan, the Department of Development shall make copies available to the County Commissioners. The County Commissioners shall submit their comments and recommendations for approval or disapproval in writing back to the Department of Development within thirty (30) days of receipt of the plan.
- c. When plans for the manufactured home park are completed in accordance with these rules and County Commissioner comments, the Department of Development shall submit the plan with his recommendation and comments received from the County Commissioners to the County Commissioners Court for consideration. The Commissioners Court may approve the plan as submitted, amend, and approve the plan as amended, or disapprove the plan.
- d. The manufactured home park plan shall be drawn to a scale not to exceed one hundred (100) to one (1) (1"=100'). Where more than one sheet is necessary to accommodate the

entire area to be developed, an index sheet showing the entire park at the appropriate scale shall be attached to the plan.

- e. The plan to be submitted for a manufactured park shall include the same data outlined by these regulations for subdivisions and shall include proposed 9-1-1 addresses.
- f. An owner's certificate in the following form shall be shown on the plan:

STATE OF TEXAS
COUNTY OF ELLIS

I hereby certify that this plan is true and correct and if approved by the County Commissioners Court, all development will be in accordance with this plan, and no alterations will be made in the plan after approval.

Owner or Authorized Agent

SECTION IX
CONSTRUCTION PROCEDURES AND SPECIFICATIONS

The driving surface of all subdivision streets shall be concrete. The materials, design, specifications and procedures shall conform to those of the current TxDOT specifications. Roads, streets, and appurtenant structures will be built in accordance with typical sections as shown in Attachments “A”, “B”, “C” and “D”.

The Director of the Department of Development, or his designee, shall be notified at least twenty-four (24) hours prior to material delivery, laying the base course of a road, or before paving is to be started, to allow the opportunity to visit the site to verify that specifications are being met.

9-A **PREPARING AND CLEARING THE RIGHT-OF-WAY:**

The Developer shall clear the right-of-way in a manner conforming to TxDOT, Item 100. All unstable sub base or objectionable material shall be removed and replaced with material acceptable to the County.

9-B **ROADWAY EXCAVATION AND EMBANKMENT:**

Any roadway excavation necessary to attain conformance with proposed road grades and typical cross-sections shall be done in conformity with TxDOT, Item 110. In cases where the proposed road grades and cross-sections require the placing of fill material to raise the roadway, such embankment fill shall be constructed in conformity with TxDOT, Item 132. Completed side slopes shall not be steeper than 3-to-1. Completed cuts shall have side slopes no steeper than 3-to-1.

Requirements for slopes in cuts and on fills may be modified if the Developer presents plans designed, signed and sealed by an engineer, substituting adequate retaining walls or demonstrates that cuts are in material of adequate stability. If blasting is required, TxDOT, Item 7.9 shall be followed.

9-C **SUBGRADE AND BASE COURSES:**

Prior to placing the base course the roadbed shall be shaped to conform to the sub grade section (See Attachment “B”) and shall be tested (See subsection F., Testing and Inspections). It shall be firm and to the line and grade called for on the plans and shall be free of holes, ruts and depressions.

The embankment, sub grade, and base course materials shall be compacted by suitable type rollers in all cases where required to consolidate fill materials or to attain adequate stability of sub grade materials and base courses. The County shall require “Density control” method of compaction to attain the 95% compaction of sub grade and base courses. These percentages of compaction shall be required for all road construction. Rolling equipment and construction methods shall conform to TxDOT, Items 210 to 217, inclusive.

Materials used for the base course shall meet the requirements of the specifications for such materials shown below. Samples for testing the materials shall be taken with the frequency determined by subsection F., Testing and Inspections.

1. Flexible Base. Base materials used for roads or streets shall conform to the requirements of TxDOT, Item 247, for flexible base material, Type A, Grade 2 (crushed stone or broken aggregate, excluding gravel aggregate). Pit run base materials and caliche are not allowed. The physical requirements for these materials are:

Percent Retained on Sq. Sieve

2-1/2"	0
1-3/4"	0-10
No. 4	45-75
No.40	60-85*

*The maximum increase in material passing the No. 40 screen shall not exceed 20.

The material passing the No. 40 screen shall be known as soil binder and shall meet the following requirements:

Max. Liquid Limit	40
Max. Plasticity Index	12
Max. Wet Ball Mill	45

Testing of flexible base materials shall be in accordance with the following TxDOT standard laboratory test procedures:

Liquid Limit	Tex-104-E
Plasticity Index	Tex-106-E
Sieve analysis	Tex-110-E
Wet Ball Mill	Tex-116-E

Before placing any material, the contractor shall furnish the Director of the Department of Development, or his designee, with reports of analyses of the proposed materials made by an approved laboratory. Preliminary approval of a source does not guarantee acceptability or evidence of conformity with these specifications.

Within 48 hours before placing the base material, the sub grade shall be checked as to conformity with grade and section (See Attachment "B") and shall be tested for density in accordance with subsection F., Testing and Inspections. It shall be the responsibility of the Contractor to provide the required amount of specified material in each one hundred (100) foot station. Material deposited upon the sub grade shall be spread and shaped the same day unless otherwise directed by the Director of the Department of Development, or his designee. In some locations in Ellis County cement stabilization will be acceptable with prior agreement from the Department of Development. Cement stabilization must also comply with TXDOT standards. In the event inclement weather or other unforeseen circumstances render impractical the spreading of the material during the first 24-hour period, the material shall be scarified and spread as directed by the Director of the Department of Development, or his designee. The material shall be sprinkled, if directed, and shall then be bladed, dragged and shaped

to conform to typical sections as shown on plans. All areas and “nests” of segregated coarse or fine materials shall be corrected or removed and replaced with well graded material, as directed by the Department of Development, or his designee. If additional binder is considered desirable or necessary after the material is spread and shaped, it shall be furnished and applied in the amount directed by the Department of Development. Such binder material shall be carefully and evenly incorporated with the material in place by scarifying, harrowing, brooming or by other approved methods.

The base course may be placed, mixed, blended, and compacted by the Contractor in a single lift. Total base material placed shall not exceed seven (7) inches in thickness. Compacted thickness shall not be less than six (6) inches.

The course shall be sprinkled as required and compacted to the extent necessary to provide not less than the ninety-five (95)% density specified. In addition to the requirements specified for density, the full depth of flexible base shown on the plans shall be compacted to the extent necessary to remain firm and stable under construction equipment. Construction equipment shall be limited to units not exceeding legal loads. If the base material fails to meet the density requirements, it shall be reworked as necessary to meet these requirements. Throughout this entire operation the shape of the base course shall be maintained by blading, and the surface upon completion shall be smooth and in conformity with the typical sections shown on the plans and to the established lines and grades. In that area on which pavement is to be placed, any deviation in excess of 1/4 inch in cross section and in length of sixteen (16) feet measured longitudinally shall be corrected by loosening, adding or removing material, reshaping and recompacting by sprinkling and rolling. All irregularities, depressions or weak spots, which develop, shall be corrected immediately by scarifying the areas affected, adding suitable material as required, reshaping and recompacting by sprinkling and rolling. Should the base course, due to any reason or cause, lose the required density or finish before the surfacing is complete, it shall be recompacted and refinished at the sole expense of the Contractor.

2. Sub base Stabilization. The sub base shall be stabilized using lime treatment. Lime stabilization shall conform to TxDOT, Item 260. A lime application rate of 36 pounds of lime (8 percent by weight) per square yard of six (6) inch compacted thickness is recommended. The optimum percentage shall be verified by an independent testing laboratory prior to construction. Lime treated sub grade shall be compacted to a minimum of 95% of Test Method TEX-121-E, Part II. Roadway density testing will be as outlined in Test Method TEX-115-E.

9-D PAVEMENT WIDENING

Before any pavement is placed to widen an existing pavement, the existing pavement shall be cut back two (2) feet to assure an adequate sub grade and pavement joint, as per TxDOT Specifications.

9-E CULVERTS AND STRUCTURES:

Concrete, wherever mentioned in these regulations, shall be Class A concrete as defined in TxDOT, Item 421 except for machine-laid curb, which shall be Class C concrete. Concrete materials, placement methods, placement temperatures, curing, etc., shall be in accordance with TxDOT, Items 420 and 421.

Pipe culverts shall be of corrugated metal pipe or reinforced concrete pipe and shall conform to TxDOT, Items 460, 461, 462, or 464. Manholes and inlets shall conform to TxDOT, Items 465, and Frames, Grates, Rings and Covers shall conform to TxDOT, Item 471.

When concrete box culverts are constructed, materials and installation shall be in accordance with TxDOT, Item 462. Headwalls and wing walls shall conform to TxDOT, Item 466, and Safety End Treatments shall conform to TxDOT, Item 467.

Where metal or concrete pipe culverts are installed, concrete headwalls or four (4) inches of reinforced concrete riprap shall be built at the inlet and outlet and shall conform to TxDOT Item 466. See Attachment "D", "Typical Headwalls for Culverts". Headwalls, on other than driveways, shall have a slope corresponding to the embankment, but not exceeding a 4-to-1 slope. Minimum pipe culvert size shall be eighteen (18) inches.

In high embankments, structures need not be carried to toe of slope if wing walls and adequate parapet headwalls are provided with an adequate apron. For outlet velocities exceeding eight (8) feet per second, an energy dissipater must be installed. Designs of wing walls and parapets must be submitted for approval and bear signature and seal of the Director of the Department of Development

Property owners constructing a private driveway intersecting a public road or street shall contact the Department of Development or the Precinct Commissioner for the proper culvert size. The culvert shall be constructed/installed in the flow line of the ditch.

9-F TESTING AND INSPECTIONS:

The Developer is responsible for coordinating and paying for all inspection, on-site collection, and delivery of samples to an authorized laboratory, and for on-site and off-site testing done by the laboratory. Nuclear testing methods acceptable to TxDOT are acceptable to the County.

Street, Road and Structures testing by an authorized laboratory is required as follows:

- a) Street Subgrade - Proctor Determination on each class of soil to be encountered. Density test - one (1) each per five hundred (500) feet of street with retest as necessary (minimum of three (3) tests).
- b) Base Course - Proctor test shall be required to establish quality and moisture density relationship. Density test: one (1) each per five hundred (500) feet of street or road, with retest as necessary (minimum of three tests).
- c) Concrete Structures - Inspection by County prior to concrete placement. Class A concrete compressive strength (minimum of three (3) tests per structure) shall be 3000PSI, with a minimum of one (1) test for each one hundred (100) feet of roadway. Testing will not be required for Class C concrete curbs.

The Developer shall provide the County with a minimum of twenty-four (24) hours notice prior to any inspection that the County is to perform. Laboratory testing companies to be used by the Developer must be approved by the County.

9-G STREET AND ROAD PLANS:

Typical cross-sections showing the proposed pavement width, type, thickness, and crown, and the proposed curb type and sidewalk (if any), and relation to curbs and property lines shall be submitted for approval. This information shall be given for each of the different types of streets in the subdivision. Construction details shall be submitted for approval for all drainage structures including dimensions, reinforcing and components such as grates and manhole covers. For each drainage structure submit for approval a complete cross-section, showing flow line elevations, roadway, fill over structure and inlet/outlet configuration.

Alignment of each street and drainage easement shall be shown, including the following: a beginning and ending station; each deflection angle of the center-line and the station of the point of intersection; the station of the point of curvature and the point of tangency of each curve; the station and angle of intersection of each intersection with another street or drainage easement; the station and radius of each curb return; the location of adjacent right-of-way lines; the location and limits of sidewalks and curbs of each street; the location of each drainage structure; the location and size of all storm sewers; the location, description, and elevation of Bench Marks; the top of curb grade at each curb return; the center-line grade at each end and at grade changes along drainage ditches; the gradient of each tangent grade and the location and length of each vertical curve; the direction of storm drainage flow at each intersection; and the flow line elevation of each storm sewer at each point of change of grade, at each end, and at intervening gradients. The profiles of streets and drainage ditches shall show the natural ground at adjacent property lines and the proposed centerline.

Plan and profile drawings shall include the scale, north arrow and date, and shall be drawn to scales of one inch equals fifty (50) feet (1"=50") horizontally and one inch equals five (5) feet (1"=5') vertically. All street plans and profiles shall bear the signature and seal of a Registered Professional Engineer.

9-H SIGNS:

All roads and streets shall be provided with standard road safety and directional signs common to highways in Texas. All roads and streets must be named and marked by the developer with permanent reflectorized metal signs on metal posts, the letters to be at least four (4) inches high. The color is to be coordinated with the precinct County Commissioner. Traffic signs shall also be furnished in accordance with the latest volume of "*Texas Manual on Uniform Traffic Control Devices for Streets and Highways and Public Transportation*".

Roads and streets in the subdivision shall be named and numbered for each lot given a postal address. The numbers assigned shall be shown on the final plat. A tabular format listing lot numbers and corresponding addresses also may be used. Names and numbers shall be subject to approval by the Commissioners Court. For ease in the emergency location of an address, all residences shall prominently display the numerical street address for easy recognition. Road and street names shall be checked to avoid duplicate names or similar spellings for other roads in the county and surrounding area.

All hazardous locations shall be marked by reflecting yellow object markers that conform to TxDOT, Item 658. All subdivision streets and drainage structures shall be marked and protected in accordance with the provisions of the Manual on Uniform Traffic Control Devices.

All signs for street names for vehicular traffic safety and pedestrian safety shall be in place upon acceptance of the roads.

NOTE: The person authorizing the installation of a driveway or street connects to any public road is responsible for ensuring that the transition contains no gap, space, or mismatch of the two surfaces. Also, the transition shall not go past the edge of the existing road pavement and the transition will be repaired with asphalt unless the two surfaces being connected are concrete and then concrete will be used. No curbing allowed. If a proposed subdivision borders on a TX Dot road the developer must bring a letter to the Department of Development from TX DOT stating tie-in plans and drainage plans that affect the state road.

SECTION X
PERFORMANCE GUARANTEES

10-A **GENERAL:**

All conditions of final plat approval must be met. All construction must be in accordance with approved plans and construction standards set forth herein or as may be adopted by Commissioners Court.

10-B **CONSTRUCTION BOND:**

To insure roads, streets, signs, underground utilities and required drainage and drainage structures are constructed in a timely manner, and in accordance with the terms and specifications contained in this Order, the developer shall file a Construction Bond, executed by a Surety Company authorized to do business in this State, and made payable to the County Judge of Ellis County, Texas or his successor in office.

The bond amount shall be equal to one hundred percent (100%) of the estimated cost of construction of roads, streets, street signs, underground utilities, required drainage structures, and all other construction. It shall be presented to the Ellis County Public Works Department 30 days after final plat approval by the Commissioners Court.

The construction bond shall remain in full force and in effect until one set of record (as-built) construction plans of all underground utilities, roads, streets, and required drainage and drainage structures in the subdivision has been filed with the Ellis County Public Works Department. After inspection by the Commissioner of that precinct and the Director of Public Works, or their designees, and correction of deficiencies noted, if any, the construction bond will be released by a Court Order from the Commissioners Court.

In the event any or all of the streets, roads, signs, underground utilities, drainage and drainage structures, as constructed by the Owner, fail to meet the requirements of the foregoing rules, regulations, and specifications, and the said Owner fails or refuses to correct the defects called to his attention in writing by the Ellis County Public Works Department, the unfinished improvements shall be completed at the cost and expense of obliges as provided. In no event is the County obliged to complete the work proposed by a developer and approved by the County or to otherwise assume the obligation of the developer.

10-C **MAINTENANCE BOND**

To insure that the roads, streets, signs, underground utilities, drainage ditches, and drainage structures are maintained to the satisfaction of the Ellis County Public Works Department, a 3 year maintenance bond executed by a Surety Company authorized to do business in this state, and made payable to the County Judge of Ellis County, Texas, or his successor in office, shall be substituted for the construction bond at the time of release of said construction bond.

The amount of the maintenance bond for the three (3) years shall be equal to forty percent (40%) of the estimated cost of construction. If maintenance or repairs are required to be made to a road prior to

acceptance of any construction by the Commissioners Court, the Precinct Commissioner has the right to extend the period of the maintenance bond for up to two additional years.

The conditions of the maintenance bond shall be that the Owner shall guarantee to maintain, to the satisfaction of the Ellis County Public Works Department, all of the underground utilities, streets, roads, drainage structures and drainage ditches and channels which have been constructed to specifications with construction security released by Court Order from Commissioners Court, in a good state of repair for a period of two years from the date of official release of construction security.

Periodical inspection of all the underground utilities, streets, roads, drainage and drainage structures for which maintenance security is held, will be made by the Ellis County Public Works Department during the two-year period of liability covered by the maintenance bond. In the event any or all of the underground utilities, streets, roads, drainage ditches and drainage structures are not being maintained in a good state of repair, the owner will be so advised in writing and, if after a reasonable time, he fails or refuses to repair said items, they shall be maintained by the County and all costs charged against the maintenance bond.

The release of any bond shall be by Order of the Commissioners Court. To request a release, the owner shall present a written request to release said bond, including a notarized Certificate of Completion stating that all bills relating to work covered by the construction bond have been paid. The request shall contain a statement by the developer of compliance with the Subdivision Rules, Regulations, and Specifications of Ellis County. The written request of bond release shall be received by the Ellis County Public Works Department at least seven (7) days prior to the next regularly scheduled meeting of the Commissioners Court.

10-D IRREVOCABLE LETTER OF CREDIT (IN LIEU OF BOND):

An Irrevocable Letter of Credit may be submitted in lieu of bonds, for the purpose of insuring a developer's promise to construct and maintain the roads and drainage of facilities in a subdivision.

Irrevocable Letters of Credit in lieu of Bonds are required under the same conditions, as Construction and Maintenance Bonds.

10-E OTHER SECURITY:

Any type of security for Construction and Maintenance other than a Bond or an Irrevocable Letter of Credit shall be by written request to the Ellis County Department, of Development approval by the Ellis County/District Attorney's Office, and authorization by the Commissioner's Court.

10-F SEVERABILITY:

The several provisions of these regulations are separable, in accordance with the following:

1. If any sentence, phrase, section, paragraph, article of any part of these rules, regulations, and specifications is declared invalid, unenforceable, or unconstitutional for any cause or reason, such invalidity, non-enforceable, or unconstitutionality shall not be held to affect, invalidate or impair the validity, force, or effect of any other sentence, phrase, section, paragraph, article or any other part of these rules, regulations, and specifications.
2. If any court of competent jurisdiction shall judge invalid the application of any provision of these rules, regulations, and specifications to a particular property, such judgment shall not

affect the application of said provision to any other property not specifically included in said judgment.

10-G ENFORCEMENT AND PENALTIES:

1. The Commissioners Court of Ellis County shall have the authority to refuse to approve and authorize any map or plat of any subdivision, unless such map or plat meets the requirements as set forth in these Subdivision Rules, Regulations, and Specifications for Subdivisions and Manufactured Home Parks, and there is submitted at the time of approval of such map or plat such bond as may be required by these rules.
2. Section 232.005, Enforcement in General; Penalty, Local government Code, V.T.C.A., 1998, provides the following authority:
 - a. At the request of the Commissioners Court of Ellis County, the County Attorney or other prosecuting attorney representing the county may file an action in a court of competent jurisdiction to:
 1. enjoin the violation or threatened violation of a requirement established by, or adopted by the Commissioners Court under Chapter 232 of the V.T.C.A., Local Government Code; or
 2. 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 by the Commissioners Court under Chapter 232 of the V.T.C.A., Local Government Code.
 - b. A person commits an offense if the person knowingly or intentionally violates a requirement established by, or adopted by the Commissioners Court under Chapter 232 of the V.T.C.A., Local Government Code. An offense under this subsection is a Class B misdemeanor.
 - c. A requirement that was established by or adopted under Chapter 436, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 6626a, Vernon's Texas Civil Statutes), or Chapter 151, Acts of the 52nd Legislature, Regular Session, 1951 (Article 2372k, Vernon's Texas Civil Statutes), before September 1, 1983, and that, after that date, continues to apply to a subdivision of land is enforceable under Subsection (a) of this section. A knowing or intentional violation of the requirement is an offense under Subsection (b) of this section.

SECTION XI
RELIEF BY COUNTY COMMISSIONERS COURT

11-A **GENERAL RULE:**

The policies herein shall be effective and binding on all new plats or revised plats that are submitted to the Commissioners Court for approval after the effective date of this Order. Any deviation from the requirements of these regulations must be processed under the following provisions.

The Commissioners Court may authorize relief from these rules, regulations, and specifications in an open session when it is clearly shown that the granting of relief in the form of a lesser standard will not impact adversely on public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision.

11-B **SPECIAL CONDITIONS:**

No relief shall be authorized unless the Commissioners Court finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Order would deprive the applicant of the reasonable use of his land; and
2. That the relief is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
3. That the granting of the relief will not be detrimental to the public finances, health, safety or welfare, or injurious to other property in the area; and
4. That the granting of the relief will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Order. Such findings of the County Commissioners Court together with the specific facts, upon which such findings are based, shall be incorporated into the official minutes of the County Commissioners Court meeting at which such relief is granted. Relief may be granted only when in harmony with the general purposes and intent of this Order, and does not alter the nature, character and quality of the subdivision so that the public health, safety, and welfare are secured. Pecuniary hardship to the developer shall not be the basis for any relief from these regulations.

11-C **RELIEF DUE TO SUBDIVISION BY GIFT, DEVISE, OR DESCENT**

1. Notwithstanding anything to the contrary in this section, the Commissioners Court specifically authorizes relief from the frontage requirements herein those cases where the subdivision of land is by gift, devise or descent to family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood) once a final determination is made by the Director of the Department of Development that the subdivision of land is by gift, devise or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood) and it is in fact true. The relief granted in the subsection shall be automatically granted without the review of the Commissioners Court upon the final determination by the Director of the Department of Development that subdivision of land is by

gift, devise or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood).

2. If relief is granted due to a subdivision of land concerning a gift, devise or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood), such relief is conditioned on each of the family related land owners not further subdividing each parcel of land through relief under Section XI of the “County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes” for so long as the parcels of property remains in continuous ownership by all of the related land owners.

SECTION XII
DEVELOPER INFORMATION

In order to process your request more efficiently, please refer to the following checklist concerning Department of County Development requirements for Subdivisions. These requirements must be in this office twenty-one (21) days in advance of the court date, and is the Developer's responsibility. Please note we will accept no less that twelve (10) copies of black line plats presented on standard size sheets of 18" x 24".

PRELIMINARY:

1. Twelve (10) copies of plats showing subdivision name, utility easements, lot sizes, lot numbers, drainage easements, flood plain area shaded in (if any), adjacent land owners, name, address, and phone number of land owner and surveyor, location map, acreage of subdivision, the location and width of existing and proposed streets, location of fire hydrants, outline of adjacent properties for a distance of at least 100 feet, and how the streets, alleys may connect with adjacent land or subdivision, preliminary drainage plan, physical features of the property including water courses, the 100-year flood plain and its boundaries and source of information, ravines, bridges, culverts, present structures and other features of importance of lot and street layout prepared by Texas Registered Professional Civil Engineer or Surveyor, Certification of Ellis County Department of Development. This certification should be on all preliminary and final plats.
2. Utility letters: Water (), Electricity (), Telephone (), Postal Service ().
3. Soil Analysis () Location of each test noted on Final Plat.
4. Signature of Approval from City Officials if plat is inside Extraterritorial Jurisdiction (ETJ)
5. Signed drainage letter () Signed Flood Plain Statement ()
6. Septic Licenses Application () Development ()
7. Drainage Study
8. A fee will be paid to the Department of Development upon submittal of a Preliminary and Final Plat. No plat will be processed nor will a hearing date be set until the fee is submitted according to the following fee schedule:
 - a. Subdivision of 1 – 2 lots involving Simplified Plat:

\$ 75.00	Subdivision Fee
\$ 61.00	Recording Fee (\$25.00 Second page)
 - b. Subdivision of 5 lots or less:

\$150.00	Subdivision Fee (Preliminary & Final)
\$ 25.00	per lot fee (Preliminary & Final)
_____	Deed Restrictions (Final Only)
_____	Waiver of Takings Assessment (Final Only)

- c. Subdivision of 6 – 20 lots:

\$400.00	Subdivision Fee (Preliminary & Final)
\$ 25.00	per lot fee (Preliminary & Final)
_____	Deed Restrictions (Final Only)
_____	Waiver of Takings Assessment (Final Only)

- d. Subdivision in excess of 20 lots:

\$635.00	Subdivision Fee (Preliminary & Final)
\$ 25.00	per lot fee (Final Only)
_____	Deed Restrictions
_____	Waiver of Takings Assessment (Final Only)

- e. Revision of a Preliminary or Final Plat:
One-half of fee schedule in effect at the time plat is submitted

- f. Replat Fee:

\$250.00	Subdivision Fee
\$ 61.00	Recording Fee (\$25.00 Second Page)
\$ 25.00	Lot fee (per lot involved)

- g. Maximum Fee: The maximum charge is \$4,500.00 for a preliminary plat.

- h. Deed Restrictions (Final Plats Only):

\$ 16.00	First page
\$ 4.00	Per page thereafter
\$ 4.00	Per page for Exhibits and Attachments (if any)

- i. Waiver of “Takings Impact Assessment (TIA)”

\$ 16.00	Total instrument
----------	------------------

On Final Plats Only, there will be a fee for filing Deed Restrictions and Waiver of “Takings Impact Assessment (TIA)”. Deed Restrictions are \$16.00 for the first page and \$4.00 for each additional page. Exhibits and Attachments are \$4.00 per page. The Waiver of “Takings Impact Assessment (TIA)” filing fee is \$16.00 or as promulgated by the Ellis County Clerk.

The final Plat must be submitted to the Department of Development at least twenty on (21) days prior to the Commissioners Court Meeting at which court approval is requested. **NO EXCEPTIONS.**

1. Ten (10) copies of plat (18x24 standard plat paper - black line) one (1) digital copy.
2. 911 Addresses must be on the plat when it is submitted to this department. (Jeanette Inmon, 911 Coordinator, 972-825-5199, Midlothian School District – David Schrodt (Fire District) 972-775-7118)
3. Three final drainage studies (18x24 standard plat paper - black line).
5. Waiver of Takings- signed and notarized.
5. Deed Restrictions: Must have subdivision name on first page, and signature of

Developer must be notarized and have notary acknowledgment statement.

6. Tax Certificate: Must get a certified Tax Certificate from the Tax Office, it must be stamped with the seal, have original signature and no outstanding taxes. **Not a tax receipt.**

Maximum fee for preliminary or final fees is \$4,500.00 each.

Financial security, if any, will be required when Final Plat is submitted.

REQUIRED TAX CERTIFICATE

A Tax Certificate shall be obtained from the Ellis County Tax Assessor/Collector for all taxing authorities in Ellis County EXCEPT the City of Ennis, The City of Italy, the City of Ovilla and Ennis Independent School District. Usually one certificate will suffice but if the plat is within the taxing authority not covered by Ellis County Tax Assessor/Collector, or more than one survey is involved, then two or more, certificates will be required on the final plat.

The final plat to be filed MUST contain the original signature of the official issuing the Tax Certificate.

APPENDIX “A”
DRAINAGE REQUIREMENTS CRITERIA & DESIGN STANDARDS

All development in Ellis County shall provide the drainage facilities and improvements in accordance with the following requirements and design standards, which is based on the Texas Department of Transportation, Bridge Division, Hydraulic Manual, 3rd Edition, December 1985.

A. PURPOSE

The following standards and requirements are adopted for the following purposes:

1. To protect human life, health and property.
 2. To minimize the expenditure of public monies for costly flood control and/or interior drainage projects.
 3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 4. To minimize prolonged business interruptions;
- B. To minimize damage to public facilities and utilities located in floodplain;
- C. To provide for the sound use and development of all areas in such a manner as to minimize future blight areas;
- D. To minimize erosion and sedimentation problem and enhance water quality; and
- E. To minimize future operational and maintenance expenses

B. DEFINITIONS:

Access Ramp. A route used to provide entry for vehicles and machinery into a channel.

Access Road. A route parallel to and at the top of the bank of channel used to allow maintenance of channels from the top of bank.

Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

Channel. Any open or closed device for conveying flowing water.

Drainage Area or Basin. The land area or catchment area, upon which rainfall contributes runoff to a specific location.

Drainage Facilities or System. One or more conduits, channels, ditches, swales, pipes, detention devices, or any other device, work, or improvement, natural or manmade, which is used, designed, or intended to be used to carry, direct, detain, or otherwise control storm water.

Detention. The storage of storm runoff for a controlled release during or immediately following the design storm.

Flood Hazard Boundary Map (FHBM). An official map issued by the Federal Insurance Administration, where the areas of special flood hazards have been designated.

Flood Insurance Rate Map (FIRM). An official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and risk premium zones applicable to flood insurance.

Flood Insurance Study The official report provided by the Federal Insurance Administration containing flood profiles, the water surface elevation of the base flood, and the flood hazard boundary map.

Floodplain The area designated as subject to flooding from the base flood (100-year flood) on the Flood Insurance Rate Map. The floodplain includes the floodway. See Figure 1.

Floodway. The channel or a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. See Figure 1.

Normally the floodway will include the stream channel and that portion of the adjacent land areas required to pass the base flood (100-year flood) discharge without cumulatively increasing the water surface elevation at any point more than one (1) foot above that of the pre-floodway condition, including those designated on the Flood Insurance Rate Map.

Floodway Fringe. The area located within the floodplain and outside the floodway. See Figure 1.

Freeboard. The vertical distance between the design water surface level and the top of an open conduit left to allow for wave action, flotation debris, or any other condition or emergency without over stopping the structure.

Hydrograph. A graph showing stage, flow, velocity or other property of water versus time at a given point a stream or conduit.

Inlet. An opening into a storm drains system for the entrance of surface water runoff.

Time of Concentration. The estimated time, in minutes, required for storm water runoff to flow from the most hydraulically remote section of the drainage area to a specific design point.

Inverted Crown Section. A street cross-section usually reserved for alleys, in which the center of the street is lower than the edges so that drainage is carried down the center of the street.

Local Drainage System. Any drainage facility or system which serves an area having a contributory drainage basin of less than one (1) square mile in area.

Off-Site. Located outside the boundary of a development.

On-Site. Located within the boundary of a development.

Pipe. A closed conduit through which water flows.

Soffit. Inside top of a pipe.

C. GENERAL DRAINAGE REQUIREMENTS:

1. Preliminary Drainage Plan. A preliminary drainage plan shall be submitted with the preliminary plat so that the Commissioners Court and/or the Department of Development may review the design with regard to potential drainage problems. Approval of the preliminary plat may be contingent on the preliminary drainage plan documenting that the drainage for the proposed development can be adequately handled. The proposed subdivision and the watershed (contributing drainage area above the subdivision) shall be shown on the most recently updated U.S. Geological Survey map scaled to 1" = 2000'. This map may also serve as the location (vicinity) map for the project. The proposed drainage areas within the proposed subdivision shall be shown on a map prepared from field or aerial survey as prepared by a Registered Public Surveyor and illustrating existing and proposed contour lines at the following intervals.

- (a) When the land has less than five percent (5%) slope, interval shall not be greater than five (5) feet.
- (b) When the land has more than a five percent (5%) slope, the contour interval shall not be greater than ten (10') feet.

This map also shall illustrate area that are off-site and contribute to the storm water discharge passing through the subdivision. At the discretion of the Department of Development, large drainage areas that contribute to one point above the subdivision may be shown only on the U.S.G.S. map previously

described. Direction of flow within streets, alleys, natural and man-made drainageways and at system intersections shall be clearly shown on the drainage area map. This includes sags, crests and corners. Existing and proposed drainage channels shall be clearly shown and differentiated on the drainage area map. The preliminary drainage plan shall be prepared by an engineer proficient in Civil Engineering.

2. Final Drainage Plan. A final drainage plan also shall be submitted with the final plat. In addition to the requirements for the preliminary drainage plans, the final drainage plan shall show drainage areas contributing to each storm drain inlet or point of collection, volume of storm water being collected, size of storm drainage structure (including driveway culverts), drainage easements, finished floor elevation (if appropriate) and any other information which will clarify the proposed design. The final drainage plan shall be prepared by an engineer proficient in Civil Engineering.
3. Drainage Improvement Required. All development shall provide for any new drainage facilities, the improvements of any existing drainage facilities, channel improvements or grading, driveway adjustments, culvert improvements, or any other improvement, drainage facility or work which is necessary to provide for the storm water drainage needs of the development, in accordance with the requirements and design standards of this division, including, but not limited to any drainage facilities, improvements, or other work which is necessary.
 - (a) To provide for the conveyance of all storm water from the development, when fully developed, to an adequate discharge point.
 - (b) To fulfill any purpose for which these requirements are imposed.
 - (c) To adequately protect the development from flooding, including the effects of the 100-year flood.
 - (d) To properly control any drainage resulting from the development so as to no increase the upstream or downstream water surface elevation. Upstream or downstream storm drainage improvements and/or easements beyond the limits of the development may be necessary to meet this requirement.
 - (e) To provide for the conveyance of existing storm drainage flowing through the development.
4. OFF-Site Drainage: Off-site drainage facilities and improvements shall be provided by the development whenever additional storm water runoff from the development would adversely affect any off-site property or would overload an existing drainage facility, whether natural or man-made. Where storm water runoff from three or more acres has been collected or concentrated to one point, it shall not be discharged onto adjacent properties, except into existing creeks, channels, or storm drains, unless drainage or flowage easements are obtained for those properties.

5. Detention Facilities: Detention may be used to reduce peak discharge where conditions prevent conveying storm water to an adequate discharge point, or studies show that off-site structural facilities will not mitigate hydraulic effects more efficiently. The use of on-site detention facilities shall be limited to developments containing more than 10 acres of land. Detention facilities may be constructed only in areas to be dedicated to the public. All detention facilities shall comply with the design criteria of the Appendix.
6. Floodway Fringe Area: Any development proposing to construct or fill a floodway fringe area where the floodway has not been designated on a Flood Hazard Boundary Map shall submit the necessary engineering studies to show the limits of the floodway. If the floodway fringe area is not proposed to be developed or filled, the area within the floodplain, which will be necessary to provide for the drainage easement on the final plat.
7. Channel Requirements: Channel regulations and improvement requirements shall be based on the amount and concentration of the storm water runoff produced from the proposed development and any additional upstream contributing drainage areas. All developments shall provide for the permanent improvement and modification of existing drainage channels as necessary to serve the development, subject to and in accordance with the following.
 - (a) Channels which serve drainage basins larger one square mile shall be maintained in a natural state.
 - (b) Channels of local drainage systems serving areas less than one (1) square mile may be lined with concrete or an improved grass-lined channel.
8. Channel Access Roads and Ramps: Any development which makes use of any channel within or on the perimeter of the development to provide for storm water runoff may be required to provide adequate access roads and ramps for channel maintenance purposes as directed by the Commissioners Court.
9. Lot Drainage: Generally, each lot shall be designed or graded to direct storm water into an abutting street, alley, channel, or inlet. If drainage is provided in the rear of any lot by an alley or closed storm drainage system consisting of inlets and pipes, the alley or drainage system shall be designed for the 50-year flood. Where it is not practical to provide abutting drainage facilities for each lot, drainage facilities shall generally be required wherever the storm water runoff from no more than two lots is directed across a third residential lot, or whenever the facilities are necessary to avoid an adverse effect on any other lot. Lots that are lower than the road or roads on

which they abut shall have the finished floor elevation above the finished grade of the lot adjacent to the slab on the uphill side of the property, and/or a shallow dip section (swale) shall be built in the yard to prevent storm drainage water from ponding and damaging houses on properties that are lower than the road. Lots located in depressions shall have a minimum finished floor elevation shown on the final plat. This elevation shall not be less than one (1) foot above the 100-year flood elevation. The developer is responsible to notify a prospective buyer of the above requirements. Ellis County will not be responsible for any flooding or flood conditions that occur in these areas.

F. STORM DRAINAGE DESIGN CRITERIA:

1. Storm Water Runoff: All storm water drainage improvements shall be designed based upon the entire contributing drainage area being fully developed (ultimate development). Existing development and the equivalent runoff for single-family residential lots of one (1) acre or more for undeveloped acres shall be assumed for the contributing drainage area.

(a) General – The design of storm drainage improvements in Ellis County shall be based on flood discharges determined from the Rational Method for drainage areas up to about 200 acres, except the Modified Rational Method shall be used for designing detention ponds (see paragraph 6). If the drainage area is greater than about 200 acres, the regression equations for Texas Region 2 shall be used (see TxDot Hydraulic Manual, para. 2-302.1.1.).

The Rational Method is based on the direct relationship between rainfall and runoff, and the method is expressed by the following equation:

$$Q=CIA \quad ,\text{where}$$

Q is the discharge in cubic feet per second at a given point.

68

C is a coefficient of runoff representing the ratio of runoff to rainfall.

I is the average intensity of rainfall in inches per hour for the most critical time of concentration and design storm frequency. Time concentration is a period equal to the time of flow from the most remote point of the drainage area to the first inlet point on the storm sewer.

A is the drainage area in acres tributary to the design point.

(b) Runoff Coefficients for Types of Land Use:

<u>Type of Area Or Land Use</u>	<u>Adopted Runoff Coefficient “C” (Ratio of Runoff to Rainfall)</u>
Parks or Open Areas	0.40
Residential Areas (Lots of 1 acre or more)	0.40

Residential Areas (Lots of less than 1 acre)	0.50
Industrial Areas	0.75
Apartment Areas	0.80
Business Areas	0.95

(c) Rainfall Intensity – (1) can be determined from the formula:

$$I = \frac{b}{e^{(t+d)/c}}$$

b, d, and e are constants listed by Texas Counties in Table 6, Chapter 2, TxDot Hydraulic Manual, and the time of concentration (t) is the time in minutes required for the runoff to flow from the most hydraulically remote point in the watershed to the facility site and is equal to the distance along the water course divided by the average velocity of runoff. Figure 5, Chapter 2, TxDot Hydraulic Manual, provides approximate velocities for various slopes and ground covers. The minimum inlet time of concentration for various types of areas to be used for design purposes are as follows:

(1) Inlet Time of Concentration:

<u>Type of Area</u>	<u>Minimum Time</u>
Open Areas	20 Minutes
Residential	15 Minutes
Industrial	10 Minutes
Business	10 Minutes

69

(2) Storm Water Design Frequencies:

Recommended design storm frequencies for the storm drainage improvements in Ellis County are as follows:

<u>Drainage Facility</u>	<u>Storm Frequency</u>
Roadway Ditches & Driveways Culverts	5-year (see Fig. 2)
Enclosed Storm Drainage	5-year (see Fig. 3)
Road Right-of-Way	100-year (see Fig. 2&3)
Grass Lined & Concrete	100-year plus one (1) of

Lined Channels	freeboard above the 100-year water surface elevation
Large Culverts or Small Bridges (with less than 50-foot span)	50-year (low chord of bridge shall be two (2) Feet above the 50-year water surface elevation) 1/

1/ The discharge for 100-year return frequency storm and the resulting possible damages there from shall be evaluated to determine if said damages are sufficient to warrant enlargement of the planned facility.

1. Street Drainage Requirements:

- (a) The permissible water spreads for streets are based on the 5-year flood. All streets shall be capable of conveying a 100-year flood without water exceeding the right-of-way limits and/or drainage easement on adjacent lots. The spread limits listed below shall apply to the following streets and facilities:

Permissible Water Spread 5-Year Flood:

Minor Arterials	1 lane open in each direction
Major Collectors	1 lane open
Country Lanes & Minor Collectors	Top of Curb

- (a) Inverted crown sections are permitted only in alleys.

3. Pipe System Requirements:

- (a) Storm drain systems capable of conveying the 5-year frequency flood are required when water spread limits are exceeded. Closed pipe systems shall be required for discharges up to and including the equivalent flow of a 48-inch pipe, unless the grade of the natural ground is less than 0.5%, then an enclosed pipe system shall be required for discharges up to and including 100 c.f.s. Storm sewer capacity shall be calculated by Manning's formula:

$$Q = \frac{1.486 A R^{2/3}}{n} S^{1/2}, \text{ where}$$

Q is the discharge in cubic feet per second;
 A is the cross-sectional area of flow in square feet;
 R is the hydraulic radius in feet;
 S is the slope of the hydraulic gradient in feet per foot;
 n is the coefficient of roughness (n=.013 for new concrete pipe and 0.024 for corrugated metal pipe).

- (b) The minimum velocity with the pipe flowing full shall be three (3) feet per second.
- (c) The minimum storm drainpipe diameter shall be eighteen (18) inches.
- (d) Pipe diameters shall not normally decrease downstream.
- (e) Pipe soffits at changes in pipe sizes shall be set the same elevation.
- (f) Vertical curves in the conduit will not be permitted and horizontal curves will be permitted only with the approval of the Department of Development.
- (g) Manholes shall be placed at the connection of two (2) or more laterals, at pipe junctions having pipe sizes greater than twenty-four (24") inches, at alignment changes, and at the beginning of the storm drain system. Maximum manhole shall be as follows:

<u>Pipe Size (Inches)</u>	<u>Maximum Spacing (feet)</u>
18 – 36	600
42 – 60	1,000
Larger than 60	No Limit

2. Culverts: Culverts shall be constructed of corrugated metal pipe or reinforced concrete pipe. Concrete box culverts, including headwalls, wingwalls, and safety end treatments shall be constructed, as required (see Section IX, subsection E., Culverts and Structures).

Multiple installations of corrugated metal pipe or reinforced concrete pipe shall have a reinforced connection of two (2) or more laterals, at pipe junctions having pipe sizes greater than twenty-four (24") inches, at alignment changes, and at the beginning of the storm drain system. Maximum manhole shall be as follows:

CLEAR DISTANCE BETWEEN PIPES

<u>Diameter Of Pipe</u>	<u>Clear Distances Between Outer Surfaces of Adjacent Pipes</u>
18"	0' – 9"
24"	0' – 11"

30"	1' – 1"
36"	1' – 3"
42"	1" – 5"
48"	1' – 7"
54"	1' – 11"
60" – 84"	2' – 0"

The equivalent minimum design size requirements for concrete pipe arch and elliptical pipe shall conform to TxDot, Item 464.2(2).

The developer shall install all drainage culverts of sufficient size as designated by the Engineer who designed the drainage system and with approval of the Department of Development. The plat shall notify lot owners that the size of required drainage culverts for driveways are designated in the drainage study on file in the Department of Development.

Design of culverts shall include the determination of upstream backwater conditions as well as downstream velocities and flooding conditions. Consideration shall be given to the discharge velocity from culverts, and the following limitations are allowed:

CULVERT DISCHARGE – VELOCITY LIMITATIONS

Culvert Discharging On to:	Maximum Allowable Velocity (f.p.s.)
_____	_____
Earth (Bermuda grass)	8
Paved or rip-rap apron	15
Shale	10
Rock	15

Generally, all culverts shall be designed with a free outfall and the following head losses discharge shall govern the design of the culvert:

(a) Friction Head Loss

$$H = S L \quad , \text{where}$$

f = Friction Head Losses in feet

S = Friction slope = slope that will produce uniform flow (see Nomographs D and F at depth under consideration, TxDot Hydraulic Manual, Chapter 4)

L = Length of culvert in feet

(b) Head Loss due to change in velocity

$$H = \frac{V_1^2 - V_2^2}{2g} \quad , \text{where}$$

H = Head losses in feet

L

V_1 = Upstream velocity in feet per second

V_2 = Downstream velocity in feet per second

g = Acceleration due to gravity in feet per second ²

(c) Head Loss at upstream entrance to culvert due to entrance and change in section

$$h_e = \frac{V^2}{2g} \quad , \text{where } h = \text{Entrance losses in feet, and } V \text{ is equal to or less than six (6) feet per second.}$$

$$H = \frac{V^2}{2g} - C \frac{V^2}{2g} \quad , \text{where } V \text{ is greater than six (6) feet per second, and } C =$$

$$H = \frac{V^2}{2g} - e \frac{V^2}{2g} \quad \text{Entrance Loss Coefficient (see Table 1, Chapter 4, TxDot Hydraulic Manual)}$$

5. Improved Channels: All improved channels shall have a depth based on design frequency. Side slopes of concrete lined open channels shall not be steeper than two (2) feet horizontal distance to one (1) foot rise (2:1). In grass lined open

channels, the side slopes shall not be greater than 3:1, and the channel slope and bottom width shall be such that erosion is controlled and the channel is stable. All improved channels shall be designed for a minimum of one (1") foot of freeboard at maximum design flow. Channels discharging into watercourses shall have the same invert level as the watercourse. The calculations for capacity of channels shall consider the effects of backwater from downstream conditions.

(a) Maximum Velocities for Storm Drainage Structures

<u>Type of Structure</u>	<u>Roughness Coefficient "n"</u>	<u>Velocity</u>	<u>Maximum</u>
Grass lined channels	0.035		8fps
Concrete lined channels	0.015		15fps
Concrete rubble	0.030		15fps
Culverts	$\frac{1}{}$		15fps
Inlet laterals	$\frac{1}{}$		15fps
Storm sewers	$\frac{1}{}$		12fps

$\frac{1}{0.012}$ for reinforced concrete and 0.024 for corrugated metal

6. Detention Ponds: The following requirements and design standards shall apply to detention ponds to the extent they do not conflict with any applicable Federal or State laws or regulations, as amended:

- (a) The 100-year flood shall be used to determine the volume of detention storage required. Detention facilities shall be designed so that any additional runoff generated by the proposed development will not increase the amount of original discharge for storm frequencies from the 5-year to the 100-year flood.
- (b) The Modified Rational Method shall be used to construct runoff hydrographs for detention storage design when the contributing drainage area is 200 acres or less. The formula for calculating storm flows in this manner is.

$$Q = C \frac{CIA}{A}, \text{ where}$$

C is the antecedent precipitation factor (values to be used are as follows:)

Antecedent Precipitation Factor "C"		
Recurrence Interval (Years)	A	C
2 to 10		1.0
25		1.1
50		1.2
100		1.25

NOTE: The product of $(C) (C)$ shall not exceed 1.0
A

The procedures outlined in Soil Conservation Service Technical Release No. 20 (TR-20), or in the Corps of Engineers Flood Hydrograph Package (HEC-1), shall be used to determine runoff hydrographs for detention storage design when the contributing drainage exceeds 200 acres. Other methods may be approved for runoff hydrographs when appropriate.

- (c) An emergency spillway or overflow area shall be provided at the maximum 100-year pool level and shall be capable of conveying discharges as required by the regulations of the Texas Natural Resource Conversation Commission. The spillway shall be constructed of concrete, unless alternative configuration is approved by the Department of Development.
- (d) Any outflow structure which conveys water through the embankment in a conduit shall be REINFORCED CONCRETE DESIGNED TO SUPPORT THE EXTERNAL LOADS. The conduit shall withstand the internal hydraulic pressure without leakage under full external load or settlement and must convey water at the design velocity without damage to the interior surface of the conduit.
- (e) The outflow structure of a detention basin discharging water into any natural stream or unlined channel shall discharge at a non-erosive rate, unless approved erosion protection is provided.

- (f) Detention basins resulting from excavation shall provide positive drainage with a minimum bottom slope of one (1) percent. The side grade for any excavated detention basin, which is not a rock, shall not exceed 3:1. Side slopes and bottom shall be protected from erosion with grass or other approved materials.
- (g) Earthen embankments used for water impoundments must be constructed according to specifications for fill material and be designed based upon geotechnical investigations of the site. The minimum crown width of the embankment shall be twelve (12) feet. Embankments shall be protected from erosion with grass or other approved materials.
- (h) Detention basins shall be designed with adequate ingress and egress to allow for regular maintenance, including periodic desilting and debris removal. Detention basins designed for permanent water storage must include dewatering facilities to allow for maintenance. Detention basins designed to service drainage areas of 320 acres or more must include a desilting basin in the upstream pool area.
- (i) Security fencing with a minimum height of six (6') feet shall encompass the detention storage area. The fence shall be designed so as to allow access for maintenance and so as not to restrict storm water flow into or out of the detention basin.

7. Standard Details: Standard details adopted by the Texas Department of Transportation, as amended, shall be used for applicable drainage facility improvements.

G. Easements:

The following requirements for easement for public drainage improvements, channels, and facilities required for any development shall apply:

1. All public drainage systems and facilities which are not to be included within an existing or proposed public street right-of-way shall be located within easements to be dedicated to the County with adequate access to a public street. Prior to acceptance of any public drainage facilities, all easements within which the facilities are located shall be cleared of all buildings, structures, fences, trees, or other obstacles that would interfere with drainage flow and access to the easement.

The developer shall be responsible for maintenance of drainage easements until the land is sold. The landowners shall be responsible for maintenance of drainage easements after the purchase of the property.

2. Floodways or floodplains which are necessary to provide for the drainage needs of the development shall be dedicated to the public as a drainage easement to the limits defining the floodway or floodplain.
3. Easements for closed drainage systems shall be in accordance with the following minimum standards, unless special circumstances warrant additional or reduced, as determined by the Department of Development.

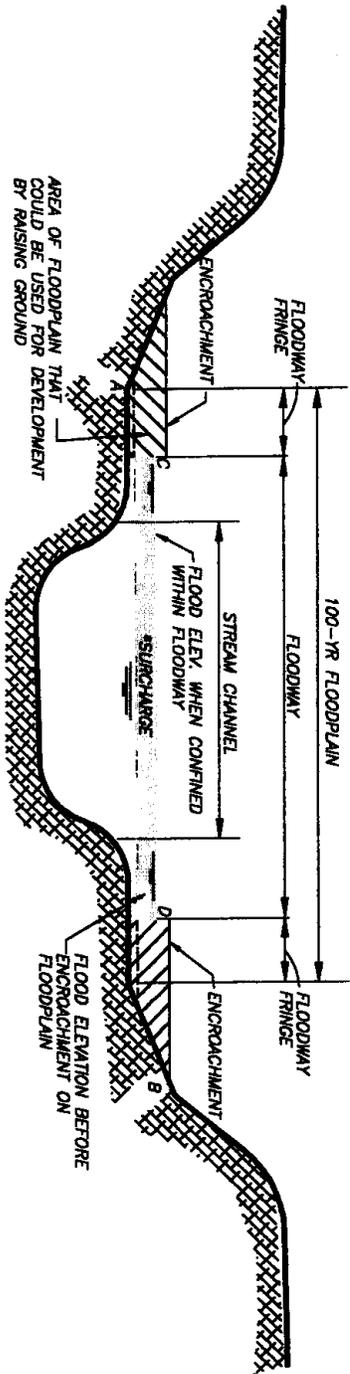
<u>Pipe Size</u>	<u>Minimum Easement Width</u>
36" and under	15 feet
42" through 54"	20 feet
60" through 66"	25 feet
72" and above	30 feet

4. Easements for improved channels shall be provided with sufficient width for maintenance access. Channels having a top width greater than 30-feet and a side slope steeper than 1 or 4 shall have access roads of 15-feet in width along both sides of the channel unless otherwise approved by the Department of Development.
5. Utilities shall not be located within any existing drainage easement, unless it is also designated for utility use. No utilities shall be located in any lined channel in such a way as to interfere with maintenance of or access to the channel.
6. A drainage easement shall be provided for a required outfall channel or ditch to the point where the flowline "daylights" on natural grade.
7. To provide for maintenance, a drainage easement shall be provided at least twenty-five (25') feet beyond any outfall headwall.

H. Flood Damage Prevention

All developments subject to these regulations shall comply with the following requirements:

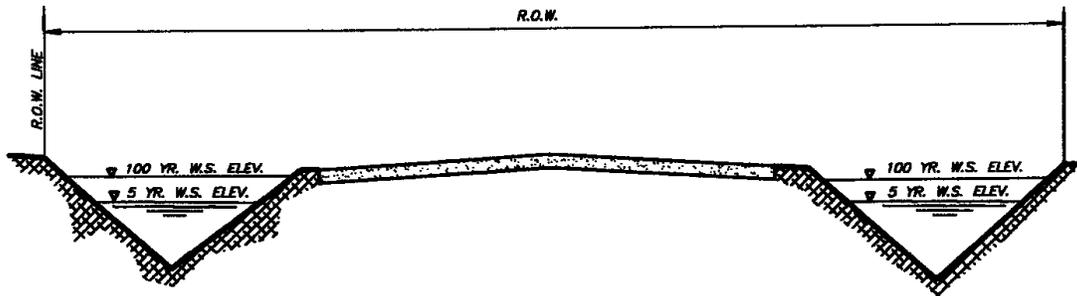
1. Minimum Finished Floor Elevation: Minimum finished floor elevations for proposed development areas shall be one (1) foot above the 100-year flood elevation or other critical elevations established by recorded flood control easements, based upon ultimate development watershed conditions.
 2. Floodway and Floodplain Modification and Permitting: No land shall be modified in any floodplain or floodway until the drainage modification plans have been reviewed and approved by the Department of Development.
- 77
3. Residential Construction: New construction or substantial improvements of any residential structure shall have the lowest floor, including basement, elevated one (1) foot above the 100-year flood elevation with the ultimate development watershed conditions. A registered professional engineer, architect, or land surveyor shall submit a certification to the Department of Development that the standard of this subsection is met.
 4. Non-residential Construction: New construction or substantial improvement of a commercial, industrial or other non-residential structure shall either have the lowest floor, including any basement, elevated one (1) foot above the 100-year flood elevation with ultimate development watershed conditions, or together with attendant utility and sanitary facilities, be flood proofed so that below the 100-year flood level, the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effect of buoyancy. An engineer or surveyor shall submit a certification to the Department of Development that the standard of this subsection is met.



LINE A-B IS FLOOD ELEV. BEFORE ENCROACHMENT
 LINE C-D IS FLOOD ELEV. AFTER ENCROACHMENT

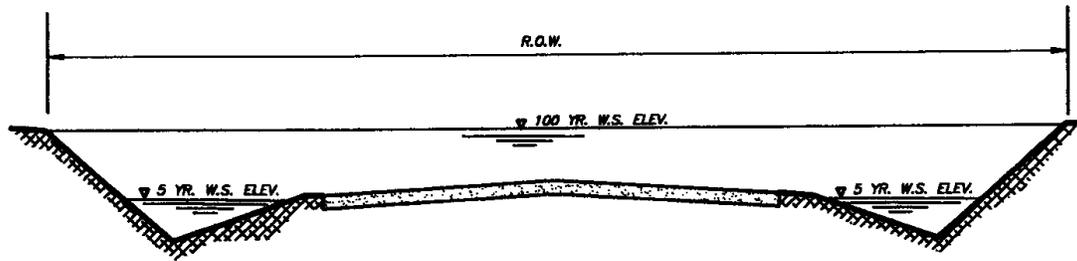
NOT TO SCALE

• SURCHARGE SHALL NOT EXCEED
 1.0 FEET



CASE I - ROADWAY ABOVE R.O.W. GRADE

NOT TO SCALE

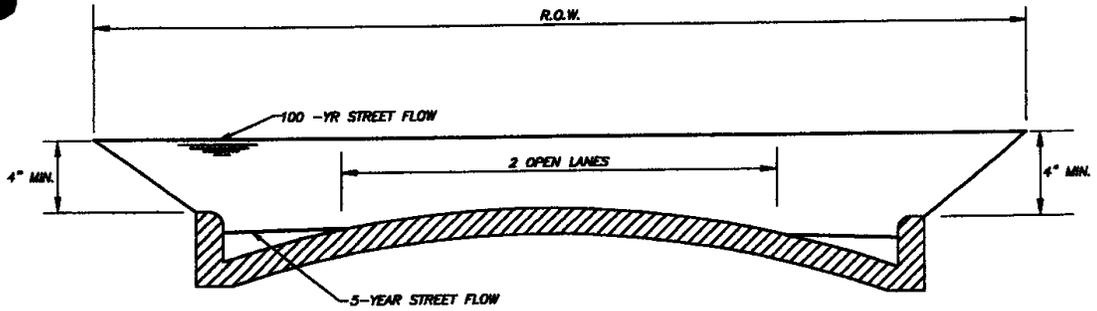


CASE II - ROADWAY BELOW R.O.W. GRADE

NOT TO SCALE

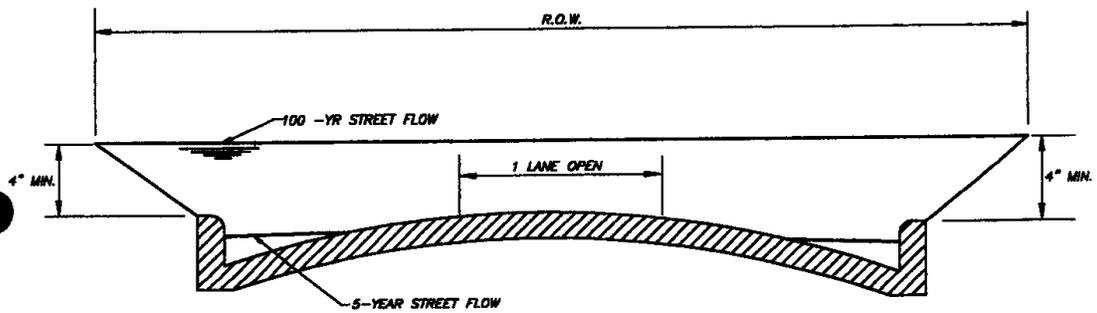
WATER SPREAD LIMITS FOR
NON-CURBED ROADWAYS

WATER SPREAD LIMITS FOR
NON-CURBED ROADWAYS



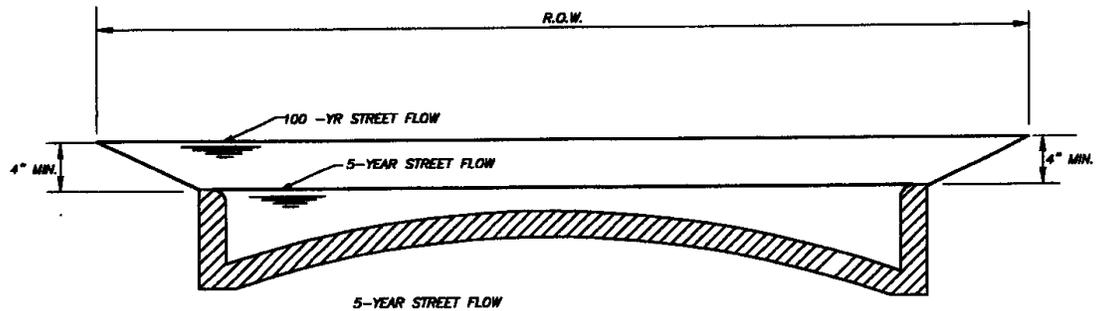
COLLECTOR OR SECONDARY THROUGHFARE

NOT TO SCALE



MINOR ARTERIAL OR PRIMARY THOROUGHFARE

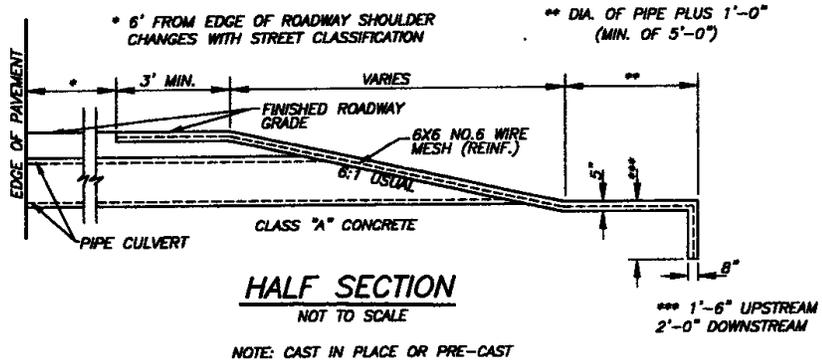
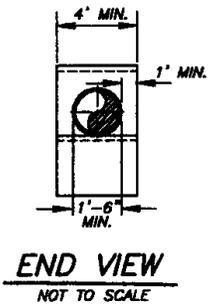
NOT TO SCALE



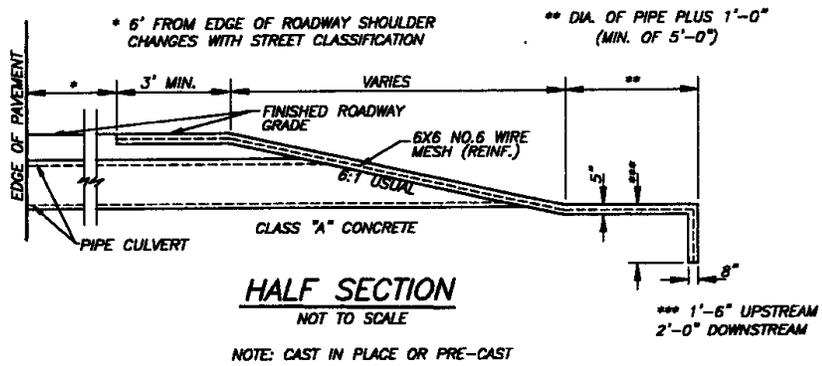
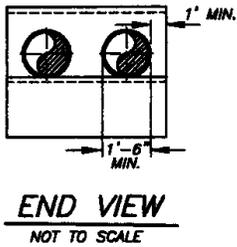
LOCAL

NOT TO SCALE

**MAXIMUM WATER SPREAD LIMITS FOR
MAJOR AND MINOR STORMS**



IN CASES WHERE A CULVERT WITH ITS HEADWALLS WOULD EXTEND OUTSIDE THE NORMAL RIGHT-OF-WAY, THE DEVELOPER SHALL DEDICATE SUCH ADDITIONAL DRAINAGE EASEMENT OR RIGHT-OF-WAY AS REQUIRED TO PROVIDE NORMAL ACCESS AND AGRESS.



IN CASES WHERE A CULVERT WITH ITS HEADWALLS WOULD EXTEND OUTSIDE THE NORMAL RIGHT-OF-WAY, THE DEVELOPER SHALL DEDICATE SUCH ADDITIONAL DRAINAGE EASEMENT OR RIGHT-OF-WAY AS REQUIRED TO PROVIDE NORMAL ACCESS AND AGRESS.

MULTIPLE PIPE INSTALLATION
NOT TO SCALE

APPENDIX “B”

WAIVER OF “TAKINGS IMPACT ASSESSMENT (TIA)”
UNDER THE PRIVATE REAL PROPERTY RIGHTS PRESERVATION ACT
AND

TAKINGS IMPACT ASSESSMENT CHECKLIST

WAIVER OF "TAKINGS IMPACT ASSESSMENT (TIA)"
Under the Private Real Property Rights Preservation Act

Comes No _____, owner(s) of the property described as
_____, located in Pct. _____ of Ellis County, Texas.

I (we) have been informed that I(we) have certain rights under a law that went into effect September 1, 1997 for County governments in Texas called The Private Real Property Rights Preservation Act which is codified at Chapter 2007 of the Government Code of Texas.

I(we) understand that county governments are now required to expressly consider or assess whether their governmental actions may result in "takings" of private real property. I(we) further understand that the act also provides a remedy for an owner of a legal or equitable interest in private real property to seek a judicial determination of whether a governmental action constitutes a "taking" and, if so, to ask for invalidation of the governmental action if the county fails to pay the damages assessed.

I(we) further understand that a "taking" is any county action that affects an owner's private real property whether in whole or in part, temporarily or permanently. Any county action, ordinance, or regulation that affects my rights as owner of the property, that would otherwise exist in the absence of any action by the county, is actionable. If the action of the county would reduce the value of my private real property by 25 percent or more, I(we) am entitled to be compensated.

In order to study the effect of the county's rule, ordinance, regulation, or action, I(we) understand that the county is required to do a study called a "Takings Impact Assessment" (TIA). If such TIA is done the county is required to provide at least 30 days' notice of its intent to engage in any such proposed action. The notice must be published in a newspaper of general circulation in Ellis County and it must include a reasonably specific summary of the TIA.

I(we) understand that any action is void if such an assessment is not prepared and that, as the OWNER of the land affected by a county action for which a TIA should be prepared, I(we) have the right for 180 days after I(we) know or should have known about the "taking" to bring a suit against the county. If I(we) should choose to bring such a suit, I(we) would be awarded reasonable and necessary attorney's fees, costs or court, and even damages, especially if the action of the county had reduced the value of my land by 25 percent or more. I(we) could also have the county action declared void.

In consideration of expediting and shortening the approval process for the platting of the above described property so that my property may be placed on the market for sale as soon as possible, and understanding that I(we) have the aforementioned rights and possibly others, I(we) hereby freely and voluntarily waive these rights and any and all other rights that I(we) may have under the Private Real Property Right Preservation Act, and I(we) specifically request the Ellis County Commissioners Court to proceed to consider and approve the final plat on the above described property.

This Waiver is signed on the _____ day of _____, 2000.

_____, Owner

Holder of Equitable Interest

By: _____

SWORN STATEMENT OF OWNERSHIP

I, _____ do state on my oath under the penalty of perjury, that I have knowledge of the owners of the above described property. I further swear that on the reverse side of this document all the owners of the property affected by the WAIVER OF "TAKINGS IMPACT ASSESSMENT (TIA)", including equitable owners, have executed said waiver. I understand that Ellis County is relying upon me and my integrity to its detriment if I have misrepresented the ownership of said property.

EXECUTED on this the _____ day of _____, 2000.

Owner

Printed Name of Owner

STATE OF TEXAS

COUNTY OF ELLIS

BEFORE ME, the undersigned authority appeared _____ who swore on his oath that the above and foregoing SWORN STATEMENT OF OWNERSHIP was true and correct.

Notary Public in and for the State of Texas

SWORN STATEMENT OF OWNERSHIP

I, _____ do state on my oath under the penalty of perjury, that I have knowledge of the owners of the above described property. I further swear that on the reverse side of this document all the owners of the property affected by the WAIVER OF "TAKINGS IMPACT ASSESSMENT (TIA)", including equitable owners, have executed said waiver. I understand that Ellis County is relying upon me and my integrity to its detriment if I have misrepresented the ownership of said property.

EXECUTED on this the _____ day of _____, 2000.

Owner

Printed Name of Owner

STATE OF TEXAS

COUNTY OF ELLIS

BEFORE ME, the undersigned authority appeared _____ who swore on his oath that the above and foregoing SWORN STATEMENT OF OWNERSHIP was true and correct.

Notary Public in and for the State of Texas

Project Information

Signature of Employee/Official Preparing Waiver: _____

Printed Name of Employee/Official Preparing Waiver: _____

Department of Individual Preparing Waiver: _____

Project Name: _____

Description of Proposed Action: _____

How was Ownership Determined? _____

Are there other owners? (yes or no) _____

TAKINGS IMPACT ASSESSMENT CHECKLIST

Complete this form for any county action that involves the adoption of an ordinance, rule, regulation, policy, guideline, court resolution, or order.

Type of TIA Performed: **SHORT** or **FULL** . Circle one after answering the questions in Sections I, II and III below.

I. Project Information

Signature of Employee/Official Preparing Form: _____

Printed Name of Employee/Official Preparing Form: _____

Department of Employee/Official Preparing Form: _____

Project/Regulation Name: _____

Description of Proposed Action: _____

County Department: _____

Contact Person for Project: _____

Phone Number for Contact Person: _____

II. Stated Purpose

In the space provided, state briefly the purpose of the proposed action. In simple terms, explain what the county would accomplish by taking the proposed action.

Note: If you have questions concerning the remainder of this Takings Impact Assessment Checklist, please consult the County Attorney's Office.

III. Potential Effect on Private Real Property

1. Does the county action require or impose a temporary or permanent physical invasion, occupation or dedication of real property?

Yes _____ No _____

2. Does the county action limit or restrict a real property right, even partially or temporarily?

Yes _____ No _____

If you answered yes to either question, go to Section IV. If you answered no to both, STOP HERE, circle SHORT at the top of the form, and file the form with the County Clerk.

IV. Exemptions

If you answer yes to any question, submit a written explanation for each "yes" answer, on a separate sheet of paper, and attach it to this checklist.

1. Is the action taken to regulate on-site sewage facilities?
Yes _____ No _____
2. Is the action taken to regulate construction in a floodplain?
Yes _____ No _____
3. Is the action taken to fulfill an obligation mandated by state or federal law?
Yes _____ No _____
4. Is the action taken to prohibit or restrict a public or private nuisance?
Yes _____ No _____
5. Is the action taken to prevent a grave and immediate threat to life or property?
Yes _____ No _____
6. Is the action:
 - (A) taken in response to a real and substantial threat to public health and safety,
Yes _____ No _____
 - (B) designed to significantly advance the health and safety purpose, and
Yes _____ No _____
 - (C) one that does not impose a greater burden than necessary to achieve the health and safety purpose?
Yes _____ No _____
7. Does the action do away with or change a program or rule that the landowner thinks affects his private real property rights?
Yes _____ No _____
8. Is the action taken under the county's statutory authority to prevent waste or protect rights of owners of interest in groundwater?
Yes _____ No _____
9. Is the action a formal exercise of the power of eminent domain?
Yes _____ No _____
10. Is the action a lawful forfeiture or seizure of contraband as defined by Article 59.01, Code of Criminal Procedure?
Yes _____ No _____

If you answered yes to any question in Section IV, the action is exempt from the TIA requirements. Therefore, STOP HERE, circle SHORT at the top of this form, and file this form with the County Clerk. If you answered no to all questions in Section IV, circle FULL at the top of this form and complete the information and analyses requested below.

Complete the information and analyses requested below on a separate attached document.

V. Analysis of Purpose, Burdens and Benefits

1. Referring to the purpose of the county action in Section I above, state how the action achieves or advances its purpose.
2. Describe the benefits to society resulting from the county action.
3. Describe the burdens that may be imposed on private real property by the county action.

VI. Alternatives

1. Describe alternative actions that could accomplish the same purpose as the proposed action.
2. State whether the alternative actions would constitute a taking.

VII. Potential Impact on Value

1. Will the county action reduce the market value of any parcel of private real property by 25% or more?

Yes _____ No _____

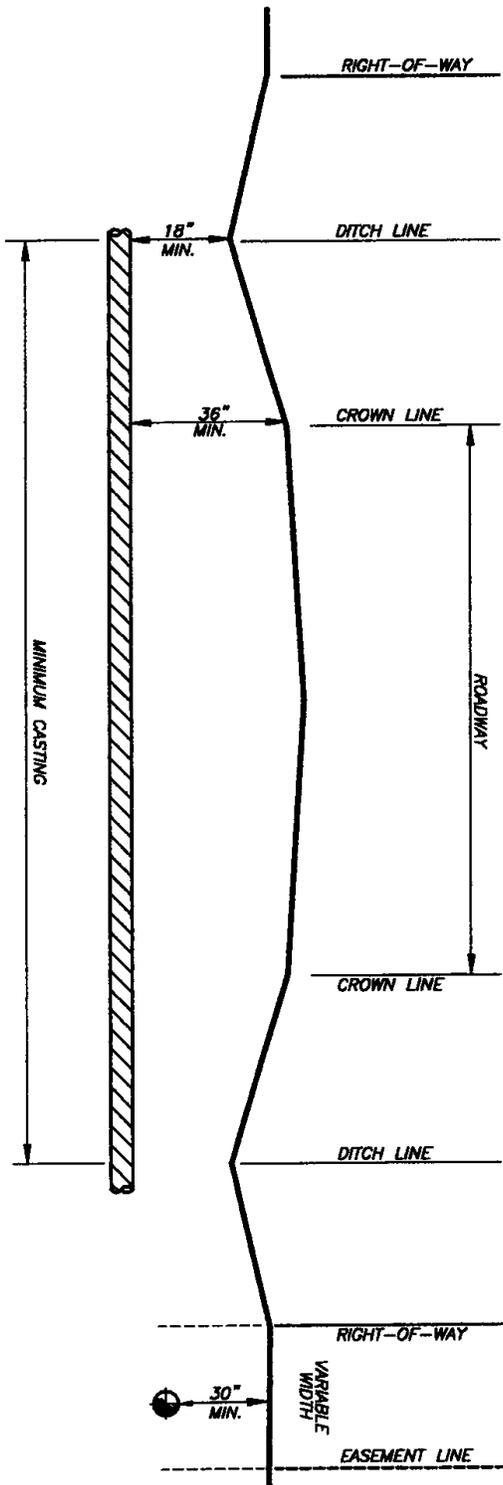
If you answered yes to this question, explain the reason for this determination and the method of calculating the reduction in market value. If a real estate appraiser or other expert was consulted, please attach their report. If you answered yes to this question, the proposed action could constitute a taking of the affected property. The county should estimate the amount that the property value will be reduced, and consider that prior to taking the proposed action.

***** DO NOT WRITE IN THIS SPACE *****

VIII. Conclusion

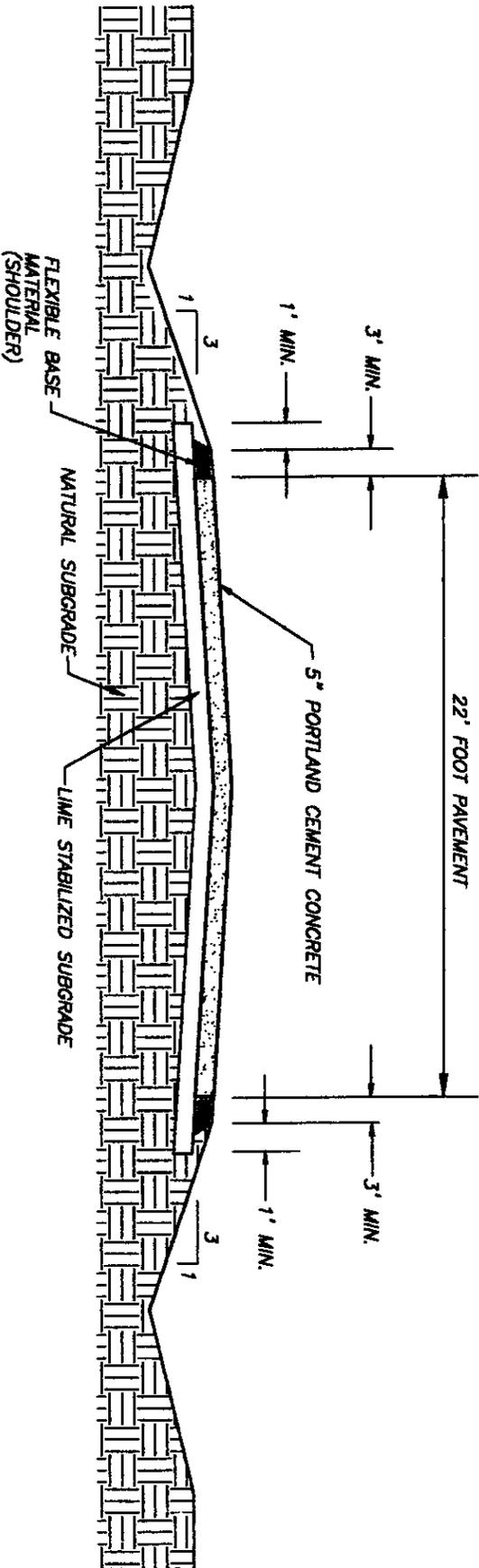
- _____ Not a covered action
- _____ No impact on private real property
- _____ Proposed action is exempt
- _____ Proposed action fully assessed for potential impact on real property

ATTACHMENTS



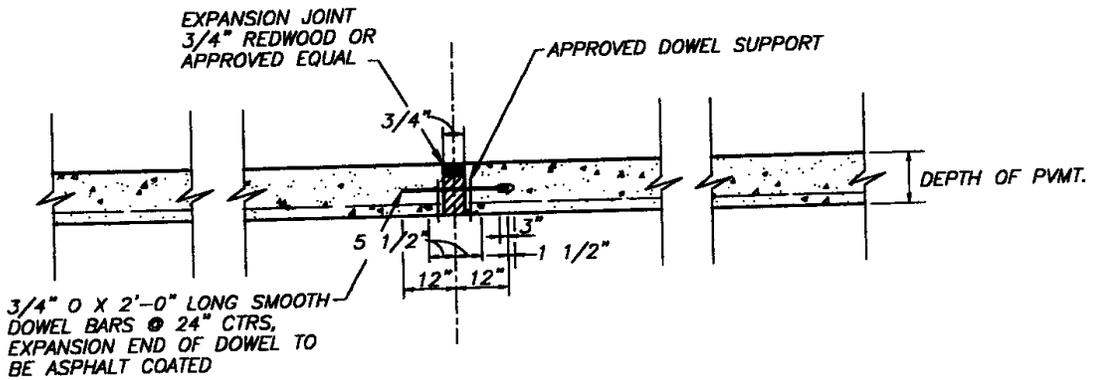
ATTACHMENT "A"
UTILITY LINE CROSSING
 NOT TO SCALE

- NOTES:
1. CROWN ROAD BED ONE INCH IN TEN FEET.
 2. REINFORCING FOR CONCRETE TO BE NO. 3 BARS AT 18" CTRS. BOTH WAYS, OR NO. 4 BARS AT 24" CTRS BOTH WAYS.
 3. POSITIONING AND SUPPORTING DEVICES (CHAIRS) FOR STEEL REINFORCING BARS SHALL BE EITHER PLASTIC OR METAL AND OF SUFFICIENT NUMBER TO MAINTAIN THE POSITION OF THE BARS. (TXDOT 360.3)



PORTLAND CEMENT CONCRETE PAVEMENT

NOT TO SCALE

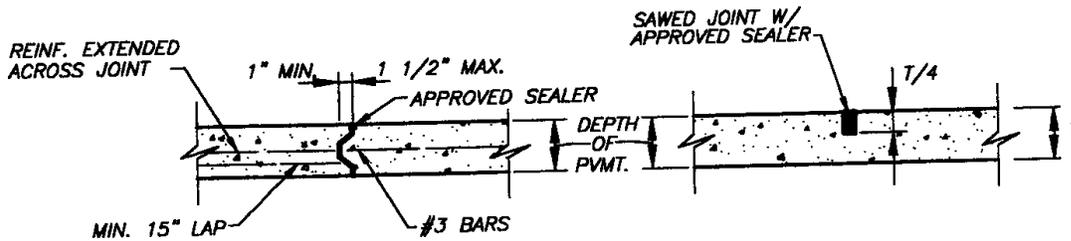


SLEEVE FOR DOWELS SHALL HAVE AN INSIDE DIAMETER
OF 1/16" GREATER THAN THAT OF DOWEL & BE OF QUALITY
& DESIGN AS TO PROVIDE FREE MOVEMENT OF THE DOWEL BAR.

EXPANSION JOINT

NOT TO SCALE

NOTE: PROVIDE EXPANSION JOINTS AT STREET INTERSECTIONS AND AT
600' MAXIMUM SPACING ALONG STREETS. NO JOINT SHALL FALL IN A
DRIVEWAY APPROACH.



CONSTRUCTION JOINT

NOT TO SCALE

SAWED JOINT

NOT TO SCALE
(20' TYP. SPACING)

INDEX

Access to subdivisions	35
Adjoining streets and land	32
Adoption by court of replat order.	37
Application for plat revision	37
Authority to enforce developer deed restriction	35
Base Course	49,50,51
Building Line (or setback line)	10
Channel access	A-5
Channel requirements	A-5
Clear distance between pipes	A-9
Completion of streets etc	34
Construction bond	55
Cul-de-Sac	11,42
Culvert discharge – velocity limitations	A-10
Culverts and structures	52
Culverts	18,33,42
Dead-end streets and cul-de-sacs	32,43
Decorative/landscaped subdivision entrance(s)	36
Definitions	10-16
Detention Facilities	A-5
Developer Information	61
Drainage definitions	A-1
Drainage easements	35
Drainage requirements criteria and design standards	A-1- A-16
Driveways	36
Extraterritorial Jurisdiction (ETJ)	12,17,25,26
Enforcement penalties	57,58
Final Plat	2,3,20-27,33,41,46,54,55,63
Flag Lots	13,41
Floodplain	13,17,22,23,26,27,33,38,42,47
Floodway fringe area	A-5
Friction head loss	A-11
Frontage	41
General drainage requirements	A-3
Head loss due to change in velocity	A-11
Headwalls	52
Houses built on lots lower than the road	35
Infrastructure Development Plan	4
Inlet time of concentration	A-6

- Inspections 34
- Interior Streets 42
- Irrevocable letter of credit 56
- Islands 43
- Letters of Credit 56
- Lot Drainage A-5
- Lot lines 5,6,14,20
- Lots served by individually-owned water wells 45
- Lots served by public water systems 46
- Mailboxes 43
- Maintenance Bond 55-56
- Manufactured home park regulations 47,48
- Manufactured Home Rental Communities 3
- Manufactured Home Rental Community Infrastructure Development plan 4,5,6
- Minimum Lot Size 41
- Multi-family Residence 41
- Notice of replat application 37
- Off-site drainage A-4
- On-site Sewage Disposal 42,46
- Other security 57
- Pavement widening 52
- Performance guarantees, general 55,58
- Permits 26
- Pipe maximum spacing in feet A-9
- Pipe size in inches A-9
- Pipe system requirements A-8
- Plat revision applicability 37
- Plat revision 35
- Preliminary drainage plan 17
- Preliminary plat requirements 17-20
- Preliminary Plat 49
- Preparing and clearing right-of-way 35
- Private Streets/Roads 46
- Public Sewage Systems 46
- Purpose of the rules 1
- Rainfall intensity A-7
- Relief by Commissioners Court 59
- Relief by gift, devise, or descent 59
- Replat filing 38
- Required tax certificate 64
- Requirement for a plat 1
- Residential Lots 41
- Right-of-way 6,15,22,43,44
- Road Standards table 44
- Runoff coefficients for types of land use A-6, A-7

Severability 57

Sewage and waste disposal 47

Shoulder Attachments

Signs 54

Simplified Plat 41

Slopes 45,49

Storm drainage design criteria A-6

Storm water design frequencies A-7

Storm water runoff A-6

Street and road plans 53,54

Street arrangements 32

Street drainage requirements A-8

Street jogs 43

Street Layout 42,43

Subbase (Subgrade) 49,51

Subdivision Cancellation 39

Subdivision Standards 41-43

Subgrade and base courses 49-53

Testing and inspections 52

Testing 33

Timely approval of plats 3

Traffic Volumes 42

Turning Lanes 42

Utilities 34

Utility easements 32

Velocities A-12

Water Supply 24

Wells 45

ELLIS-PRAIRIE SOIL AND WATER CONSERVATION DISTRICT
1822 FM 66 SUITE 102 WAXAHACHIE, TX 75167
PH (972) 937-2660 x3 FAX (972) 923-1702

DISTRICT POLICY
ON
ACTIVITIES ADJACENT TO FLOODWATER RETARDING STRUCTURES

Purpose

This policy is for the purpose of addressing requests to modify the size of easement areas adjacent to floodwater retarding structures; and to provide guidance on the handling and consideration of requests for development activities within the easement area, and deviations from District policy.

Background

There are 84 floodwater retarding structures in the Ellis-Prairie Soil and Water Conservation District (the “District”). See attached map.

Funding for these structures was authorized by the National Flood Control Act of 1944 (Public Law 534) for the purpose of watershed protection and flood prevention. The U.S. Department of Agriculture - Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service, oversaw the design and construction.

These structures or “soil conservation lakes” were constructed on private lands through easements obtained by the District. The easements were filed with the Ellis County Clerk’s office. These lakes are not federal property and therefore not open to the general public.

As easement holder, the District is responsible for the operation, maintenance and inspection of these floodwater retarding structures. Under an agreement with Ellis County Commissioners’ Court, the County provides financial support in performing maintenance activities.

As Ellis County continues to grow, the land adjacent to floodwater retarding structures becomes a primary target for residential development, ranchettes and other special uses that pose a potential hazard to life and property, and may adversely affect the operation of the structure. Developers and potential developers are requesting the District to modify, restrict and reduce easements to the minimum amount feasible while preserving the structure and its function.

Therefore, to protect public safety, ensure the proper function of the structure, maintain the integrity of the easements and to accommodate requests by current and future developers, the District is adopting the following policy relating to all activities within such easements.

General Policy

1. **Easement Area** – The easement includes the dam, emergency spillway (to the outlet channel), pipe outlet works, sediment pool, flood detention pool (flood easement elevation), ingress/egress and any adjoining land deemed necessary for carrying out operation and maintenance responsibilities. The flood easement elevation is the contour line determined by the emergency spillway crest elevation plus two (2) feet. *(Note: This is not the 100-year floodplain, which is determined by the Federal Emergency Management Agency (FEMA)).*
2. **Ingress/Egress** – As specified in the easement, the District is provided and will reserve access for the purpose of inspecting, operating, repairing and maintaining the structure. The minimum width of the access road will be thirty (30) feet. The District will install locks on access gates as needed to protect the landowner's privacy.
3. **Floodwater Retarding Structure** – The dam, emergency spillway, primary spillway/pipe outlet and related appurtenances shall not be modified in any form for any reason without prior written approval of the District and concurrence from the NRCS.
4. **Fencing** – The fence and gates around the dam and emergency spillway are the property of the District. These fences were constructed for grazing management. Any changes or modifications to the existing fences require prior written approval of the District. Property line fences located within the easement are not the responsibility of the District.

It should be noted that the fenced-in area around the dam and emergency spillway is not an indicator of the "easement area".

5. **Grazing** – Controlled grazing on the dam and emergency spillway is permitted under the following conditions:
 - a) Grazing is regulated so as to maintain a 4-inch stubble height on bermudagrass, and a 6-inch stubble height on other grasses.
 - b) Livestock are removed when the soil is extremely wet or dry.
 - c) Livestock will not be confined and/or fed on dam or emergency spillway.
 - d) Corrals or pens will not be constructed on the dam or emergency spillway.
6. **Other Agricultural Uses** – Where practical, the dam and emergency spillway may be hayed. Cutting heights will be the same as grazing heights. Haying will be completed by October 1 to allow time for adequate regrowth before the winter.

Plowing and planting annual crops such as small grains on the dam and spillway area is prohibited. Over seeding using a no-till drill or similar equipment is permitted.

7. **Trafficking** – Vehicular travel across the top of dam and spillway areas will be limited to prevent rutting and damage to vegetation. All vehicles, including ATV's, are prohibited on the slopes of the dam and in the emergency spillway area.
8. **Water Level** – The water level in the structure is controlled by the District. Landowner(s) within the sediment pool (permanent water) wishing to lower the water level must have prior written approval of the District. Other landowners within the sediment pool must be in agreement and submit written concurrence showing unanimous agreement before the District will consider the request.

General Policy (cont.)

9. **Water Use** – All surface water in Texas is owned by the State. The landowner(s) involved in the floodwater retarding structure have the right to use water in the sediment pool for domestic or livestock use.

The use of water for commercial agricultural production and other commercial uses comes under the jurisdiction of the Texas Natural Resources Conservation Commission.

Before applying for a state permit, the landowner must first receive written approval from the District to ensure that such activities will have no adverse effect on the structure. Secondly, the landowner(s) having sediment pool must be in unanimous agreement and submit written concurrence to the District.

10. **Development** – Development is defined as any manmade change to improved or unimproved real estate, including but not limited to, adding buildings or other structures, dredging, filling, grading, paving, excavation, or drilling operations.

The following activities relating to development are prohibited within the easement area:

- a) Residential construction, and other structures (garages, barns, utility buildings, etc);
- b) Placement of fill for any reason;
- c) Installation of dikes, levees or other structures which may reduce the storage capacity of the flood detention pool, decrease the capacity of the flood channel, deflect the flow from the channel or divert natural runoff;
- d) Construction of buried or above ground utilities on dam or emergency spillway; and
- e) Temporary or permanent placement of objects in the emergency spillway that will reduce or disturb flow (i.e., fences, hay bales, equipment storage, etc.).

In developing watersheds, the District recommends that the minimum finished floor elevation for proposed development areas be one (1) foot above top of dam elevation. All development will comply with the National Flood Insurance Program and be approved by the governmental authority having jurisdiction.

To provide a technical basis for development, future development that impacts on, or is impacted by the structure and/or the easement, shall require a detailed engineering study and a final copy provided to the District at the sole expense of the developer. The engineering firm completing the study shall be approved by the District and concurred in by the NRCS.

All plans for developing land within the easement area must be approved in writing by the District. Refer to the sections “Upstream Development” and “Identification of Easement Area” for guidance on submission and approval of plans.

11. **Request Involving Deviations from District Policy** – Deviations from District policy will not be permitted unless the following criteria are met:
- a) It clearly can be shown by approved procedures that the deviation will not adversely affect conditions either upstream or downstream from the point of deviation; and
 - b) All owners directly affected by the deviation are in agreement; and
 - c) The deviation is not in conflict with any other plan or ordinance adopted by any local governing authority having jurisdiction.

Request for deviation must be submitted, in written form, at least twenty-one (21) days prior to the date of the District meeting at which consideration is requested.

Upstream Development

When residential or commercial development is contemplated on land on which the District holds an easement, the owner shall contact the District to review the plans and its impact on the easement. This review should take place as soon as reasonably possible and prior to the tender of any plats, preliminary or otherwise, to any governmental authority, and prior to the sale of any land or an interest in any land. See “*General Policy- Development*”.

If development is feasible, as evidenced by written approval of the District, then the following information will be required and provided at the owner’s expense for District approval.

- 1) A survey of the easement area by metes and bounds. See “*Identification of Easement Area*” for guidance on amending easement.
- 2) Two (2) prints of a preliminary plat of the proposed development which must be provided at least twenty-one (21) days prior to the date of the District meeting at which approval of the preliminary plat is requested.

The preliminary plat shall include the following information, as applicable:

- a) Depiction of the recorded easement showing boundary lines of the easement, and location of the dam, emergency spillway and flood detention pool;
- b) Flood easement elevation contour with flood detention pool shown by shading;
- c) Sediment pool elevation contour (permanent water level);
- d) The 100-year floodplain boundaries and source of information;
- e) Top of dam elevation contour (in developing watersheds);
- f) Location of utilities, easements and right-of-ways (existing and planned);
- g) Layout of subdivision including streets and lots and any other features relating to the proposed subdivision.

Approval of the preliminary plat does not constitute acceptance of the development, but merely an authorization to proceed with preparation of the final plat. When development activities require County or city approval, District approval in writing, shall be obtained prior to submission to the appropriate governing authority. All development will comply with the National Flood Insurance Program.

- 3) The owner will submit two (2) prints of the final plat of the proposed development at least twenty-one (21) days prior to the date of the District meeting at which approval of the final plat is requested.

The final plat shall have all the information required for the preliminary plat plus the following additional information shall be provided:

- a) A written list of all changes made in the final plat that are different from the preliminary plat;
- b) Subdivision restrictions, including those imposed by the developer.

District review and written approval of the final plat must be obtained prior to submission to the County or city.

After approval, the final plat will be filed with the Ellis County Clerk’s Office, and two (2) certified copies of the final plat and accompanying restrictions along with recording information furnished to the District at the owner’s expense.

Identification of Easement Area

When land on which the District holds an easement is to be developed (residential subdivisions, commercial development, etc.), the original easement shall be amended to identify the easement by a metes and bounds description. All expenses incurred will be the sole responsibility of the owner.

The owner shall provide to the District a certificate of title from a title company showing that the title to said property is vested in the owner and a listing of any and all lien holders(s).

A registered public surveyor shall conduct the survey. The District will provide details and limits, specific to the easement to be redefined. The area retained and therein described will, as a minimum, include the dam, emergency spillway, pipe outlet, sediment pool, flood detention pool (flood easement elevation), ingress/egress and any adjoining lands deemed necessary for carrying out District responsibilities.

Survey field notes and plat will be submitted to the District for examination. The plat will, as a minimum, contain the following information:

- 1) Boundaries of the easement area including call notes (lines, bearings and distances); and the area clearly identified by shading;
- 2) Show location of the dam, emergency spillway, flood easement elevation, as applicable;
- 3) A seal, signature and certification by a surveyor to the effect that the plat correctly represents a survey made by him.

Following written approval of the survey by the District, the owner will have his attorney prepare, for the consideration and possible execution by the District, a partial release that modifies the original easement and that includes:

- 1) The title history of the subject property from the inception of ownership by the Grantor in the original easement;
- 2) A detailed explanation of the changes that not only show the portion of the easement released but also defines and clarifies, by metes and bounds, that portion of the easement to be retained;
- 3) The following statement: *“Except as above amended, all other provisions of the original easement shall remain in full force and effect.”*; and
- 4) A plat of the subject property as outlined above, and identified as *“Exhibit A”*.

Note: A copy of all deeds and/or easements referenced in the conveying document shall accompany said document.

The owner will then submit two (2) original copies of this amendment to the District for final review and approval at least twenty-one days (21) prior to the date of the District meeting at which approval of the amendment is requested.

Following District approval, the District will, at the owner’s expense, file the amended easement with the Ellis County Clerk’s office. The owner shall additionally pay the cost of providing the District with a certified copy of said document with recording information.

Downstream Development (Outside the Easement Area)

When development is planned immediately downstream of a floodwater retarding structure, caution should be taken so as not to restrict, impede or divert channel flow.

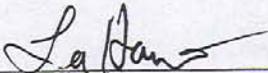
It is also recommended that the developer employ a professional engineer to conduct appropriate studies (i.e., breach flow analysis) to identify the area impacted in the event of a dam failure. It is recommended that development and other improvements be restricted within the floodplain established by a breach flow analysis from the dam to the downstream limit of the dam breach impact.

An emergency action plan should also be developed to ensure public safety.

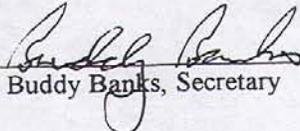
The County or appropriate city should be contacted regarding specific regulations within their jurisdiction. All development should comply with the National Flood Insurance Program.

Approval and Adoption of Policy

This policy is hereby approved and adopted in a regular meeting of the Board of Directors of the Ellis-Prairie Soil and Water Conservation District on the 8th day of April, 2002.



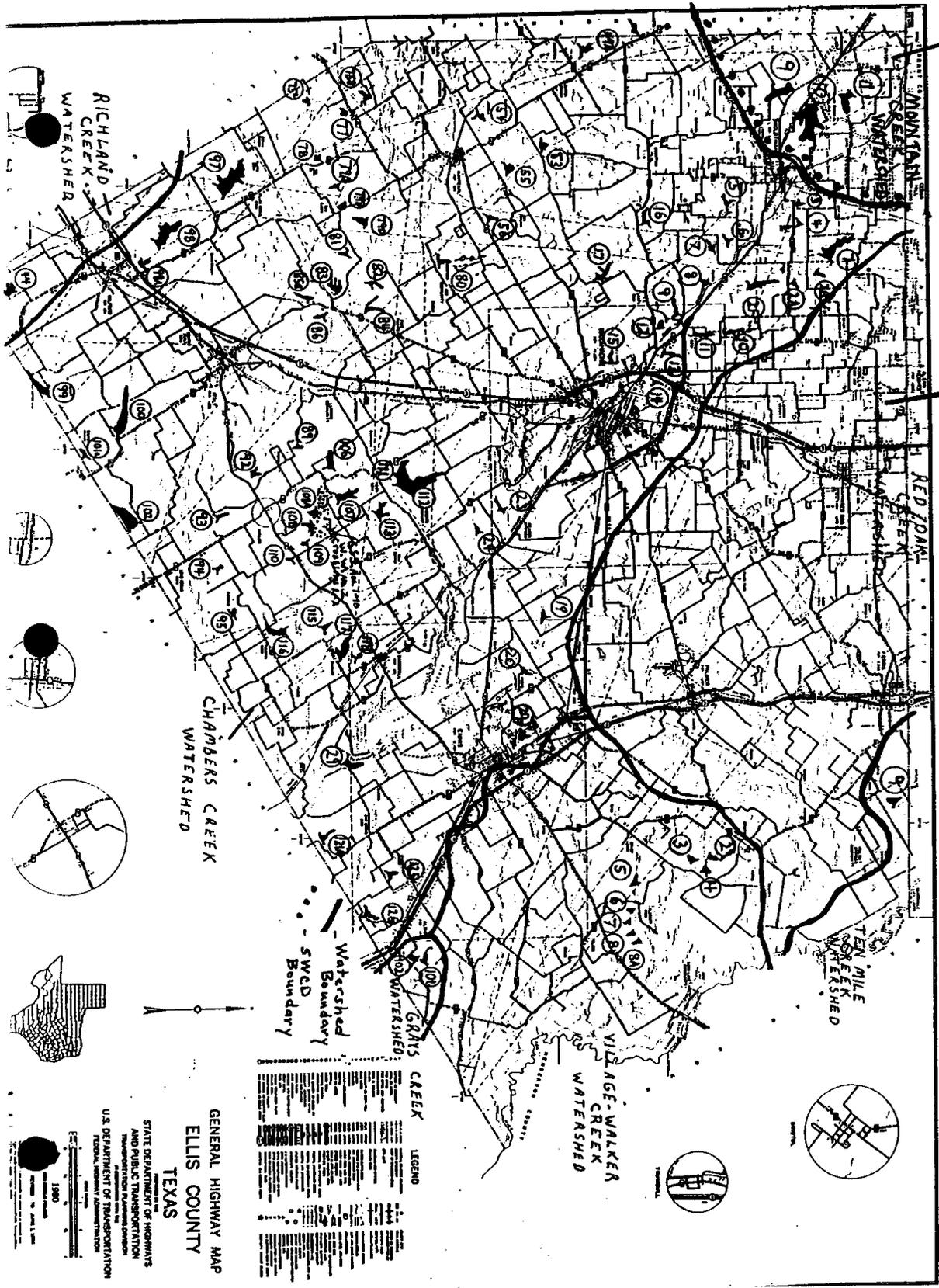
Lee Harris, Chairman

Attest: 

Buddy Banks, Secretary

Dalworth SWCD

Ellis-Prairie SWCD



CHAMBERS CREEK
WATERSHED

Watershed
Boundary
SWCD
Boundary

GRANTS CREEK
WATERSHED

VILLAGE-WALKER
CREEK
WATERSHED

TEN MILE
CREEK
WATERSHED

RICHLAND
CREEK
WATERSHED

LEGEND

—	Interstate
—	State Highway
—	County Road
—	Local Road
—	Watershed Boundary
—	SWCD Boundary
—	Waterway
—	Stream
—	Canal
—	Drainage
—	Other

GENERAL HIGHWAY MAP
ELLIS COUNTY
TEXAS

STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION
TRANSPORTATION PLANNING DIVISION
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

1980

