



APPLICATION FOR PRELIMINARY/FINAL

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

DEVELOPMENT INFORMATION

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: \_\_\_\_\_ Fire Hydrants: \_\_\_\_\_

I, \_\_\_\_\_, do hereby request Ellis County Commissioners Court to have a public hearing on the request to preliminary/final plat \_\_\_\_\_, lots \_\_\_\_\_, block \_\_\_\_\_ to become a subdivision in Ellis County.

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

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

Ellis County Department of Development

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109 South Jackson, Waxahachie, Texas 75165. 972-825-5200, 972-825-5205 fax

Dear Sub-divider:

The attached information is provided to assist you in meeting the requirements for approval of Preliminary and Final subdivision plats. Please take time to become familiar with the information that is pertinent to your project. A pre-submittal meeting **must** be scheduled prior to submission of Preliminary paperwork.

Due to the volume of plats being submitted to the Department of Development we will no longer accept a submittal packet unless it is complete. Please make sure everything you are required to submit has in fact been submitted to avoid delays in the Court date.

The Department of Development must receive your **complete** project information at least "twenty-one (21) days in advance of the court date" for your project to be placed on the upcoming applicable County Commissioners Court agenda. This is a hard and fast rule that we will not deviate from. If for any reason all documents are not received by the Department of Development at least twenty-one days before the requested court date, your project will be scheduled for the next Commissioner Court meeting.

The County Commissioners meet on the second (night meeting) and fourth (day meeting) Monday of each month unless there is a scheduled holiday. The Department of Development tries to put all subdivision plats on the first meeting of the month for review and approval by Commissioners Court but may schedule an emergency on the second of the month with prior approval.

If you have any questions, please feel free to contact us at 972-825-5200.

Sincerely,

Ellis County Department of Development

**SIMPLIFIED:**

1. Ten (10) copies of plats (18x24 standard plat paper - black line) 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 proposed fire hydrants, outline of adjacent properties for a distance of the property including water coursed, 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, and Postal Service stating that they provide service to the subdivision.
3. Property Deed: Must have a copy of property deeds for each piece of property affected by the plat.
4. Signature of Approval from City Officials if plat is inside the ETJ (Extraterritorial Jurisdiction), or a certified statement from the developer/surveyor /engineer stating that the proposed development is outside of the city limits.
5. Signed drainage letter (attached)
6. Signed Flood Plain Statement (attached)
7. Drainage Study and Engineering Plans - three (3) copies (18x24 standard plat papers -black line)
8. Soil analysis: Showing location of each test noted on Preliminary Plat.
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.
10. Fire Hydrants: Location of fire hydrants must be shown on Preliminary Plat
11. A fee will be paid to the Ellis County 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:

Subdivision of 5 lots of less:  
\$150.00 Subdivision Fee (Preliminary & Final)  
\$ 25.00 Lot fee (Preliminary & Final)

Subdivision of 6 - 20 lots:  
\$400.00 Subdivision Fee  
\$ 25.00 Lot Fee

Subdivision in excess of 20 lots:  
\$635.00 Subdivision Fee  
\$ 25.00 Lot fee

FINAL:

1. Ten (10) copies of plat (18x24 standard plat papers - black line). + One (1) digital copy.
2. Digital copy of the Final Plat: Information must be on a CD in .DXF or .DWG format. There is a
3. \$75.00 fee if a digital copy is not provided.
4. Bond or letter of credit for 100% of construction of infrastructure.
5. 1½ % of the estimated cost of construction of road and drainage improvements required at the time of submittal (may pay ½ @ final and ½ at the time road acceptance).
6. 911 Addresses will be established by the Department of Development at final submittal. If the property is in Midlothian School District - David Schrodt (Fire District) 972-775-7118), assigns addresses.
7. Drainage Study and Engineering Plans - three (3) copies ( 1 8x24 standard plat papers - black line)
8. Waiver of Takings - signed and notarized. (attached)
9. Deed Restrictions: Must have subdivision name on first page, and signature of Developer must be notarized with the notary acknowledgement.
10. 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. This only requires a tax receipt.
11. 1.5% of the cost of street, road and drainage improvements. One half (1/2) of the estimated cost will be paid to the Department of Development at the submittal of the final plat. The balance will be paid upon completion of the platted portion of the subdivision prior to acceptance of the roads.

Final fees as follows:

Subdivision of 5 lots or less:

\$150.00      Subdivision fee  
\$ 25.00      Lot fee

Subdivision of 6-20 lots:

\$400.00      Subdivision fee  
\$ 25.00      Lot fee

Subdivision in excess of 20 lots:

\$635.00      Subdivision fee  
\$ 25.00      Lot fee

Road/Infrastructure Fee: 1.5%

Filing fees:

Plats -\$71.00 -1st page, 25.00 each additional page  
TIA - \$30.00 each  
Deed restrictions - \$26.00 - 1st page, \$4.00 each additional page  
Tax Certificate - \$26.00 each

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

CHECKLIST

**PRELIMINARY**

- 10 Copies of Plat
- Water Letter
- Telephone
- Electric
- Postal
- City Approval
- Soil Report
- 3 Copies of Drainage
- Drainage Letter
- FEMA Statement
- ETJ Statement
- Property Deed

**FEES**

- Subdivision \$ \_\_\_\_\_
- Lot Fee \$ \_\_\_\_\_
- TOTAL \$ \_\_\_\_\_

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**FINAL**

- 10 Copies of Plat
- Tax Certificate
- TIA
- Digital Copy
- Deed Restrictions
- City Approval
- Addresses
- Bond/Letter of Credit
- 3 Copies of Construction/Drainage
- 1 1/2% Road/Infrastructure Fee
- Digital Copy

**FEES**

- Subdivision \$ \_\_\_\_\_
- Lot Fee \$ \_\_\_\_\_
- Plat Filing \$ \_\_\_\_\_
- Tax Filing \$ \_\_\_\_\_
- TIA Filing \$ \_\_\_\_\_
- Deed Restrictions Filing \$ \_\_\_\_\_
- 1.5% Road/Infrastructure \$ \_\_\_\_\_
- Digital Copy Fee (\$75.00) \$ \_\_\_\_\_
- TOTAL** \$ \_\_\_\_\_

**FIRE HYDRANTS ARE REQUIRED IN ALL SUBDIVIDED LAND INCLUDING PRELIMINARY/FINAL PLATS, REPLATS AND SIMPLIFIED PLATS. PLEASE REFER TO THE FOLLOWING RULES AND REGULATIONS FOR REQUIREMENTS.**

**COUNTY OF ELLIS RULES, REGULATIONS, AND SPECIFICATIONS FOR SUBDIVISIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES, COMMISSIONERS COURT ORDER NO.: 192.02, DATED MAY 13, 2002**

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.

**ADDENDUMS**

**ADOPTED IN COMMISSIONERS COURT SEPTEMBER 13, 2004**

5. All fire hydrants must connect, to a minimum water main of 6", which provide adequate flow and pressure according to NFPA and ISO. They must face county road and be accessible to local fire-fighting vehicles.

**ELLIS COUNTY DEPARTMENT OF DEVELOPMENT**

**DEVELOPERS ACKNOWLEDGMENT**

DATE: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_

I, the developer of the above referenced subdivision, hereby acknowledge that I have reviewed a copy of the Ellis County Subdivision Rules & Regulations and am familiar with their contents. I am aware that these subdivision rules and regulations require all roads; streets and other improvements within the subdivision are to be completed according to the specifications contained in the Ellis County Subdivision Rules and Regulations.

Being the developer, I am aware that I will be responsible for all drainage and repairs until the county accepts the above referenced subdivision.

\_\_\_\_\_  
Developer

**CERTIFYING STATEMENT  
FLOOD PLAIN DEVELOPMENT**

I, \_\_\_\_\_, do hereby certify that I am responsible to notify each persons purchasing property in \_\_\_\_\_ addition, a development in Ellis County, of the possible flood plain; flood prone and/or drainage issues on these lots.

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Date

**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

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

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

\_\_\_\_\_  
Holder of Equitable Interest

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

**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\_\_\_\_\_.

\_\_\_\_\_  
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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\_\_\_\_\_  
Owner

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

STATE OF TEXAS  
COUNTRY OF ELLIS

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