



**APPLICATION FOR SIMPLIFIED PLAT**

**Ellis County Department of Development  
109 South Jackson Street, Waxahachie, TX 75165  
972-825-5200/972-825-5205 fax**

**DEVELOPMENT INFORMATION**

Proposed Plat Name: \_\_\_\_\_

Number of Lots: \_\_\_\_\_ Total Acres: \_\_\_\_\_

**APPLICANT/OWNER INFORMATION**

Main Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Mailing Address: \_\_\_\_\_  
(Street No. & Street Name) (City, State) (Zip Code)

Daytime #: (\_\_\_\_\_) \_\_\_\_\_ Cell#: (\_\_\_\_\_) \_\_\_\_\_

**ENGINEER/SURVEYOR INFORMATION**

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

Mailing Address: \_\_\_\_\_  
(Street No. & Street Name) (City, State) (Zip Code)

Daytime #: (\_\_\_\_\_) \_\_\_\_\_ FAX #: (\_\_\_\_\_) \_\_\_\_\_

Flood plain on property? Yes No Map #: \_\_\_\_\_

Water Company: \_\_\_\_\_ Letter \_\_\_\_\_ Water Line Size: \_\_\_\_\_ Fire Hydrants: \_\_\_\_\_

I, \_\_\_\_\_, do hereby request Ellis County Commissioners Court for consideration to plat my property with the legal description being \_\_\_\_\_.

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

Please give brief explanation of your reason for platting: \_\_\_\_\_

\_\_\_\_\_.

<b>OFFICE USE ONLY: PROPERTY LOCATION IN ETJ?</b>	<b>YES</b>	<b>NO</b>	<b>ENTITY:</b> _____
<b>VARIANCE REQUIRED?</b>	<b>YES</b>	<b>NO</b>	<b>TYPE:</b> _____

## **SIMPLIFIED PLAT:**

**PURPOSE:** A simplified plat may be used solely for the purpose of subdividing land that is undeveloped or used for single-family residential purposes, to create four or fewer lots each of at least one (1) acre in size if the property is served by a water line which is 6" or greater in size and standard fire hydrants are so spaced does not exceed 450' between hydrant to create no more than two lots each of at least one (1) acre in size if the property is served by a water line which is less than 6" in size; or to create one lot when the remaining tract exceeds ten (10) acres. A simplified plat may be used for the recording of and may be used to convey the property and interest therein. The applicant shall submit twelve (12) black line prints of a simplified plat proposed for consideration by the Ellis County Commissioners Court for approval. Any parcel of land that has been divided or one that has been created by the simplified plat process pursuant to this Section cannot be further subdivided for ten (10) years following the approval of the simplified plat.

**IMPORTANT: Submit a letter from the Water Company stating main water line size. According to size the following requirements will be required: 6" or larger water line will require a fire hydrant at the developer's expense, 4" water line will require flush valve at the developer's expense, 3" or less 1 or 2 lot plat is exempt from fire hydrant requirements, 3 or 4 lot plat will require a variance from Commissioner's Court.**

## **SUBMIT:**

1. A pre-submittal meeting **MUST** be scheduled prior to submission of Simplified paperwork.
2. Ten (10) copies of the Simplified Plat on 18x24 standard plat paper (black line).
3. Letter from the Water Company stating main water line size.
4. Utility Letters: Water, Electric, Telephone, and Postal Service stating that they will provide service to the subdivision.
5. 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.** Effective September 1, 2006 taxes of current year must be paid in order to file plat.
6. Deed Restrictions: Must have subdivision name on first page, and signature of developer must be notarized.
7. Property Deed: Must have a copy of property deeds for each piece of property affected by the plat.
8. Waiver of "Takings Impact Assessment (TIA)": This form is for the 30' right-of-way dedication and utility easements along lot lines. This must be signed by anyone who holds Equitable Interest in the property, and all owners must sign and be notarized. (attached)
9. Culverts: If the proposed subdivision will be located on a FM or State Hwy, you must provide a letter from TxDot (972-938-2960) approving the entrance and culvert size.

## **PLAT:**

1. Fire Hydrants: Location of fire hydrants and measurements must be shown on Plat. **Development permits will not be released until the fire hydrant/fill hydrant/flush valve is installed.**
2. Certifying Septic Statement must be on plat; with signature line for Director of Ellis County Department of Development.

3. County Judge signature line.
4. 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 must be on plat.
5. 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 must be on plat.
6. E.T.J. Statement; Location of any City's corporate limit line or extra territorial jurisdiction line. The plat shall contain a notice that this subdivision or any part thereof is or is not located within the extraterritorial jurisdiction of any incorporated city or town and must be on plat. If the proposed subdivision is located in the ETJ of any city, the plat may be required to go thru the City guidelines before it goes to the Commissioners Court.
7. Signature of Approval from City Officials if plat is inside the ETJ (Extra Territorial Jurisdiction).

**FEES:**

A fee will be paid to the Ellis County Department of Development upon submittal of a Simplified Plat. No plat will be processed nor will a hearing date be set until the fee is submitted according to the following fee schedule:

Fees: \$75.00	Subdivision fee
\$71.00	Recording Fee (\$25.00 Second page)
\$30.00	File the Waiver of Takings
\$26.00	File Deed Restrictions (1 <sup>st</sup> page)
\$ 4.00	Per page thereafter
\$ 4.00	Per page for Exhibits and Attachments (if any)
\$26.00	Per page for Filing Tax Certificate(s)

**SIMPLIFIED PLAT:**

**CHECKLIST**

APPLICATION \_\_\_\_\_  
 10 COPIES OF PLAT \_\_\_\_\_  
 TAX CERTIFICATE(S) \_\_\_\_\_  
 DEED RESTRICTIONS \_\_\_\_\_  
 CITY APPROVAL \_\_\_\_\_  
 PROPERTY DEED \_\_\_\_\_  
 ELECTRIC LETTER \_\_\_\_\_  
 WATER LETTER \_\_\_\_\_  
 LETTER FROM WATER CO \_\_\_\_\_  
 TELEPHONE LETTER \_\_\_\_\_  
 POSTAL LETTER \_\_\_\_\_  
 TIA \_\_\_\_\_  
 CULVERT \_\_\_\_\_  
 (If FM or State Hwy) \_\_\_\_\_  
 FIRE HYDRANT \_\_\_\_\_

**FEES**

SUBDIVISION \_\_\_\_\_  
 PLAT FILING \_\_\_\_\_  
 RESTRICTIONS \_\_\_\_\_  
 TAX FILING(S) \_\_\_\_\_  
 TIA FILING \_\_\_\_\_  
 TOTAL \_\_\_\_\_  
 CK# \_\_\_\_\_  
 RECEIPT# \_\_\_\_\_

**WAIVER OF "TAKINGS IMPACT ASSESSMENT (TIA)"**

Comes Now \_\_\_\_\_ 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, 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, regulations, 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 to 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, a 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 bring such a suit, I (we) would be awarded reasonable and necessary attorney's fees, cost of 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 of the above described property.

The Waiver is signed on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Owner:

Owner:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

**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 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 \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name of Owner

STATE OF TEXAS  
COUNTRY 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

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Signature of Owner

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Printed Name of Owner

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