

Wharton County Subdivision Policy
Check-off List
April 2006

1. Contact Commissioner's office in precinct land is located. A copy of the Subdivision Policy will be emailed to you. The contact numbers are as follows:
 1. Precinct 1 – 979/532-1991
 2. Precinct 2 – 979/335-7541
 3. Precinct 3 – 979/543-0091
 4. Precinct 4 – 979/543-3561
2. Contact Wharton County Permit/Inspection Department for requirements pertaining to on-site sewage facilities and floodplain. (refer to pages 10 and 11, items 17 and 18 in Subdivision Policy) The contact number is 979/532-8587. **Plat requirements pertaining to on-site sewage facilities and floodplain information must be approved by this department a minimum of seven (7) days prior to submittal to Commissioner's Court.**
3. Contact Wharton County 9-1-1 Rural Addressing for approval of road names to be used in proposed subdivision. The contact number is 979/282-7911. Road names must be approved by 9-1-1 department prior to submittal to Commissioner's Court.
4. Plat size shall be 24" x 36" with a reduced plat of legal size 8 ½" x 14". One (1) mylar original plat, three (3) blue-line or blackline copies, and one (1) 8 ½" x 14" reduced paper copy of plat are required.
5. Current title report is required. See page 7 item 2 a-g of Policy.
6. Original current tax certificate is required. See page 10 item 16 of Policy
7. Platting fee is required. See page 12, item 22 of Policy.
8. Filing fee must be paid at time of filing. See page 21 item D of Policy.
9. Subdivisions located within the ETJ of the Cities of East Bernard (1/2 mile), El Campo (1 mile), or Wharton (1 mile) will follow the Policy of those cities.
10. For divisions of property of six (6) or fewer lots, see the Short Form Plat requirements. See page 21, item E of Policy to see if division qualifies for short form platting.

For all other information regarding form, content and other requirements, refer to Policy.

WHARTON COUNTY SUBDIVISION PLATTING POLICY

REVISED: JULY 25, 2016

WHARTON COUNTY SUBDIVISION PLATTING POLICY

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DEFINITIONS

For the purpose of this Manual, the definition of various terms, phrases, words, and their derivations will have the meaning ascribed to them herein. When not consistent with the context, words used in the present tense include the future, words used in the singular number include the plural number, and words used in the plural number include the singular number. Any office referred to herein by title will mean the person employed or appointed for that position or his duly authorized deputy or representative. Definitions not expressly authorized herein are to be considered in accordance with customary usage. The definition of specific terms, phrases, words, and their derivations applicable to matters contained in the Manual are as follows.

Alley: A public right-of-way which is used only for secondary access to individual properties which otherwise have primary access from an adjacent public street or approved common open space or courtyard which is adjacent to a public street.

Amending Plat: A plat submitted by the applicants for the purpose of improving or making changes for the better by removing defects or faults.

Block: A numbered tract or parcel of land established and identified within a subdivision which is surrounded by streets or a combination of streets and other physical features and intended to be further subdivided into individual lots or reserves.

Bonds: The approved form of security furnished by the Principal and his sureties conditioned upon the faithful performance of the work in strict accordance with all applicable regulations, plans, and specifications.

Building Setback: A defined area designated on a subdivision plat in which no building structure may be constructed and is located between the adjacent street right-of-way and the proposed face of a building.

Collector Street: A public street that consists of two or more lands, divided or undivided roadway that is used as a collector for residential streets and originates and terminates outside of the subdivision boundaries.

Commissioners Court: The Commissioners Court of Wharton County, Texas.

Construction Completion: A point in time when all construction is complete and the roads or streets are in a condition to be used by the public.

Construction Document: Complete set of construction documents including plans and specifications required to fully define the scope of work and limits of construction.

County: Wharton County, Texas.

County Engineer: The Wharton County Engineer or his designated representative.

Development: A subdivision of a tract of land or a change in land use.

Drainage Criteria: The Wharton County Drainage Criteria adopted by the Wharton County Commissioners Court.

Drainage Easement: An area intended for restricted use on property upon which an authorized governmental agency shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of its respective drainage system within any of these easements. An authorized governmental agency shall at all times have the right of unobstructed ingress and egress to and from and upon the drainage easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective drainage systems without the necessity at any time of procuring the permission of anyone.

Engineer: Project Engineer or Developer Engineer responsible for the preparation of the plat and/or construction documents.

Extraterritorial Jurisdiction (E.T.J.): The unincorporated territory extending beyond the city limits of a city and which has been established as a result of the provisions of the Texas Municipal Annexation Act and the State Subdivision Acts (Article 970 and Article 974 VX's Annotated Texas Civil Statutes).

Filing Fee: A charge for filing documents with the Wharton County Clerk. The fee for filing plats is set by the Commissioners Court.

Final Acceptance: Road acceptance by Wharton County into the County Maintenance system.

Frontage: That portion of any tract of land which abuts a public street right-of-way and from where the primary access to said tract is derived.

General Plan: A map of a planned development showing intended land uses within its boundaries.

Interior Street: Any public street within a subdivision designed to serve only those properties within the boundaries of the subdivision in which it is dedicated and established. Cul-de-sacs and loop streets or street systems beginning from streets within a subdivision may be considered as interior streets. Interior streets may not, however, be any street which would allow access through the subdivision to other properties or directly connect with other streets outside the plat boundary.

Letter of Credit: An irrevocable standby letter of credit furnished by the Principal and his sureties conditioned upon the faithful performance of the work in strict accordance with all applicable regulations, plans, and specifications.

Local Street: Any public street not designated as a major thoroughfare, freeway, or highway.

Lot: A physically undivided tract or parcel of land having frontage on a public or private street or other approved facility and which is or in the future may be offered for sale, conveyance, transfer, or improvements; which is designated as a distinct and separate tract; and which is identified by a tract or lot number or symbol on an approved subdivision plat which had been recorded.

Major Thoroughfare: A public street designed for fast, heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community.

One-Year Maintenance Period: A mandatory one-year period between the date of construction completion and the date of final acceptance in the County Maintenance System.

Plat: A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the County Clerk's records and containing accurate and detailed engineering data, dimensions, and dedicatory statements and certificates.

Preliminary Plat: Preliminary map or drawing of a proposed subdivision with sufficient detail to fully describe or convey the full intent of the proposed subdivision including, but not limited to, major thoroughfares, and local and interior streets.

Private Street: Any street that is not specifically designated or dedicated as a public street.

Public Street: A public right-of-way, however designated, dedicated, or acquired which provides vehicular access to adjacent private or public properties.

Replat: A change to the previous plat of a subdivision, or part of a subdivision, not amending or removing any covenants or restrictions, signed and acknowledged by the owners of the property.

Residential Street: A public street that consists of a two-lane undivided roadway primarily used by local single family residents and originates and terminates within the subdivision boundaries.

Specifications: These will include but not be limited to descriptive, performance, reference, and proprietary specifications approved by the County Commissioner and the Commissioners Court.

Street Dedication Plat: A map or drawing illustrating the location of a public street passing only through a specific tract of land and suitable for recording.

Street Name: The unique name of a street.

Stub Street: A public street ending adjacent to the undeveloped property of acreage and intended to be extended at such time the adjacent undeveloped property or acreage is subdivided.

Subdivider (Developer): Any person or authorized agent thereof proposing to divide or dividing land so as to constitute a subdivision according to the terms and provisions set out in this Policy. The term *developer* shall mean the same as *subdivider* for the purposes of this Policy.

Subdivision: The division of any tract or parcel of land by plat, map, or description into two or more parts for the purpose, whether immediate or future, of sale, rental or lease, or division of ownership that includes any dedication and laying out of new public or private streets (or realignment of existing streets), parks, alleys, or other public or private access ways, with or without laying out the lots. Subdivision shall also include the subdivision, replatting, or other alterations of any tract of land, reserve, or lot which is part of a previously recorded subdivision.

Subdivision shall not include the division of land for agricultural purposes only, land divided by partition deeds executed by co-tenants for the purpose of effecting a partition of land, division of land for the purpose of settling family estates providing that the division does not include any dedication or layout of streets or other public or private access ways, and division of a tract of land separated into two or more spaces or lots that are to be rented, leased, or offered for rent or lease for a term of less than 60 months without a purchase option, for installation of manufactured homes for use and occupancy as residences.

Subdivision *may* include the division of any tract of land into two or more parts that does not involve any streets or realignment of existing streets if the subdivision will have an adverse effect on existing drainage of adjacent areas or if sufficient capacity of existing roads and streets is not available for the increased traffic demand.

Title Certificate: A certificate prepared and executed by a title company authorized to do business in the state or an attorney licensed in the state describing all encumbrances of record which affect the property. Such certificate shall include all property within the platted area.

Wharton County Design Standards and Details: Standards which describe the general requirements for the preparation and contents of construction documents required for approval by Wharton County.

WHARTON COUNTY SUBDIVISION PLATTING POLICIES

I. GENERAL REQUIREMENTS

- A. Every owner of any tract of land situated outside the corporate limits of any city in the County of Wharton, Texas, who may hereafter divide the same into two (2) or more parts for the purpose of laying out a subdivision, or an addition outside the corporate limits of any town or city, or for laying out suburban lots or building lots, and for the purpose of laying out streets, alleys, parks, easements, or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, or any area developed for the lease or rental of two or more mobile home or manufactured homes, shall cause a plat to be made thereof, which shall accurately describe all of said subdivision of addition by metes and bounds and locate the same with respect to an original corner of the original survey of which it is a part, giving the dimensions of all lots, streets, alleys, parks, or other portions of same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto; provided, however, that no plat shall be recorded until said plat is completed in accordance with the requirements herein and all other data required by this Policy is submitted to and approved by the Wharton County Commissioners Court.
- B. Every plat shall be duly acknowledged by owners/developers, surveyors, and engineers in the format proved herein and the plat recorded in the office of the County Clerk of the County of Wharton. One copy of the approved mylar plat will also be furnished for the Plat Book Records. It shall be the duty of the owner/developer to verify that subdivision

and street names are not duplicated with existing subdivision/developments. All street names are to be approved by the Wharton County 9-1-1 Addressing Coordinator to assure no duplication of road names. Road names shall be approved prior to submission of plat to Commissioners Court.

- C. The Commissioners Court shall have the authority to renew, approve, issue variances, or disapprove of any Plat submitted under this Policy.
- D. Any developer of a subdivision planned within the extra-territorial jurisdiction of an incorporated city of the County shall be required to submit plans for the subdivision for review by the appropriate board of the incorporated city. The approval, change recommendations, or rejection of the plan by that organization will then be submitted by the developer to the Commissioners Court. The Commissioners Court will grant the final approval for all plats for the county and within the extra-territorial jurisdiction of an incorporated city of the county where there is not an interlocal agreement with the city.
- E. These Policies may be amended at any regularly scheduled meeting of the Commissioners Court after giving notice required by Art. 6262-17, V.A.T.S.
- F. It shall be the duty of the developer or his engineer to see that layout and construction follow the plans as presented with the subdivision plat. The Precinct Commissioner shall be notified at least forty-eight (48) hours prior to the start of construction work.

II. PROCEDURE

- A. Fourteen (14) days prior to action requested by the Commissioners Court, the owner/developer shall submit the following to the County:
1. Two (2) copies of the subdivision plat, construction drawings, design information, subdivision and street name verification, and other pertinent information to the County Judge and the County Commissioner in whose precinct the subdivision is proposed.
 2. A copy of the subdivision plat and additional information that may be required to the County's Permit & Inspection Department for approval concerning flood data and "Onsite Sewage Facility Regulations."
 3. A copy of the subdivision plat and a list of proposed new street names listed in alphabetical order to Wharton County 9-1-1 Addressing Coordinator to assure no duplication of new street and subdivision name.
 4. After approval has been received from those indicated above, the subdivider/owner will submit five (5) copies of the plat and the required bonds to the Commissioners Court for their consideration.
- B. After approval by the Commissioners Court and fulfillment of all the requirements of this Policy, the subdivider/owner will furnish one (1) mylar original plat, three (3) blue line or blackline copies, and one (1) 8-1/2" X 14" reduced paper copy of plat.

III. VARIANCES

- A. The Commissioners Court shall review the variance request and authorize a variance from these regulations when in its opinion undue hardship will result from requiring strict compliance. The applicant shall have the responsibility of proving that compliance would create a hardship. In granting a variance, the Commissioners Court may prescribe conditions that it deems necessary or desirable to the public interest. Any conditions that are prescribed shall be deemed continuing and shall be placed of record in the office of the county clerk either on the face of the subdivision plat or as an attachment thereto. The Commissioners Court shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon public health, safety, convenience, and welfare in the vicinity. No variance will be granted unless the Commissioners Court finds that an undue hardship exists. The following conditions must be present for consideration:
1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land;
 2. The granting of the variance will not be detrimental to the public safety or welfare, or injurious to other property in the area;
 3. The granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter; and

4. A more appropriate design solution exists which is not currently allowed in this regulation.
- B. A variance may not be granted in such cases where the only evidence for the granting of the variance is the loss of a potential profit at the time of the lot development and build out. Economic hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.
- C. Such findings of the Commissioners Court, together with the specific facts on which such findings are based, shall be incorporated in the official minutes of the Commissioners Court meetings at which such variance is recommended or granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. The Commissioners Court may reach a conclusion that a hardship exists if it finds that:
1. The applicant complies strictly with the provisions of this chapter, and no other reasonable use of the property may be made except for the use that is proposed and recommended;
 2. The hardship to which the applicant complains is one suffered by the applicant rather than by neighbors or the general public;
 3. The hardship relates to the applicant's land, rather than personal circumstances;
 4. The hardship is unique to the property, rather than one shared by many surrounding properties; and
 5. The hardship is not the result of the applicant's own actions or neglectful conduct.

- D. In granting variances, the County may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties. All conditions as are imposed shall be placed of record on the face of the subdivision plat or may, as an alternative thereof, be placed of record by separate instrument duly filed for record with the subdivision plat in the office of the County Clerk.
- E. A variance may, at the sole discretion of the Commissioners Court, be issued for an indefinite duration or for a specified period of time.
- F. All conditions imposed by the Commissioners Court are enforceable in the same manner as any other applicable requirement of this variance.

IV. PLAT REQUIREMENTS

A. Title and Survey

1. A certification by a registered Texas Land Surveyor certifying to the accuracy of the survey and plat.
2. The developer/owner, or his legal representative, will provide adequate proof of title for the property involved in the proposed subdivision. The Developer and/or Owner shall submit a current title report, statement or opinion, title policy or certificate or letter from a title guaranty company authorized to do business in the State of Texas or an attorney licensed as such in the State of Texas shall be provided with the plat, certifying that a search of the appropriate records was performed covering the land proposed to be platted and providing the following information concerning the title to said land:
 - a. The date of the examination of the records.
 - b. A legal description of the property proposed to be subdivided including a metes and bounds description of the boundaries of said land.
 - c. The name of the owner of record owning fee simple title as of the date of the examination of the records, together with the recording information of the instruments whereby such owner acquired fee simple title.
 - d. The names of all lienholders together with the recording information and dates of the instruments by which such lienholder acquired their interest.
 - e. A description of the type and boundaries of all easements and fee strips not owned by the subdivider of the property in question together with the

recording information and date of the instruments whereby the owner of such easements or fee strips acquired their interest.

- f. A statement certifying that no delinquent ad valorem taxes are due on the property being platted.
- g. The title report must be an original and signed by an officer of the title company.

B. Form and Content

The plat shall be drawn with ink on linen or equal on sheets 24" wide and 36" long, with margins of not less than one-half inch ($\frac{1}{2}$ "). All drawings, printing and signatures must be in permanent black ink. Ink must be on mylar with image on top. The recording plat shall be 3 mil or greater matte finish mylar material. When more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an approximate scale shall be attached to the plat. The plat shall show the following:

- 1. Name, address, and telephone number of the subdivider, record owner, engineer, and surveyor.
- 2. The proposed names of the subdivision, development or streets which shall not be a duplicate of any other subdivision, development or street name respectively on record in Wharton County.
- 3. Names of contiguous subdivisions and other owners of contiguous parcels of unsubdivided land, and indicate if such contiguous properties are platted.
- 4. Metes and bounds of the subdivision.

5. Primary control points or descriptions, and ties to such control points or descriptions, to which all dimensions, angles, bearings, block numbers, and similar data shall be referred.
6. A key location map located in the upper right-hand corner or on a cover sheet, showing the location of the subdivision with respect to well-known points, highways, etc., within the County.
7. Subdivision boundary lines, indicated by heavy lines and the computed acreage of the subdivision.
8. Existing sites as follows:
 - a. The exact location, dimension name, and description of all existing or recorded streets, alleys, reservation easements, or other public rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries.
 - b. The exact location, dimension, description, and name of all existing or recorded residential lots, parks, public areas, permanent structures, and other sites within or contiguous with the subdivision.
9. The exact location, dimension, description, and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservation easements, or other rights-of-way, blocks, lots, and other sites within the subdivision.
10. Date of preparation, scale of plat, graphic scale and North arrow.

11. Topographical information which shall include contour lines on a basis of five (5) vertical feet in terrain with a slope of two percent (2%) or more, and on a basis of one (1) vertical foot in a terrain with a slope of less than two percent (2%).
12. Street names, lot numbers, and alphabetical identification of reserves shall be shown on the plat. All lots are to be numbered consecutively within each block. All blocks are to be numbered consecutively within the overall plat or sections of an overall plat as recorded. Reserves (land to be used for other than residential purposes) are to be labeled A, B, C, etc., rather than numbered as blocks and lots. The installation of all street signage shall be the responsibility of the developer.
13. Front building set-back lines on all lots and side set-back requirements.
14. All lot elevations taken at the center of the lot.
15. Label and identify permanent benchmark at the two extremes of the subdivision with the elevation being based on coast and geodetic survey, latest date. (Specify benchmark reference and year of elevation datum.)
16. Tax Certificates - the Developer and/or Owner shall provide an original certificate, for the current year, from each tax collector of each political subdivision in which the property is located and shall accompany the plat, indicating that no delinquent ad valorem taxes are owed on the real property.
17. For the purpose of on-site sewage facilities, as required by Title 30, Texas Administrative Code, Chapter 285 On-Site Sewage Facilities, planning materials for developments must be submitted to the Wharton County Permit & Inspection Department with the subdivision plat. The planning materials shall be prepared

by a professional engineer or professional sanitarian and shall include an overall site plan, topographic map, 100-year floodplain map, soil survey, location of water wells, locations of easements, and a complete report detailing the types of OSSF's to be considered and their compatibility with area-wide drainage and groundwater. A comprehensive drainage plan shall also be included in these planning materials.

18. Flood plain designation with all lots located in the 100-year flood plain so designated and base flood elevations clearly shown on plat. For any development located in flood zone areas without base flood elevations provided, it shall be the developer's responsibility to have an engineer or surveyor estimate said base flood elevations.
19. All pipelines and/or pipeline easements shall be shown on the plat. Pipelines having no defined easement location or widths shall be tied and dimensioned to all adjacent lots and tract corners. If no agreement can be reached on a defined easement, then building set back lines shall be shown at a minimum distance of 25 feet from and parallel to the center of the pipeline.
20. Boundaries - The boundaries of the plat shall be described with the complete and overall dimensions and bearings and be tied to an original corner of the original survey of which the subdivision is a part, or to the nearest possible street intersection.
21. Extensional Data - The location, width, and name of existing streets and subdivisions and the location of existing lots, easements, pipelines, fee strips,

survey lines, building lines, water courses, or other important information shall be shown on all sides of the subdivision for a distance of not less than 200 feet. The lines of such indication beyond the plat boundary shall be dashed.

22. Platting Fees - A Cashiers check or money order, payable to the County of Wharton, or cash, in the Amount specified as follows: Subdivision - A base fee of fifty dollars (\$50.00), plus twenty dollars (\$20.00) per sheet, plus two dollars (\$2.00) per lot for single family residential development, or one dollar (\$1.00) per unit for multi-family development, plus ten dollars (\$10.00) per acre for any land within the boundaries of the plat not divided into normal single family residential lots, but reserved or intended for apartments, commercial, industrial, open space reserve, etc.

Short Form platting fee will be a flat fee of twenty dollars (\$20.00).

All platting fees are due at the time of application.

C. Acknowledgments

The following acknowledgments will be placed on the plat or on the cover sheet if required in the format indicated below. The County Clerk will not accept the plat for filing until all such acknowledgments have been completed.

1. **Owner's Acknowledgment**

THE STATE OF TEXAS

COUNTY OF WHARTON

I (or we), {name(s) of owner(s) if individual(s)} or (name of president and secretary or authorized trust officer of a company or corporation) being officers of (name of company or corporation), owner (or owners) of the (number of acres) tract described in the above and foregoing map of (name of subdivision or development), do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (or ourselves), my (or our) heirs and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, I (or we) do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, I (or we) do hereby declare that all parcels of land designated as lots on this plat are intended for the construction of single family residential

dwelling units thereon (or the placement of mobile homes) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

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

ADDITIONAL PARAGRAPHS TO BE ADDED AS NEEDED:

(When streets within the plat are to be developed with open ditches).

FURTHER, I (or we) do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1 3/4) square feet (24" diameter).

(When subdivision contains natural drainage ways such as bayous, creeks, gullies, ravines, draws or drainage ditches).

FURTHER, I (or we) do hereby dedicate to the public a strip of land twenty (20) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws and drainage ditches located in said subdivision, as easements for drainage purposes. Wharton County or any other governmental agency shall have the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

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

(When the plat indicates building setback lines and public utility easements are to be established in adjacent acreage owned by the subdivider).

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

2. **Execution of Owner's Acknowledgment**

Example Form

(When owner is an individual or individuals)

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

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

(When owner is a company or corporation)

IN TESTIMONY WHEREOF, the (name of company) has caused these
presents to be signed by (name of president or vice-president), its (president or
vice-president), hereunto authorized, attested by its Secretary (or authorized trust
officer), (name of secretary or authorized trust officer), and its common seal
hereunto affixed this (number) day of (month), (year).

(name of company)

By: _____
(signature)
(president or vice-president)

Attest: _____
(signature of secretary or
authorized trust officer)

Title:
(affix corporate seal)

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

3. **Lienholder's Acknowledgment and Subordination Statement**

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

Example Form

I, (or we), (name of mortgagee or names of mortgagees), owner and holder (or owners and holders) of a lien (or liens) against the property described in the plat known as (name of plat), against the property described instrument of record in Volume _____, Page _____, of the Official Records (or Deed of Trust Records) of Wharton County, Texas, do hereby in all things subordinate to said plat said lien(s) and I (or we) hereby confirm that I am (or we are) the present owner (or owners) of said lien(s) and have not assigned the same nor any part thereof.

By: (signature of lienholder)
(name to be printed)

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

4. **Notary Public Acknowledgment for all Signatures**

STATE OF TEXAS

COUNTY OF

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

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

_____ (signature of notary public)

Notary Public in and for the State of Texas

(affix Notary Seal)

5. **Certificate for Surveyor**

I, _____, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angles points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes and a length of not less than three (3) feet.

(signature of surveyor)
(print name)

Texas Registration No. _____

(Affix Seal)

6. **Commissioners Court Certificate**

STATE OF TEXAS

COUNTY OF WHARTON

The above and foregoing Plat was approved by the Commissioners Court of Wharton County, Texas, this the ____ day of _____, 20_____.

Pct 1, County Commissioner

Pct 2, County Commissioner

Pct 3, County Commissioner

Pct. 4, County Commissioner

County Judge

7. **County Clerk Certificate**

STATE OF TEXAS

COUNTY OF WHARTON

I, _____, County Clerk of the Wharton County,
Texas, do hereby certify the foregoing Plat was filed in my office on the _____
day of _____, 20_____, at _____ o'clock _____.m., in the Plat
Records, Plat Cabinet No. _____, Slide No. _____ of Wharton County,
Texas.

County Clerk

D. Filing Fees

Filing fee to County Clerk must be paid at the time of filing. Filing fee is \$100.00 per plat plus \$100.00 per 2nd sheet same plat plus local fees. Contact County Clerk's office for local fees. Plat sizes shall be 24" x 36" with a reduced plat of legal size 8-1/2" X 14".

E. Short Form Plat

If the County Commissioner determines that it would be unreasonable to require an owner of property in an unincorporated area of the county where these regulations are applicable to comply with all of the platting requirements of these rules in order to subdivide property, the owner may submit a short form plat to the Commissioners Court. A short form platting procedure may be requested, if the plat meets the following requirements:

1. No more than six (6) lots, tracts or reserves are included.
2. The area to be platted has access to an existing public street already approved and accepted by the County.
3. The plat does not propose to vacate public street right-of-way or easements.
4. The plat does not propose creation or extension of public street rights-of-way.
5. The proposed development does not require any significant drainage improvements, and does not lie within the 100-year flood plain.
6. The proposed development creates no significant traffic congestion on the existing public street system.
7. The short form plat shall meet all of the requirements for plat requirements in Section IV with the following exceptions:

- a. Topographical information, including elevation contour lines will not be required.
- b. Labeling and identifying permanent benchmarks will not be required.
- c. Elevations taken at the center of lot will not be required.
- d. A drainage analysis will not be required.

Final approval of a short form plat shall be based upon the recommendation of the County Commissioner and shall be approved at the discretion of the Commissioners Court.

V. BOND REQUIREMENTS

A. The Commissioners Court will not approve any plat of any subdivision or re-subdivision unless such plat is accompanied by a bond, where required, the amount of which shall be determined by the Commissioners Court from time to time and shall be made payable to the County Judge. The bond will guarantee that the owner or owners will construct and maintain the roads, streets, driveway entrance structures, and all storm drainage and detention facilities in the subdivision in accordance with the specifications set out herein and as shown on the approved plat, construction plans and specifications and other county requirements.

The form of the bond must be approved by the County's attorney. Refer to Appendix J for the approved bond form.

B. The bond requirements for the roads and streets are as follows:

1. For asphalt open ditch sections – current rate at the time of submission for approval.
2. For curb and gutter sections - current rate at the time of submission for approval.
3. For boulevard sections (major thoroughfares) - current rate at the time of submission for approval.
4. For each bridge of two lane width - current rate at the time of submission for approval.

C. The drainage construction bond shall cover 100 percent of the design engineer's estimated construction cost for the open ditch and detention facilities shown on the approved construction plans. The said cost estimate shall be reviewed by the County

Commissioner. At the time of this order, the bond requirements for drainage structures are as follows:

1. For excavation of open ditch and detention pond - \$1.75 - \$5.00/cubic yard
2. For Vegetation Establishment - \$1,200.00/surface acre measured in the plane of all areas planted.
3. Cast-in-Place Concrete - \$225.00/cubic yard
4. Drop pipe - 18" diameter - \$22.00/linear foot
5. Drop pipe - 24" diameter - \$28.00/linear foot

D. After road construction has been certified complete by the development engineer and accepted by the County Commissioner, the bond requirements may be reduced as follows:

1. For asphalt open ditch sections - \$25.00/linear foot of roadway
2. For curb and gutter sections - \$35.00/linear foot of roadway
3. For boulevard sections (major thoroughfares) - \$70.00/linear foot of roadway
4. For each bridge of two lane width - \$800.00/linear foot of roadway
5. For street lights and sidewalks (see City requirements if in E.T.J.)

E. After drainage facilities construction has been certified as complete by the development engineer and accepted by the County Commissioner, the drainage portion of the bond may be reduced to \$1,250 per acre for all dedicated public open ditch/detention pond areas shown on the approved plat. A new bond may be submitted for the original bond. This substitution must be approved by the County Attorney.

F. The bond shall remain in full force and effect until all roads, streets, driveway entrance

structures, and all storm drainage and detention facilities in the subdivision have been completed and approved by the County Commissioner. Roads and streets that are private shall be bonded for a one (1) year maintenance period and accepted for maintenance by the Homeowners Association or parties responsible for the maintenance. At the end of twelve (12) months from the date the project is completed, the developer will make a request for final inspection by the County and an official petition to the Commissioners Court to take over the maintenance of said roads, streets, and drainage ditches.

- G. All public or private streets, whether dedicated to county maintenance or to private maintenance (Homeowners Association), shall be subject to the same specifications for construction.

VI. ACCEPTANCE OF IMPROVEMENT WITHIN SUBDIVISIONS

A. General Acceptance Procedures

1. When construction of the roads, streets, utilities, and drainage facilities is complete the project engineer should notify the County Commissioner and request an inspection of the work. The following documents must be submitted for review and approval prior to the scheduled inspection date:
 - a. Development Engineer Affidavit of Construction Compliance.
 - b. Independent Testing Laboratory Report of Materials Compliance, including subgrade and base material densities, compaction tests and compressive strength.
 - c. Contractor/Contractors Affidavit of Construction Compliance.
 - d. One complete set of Record Documents of all underground utilities, streets, and drainage improvements that have been constructed.
 - e. All public improvements that were required by a city or the E.T.J. of a city may be referred to the city for their review and action.
2. The County Commissioner will inspect the improvements and issue a punch list of any deficiencies.
 - a. The inspection shall document the existing condition of all roads, streets, bridges, driveway structures, sidewalks and pedestrian access structures, related roadside drainage facilities, signage and traffic control devices, and all other appurtenances related to a complete system of public roads or streets. The complete system of public roads, streets along with all related

appurtenances must be in strict compliance with all Federal, State, County, and applicable Municipal regulations, codes, statutes, and policies in effect at the time of the request for acceptance. Conditions that will be notified on this inspection report will consist of, but not be limited to:

- 1) Curb and Gutter roads: pavement cracks, pavement settlement, birdbaths, lack of joint sealing, spalling joints, other pavement irregularities, cracked curbing, missing curbs, dirt, trash, or other debris in right-of-way, broken, cracked, sunken or debris-filled storm sewer inlets, broken driveways or sidewalks.
 - 2) Open Ditch roads: depth, width, and type of base material and of any black top material; crown width, shape of road cross section, ditches holding water, undersized driveway entrance culverts and other adverse drainage conditions.
 - 3) Bridges, drainage structures, utilities, and all construction located within the road or street right-of-way or directly affecting the proper function of the system of public streets.
 - 4) A complete system of street signage and traffic control devices in compliance with the *Texas Manual on Uniform Traffic Control Devices*.
 - 5) Any and all other items related to the safe operation and maintenance of a complete system of public streets and drainage.
3. After notification that all deficiencies have been corrected and a final inspection

has been completed, the County Commissioner will issue a recommendation to the Commissioners Court for the preliminary acceptance of construction and to establish the date of construction completion.

4. Final inspection should be scheduled within sixty (60) days of the initial inspection. A complete reinspection and a new punch list may be required after the sixty (60) day period.
5. Upon approval of the Commissioners Court, the bond for the roads and street may be reduced as shown in Section V of these regulations and the bonds for the drainage facilities may be reduced as shown herein.

B. One-Year Maintenance Period

1. To qualify for acceptance into the County Road Maintenance System, the roads or streets and subdivision drainage and detention systems must be maintained by the Developer for a minimum of one (1) year after the date of construction completion.

C. Acceptance into the County Road Maintenance System

1. Requests for County acceptance of roads and streets shall be directed to the County Commissioner by the developer or lot owners.
2. The County Commissioner will perform an inspection and will develop and issue a composite list of deficiencies. The inspection will cover all the items noted above for the construction completion inspection.
3. After the deficiencies are corrected, the County Commissioner will issue a list of the road or street names and length, and bond number, amount, and bond release

information.

4. Upon approval and recommendation of the Precinct Commissioner, the Commissioners Court will consider accepting road(s) into the County Road Maintenance System.

D. Conditions of Acceptance

1. Acceptance of the road(s) and street(s) into the County Road Maintenance System will only constitute acceptance of roads, streets, bridges, open ditch drainage and their related appurtenances. Wharton County does not accept or assume maintenance, liability, or responsibility of sidewalks and utilities, located within public right-of-way.
2. Detention facilities will not be accepted for maintenance by Wharton County. All drainage and detention pond facilities will be maintained by the Homeowner's Association and/or adjacent lot owners.

E. Release of Bond

1. The bond will be released when the roads are accepted into the County Road Maintenance System.
2. The bond will be released when the drainage facilities covered by such bonds have been inspected and approved

VII. ENGINEERING REQUIREMENTS

A. Minimum Lot Sizes

1. All lots in a subdivision platted for single family residences with both potable water and sewage disposal facilities provided by on-site units shall contain a minimum surface area of one (1.0) acre of land. The 1.0 acre minimum size must be clear, free from any drainage easements, roads, ponds, or lakes pursuant to state requirements for water well and septic systems. The minimum lot width for 1.0 acre shall be 125 feet wide.
2. All lots in a subdivision platted for single family residences served with public water systems and on-lot disposal of sewage shall contain a minimum surface area of 21,780 square feet (0.5 acre) with minimum lot width of 100 feet.
3. All single family residences in a platted subdivision served by both public water and public sewage disposal systems shall contain a minimum of 70 foot frontage, 120 foot depth, and 8,400 square foot surface area.
4. All lots for condominium, townhouse, or other multi-family developments shall be reviewed by Commissioners Court to ensure adequate property size for parking, fire protection, emergency vehicles, or other required services.
5. All mobile home lots shall conform to the same requirements as single family residences contained herein.
6. In addition to the minimum requirements in this Section, all lots shall meet the minimum requirements for the placement of individual water wells and on-site sewage disposal system, as required by Title 30, Texas Administrative Code,

Chapter 285 On-site Sewage Facilities.

7. Lot Shapes

Lots should be designed, so far as possible, with side lot lines being at right angles or radial to any adjacent street right-of-way line. No key or flag lots shall be allowed.

8. Minimum Building Lines

Front building lines on minor and collector streets - 25 feet

Front building lines on major thoroughfare streets - 35 feet

Side building lines on streets - 15 feet

Side building set back lines in a single family subdivision - 5 feet

B. Utilities

1. All public utilities serving part or all of any proposed subdivision shall be approved by the appropriate local or state agency and shall be constructed as shown on the plans.
2. Utility easement shall be provided for proposed or future utilities with a minimum overall width of twenty feet (20'), whether adjoining other lots or not.
3. A minimum ten foot (10') wide utility and drainage easement shall be dedicated adjoining both sides of a public and/or private street right-of-way.

C. Drainage Design

1. The objective of the Wharton Country Drainage Policy is to minimize the threat of flooding to all areas of the County and to comply with the requirements of the National Flood Insurance Program. The ultimate goal is intended to be

accomplished by the construction and maintenance of drainage facilities and implementation of flood control measures to provide 100-year flood protection in all areas of Wharton County.

Additionally, it is the County's intent to ensure that adequate facilities are constructed to accommodate new development while protecting other properties from increased storm runoff and flooding, and so as not to increase the limits of the flood plains as shown on the flood insurance rate maps for Wharton County.

The County's policy is intended to limit ponding in the street systems of the County, and more importantly, to require that minimum new house slab elevations are set a minimum of 18 inches above the base 100-year flood elevation, or a minimum of 18 inches above natural grade or a minimum of 18 inches above the minimum anticipated ponding levels, whichever is higher.

Where development occurs adjacent to existing drainage channels, the developer must provide right of way for the ultimate channel section, as determined by the County or by an appropriate engineering study, at no cost to the County.

2. Prior to the submission of any plat of a proposed subdivision to the Commissioners Court, a complete Engineering Drainage Design Report and Construction Drawings including drainage calculations, shall be prepared by the Design Engineer, a professional engineer licensed in the State of Texas. The Report, calculations, and construction drawings shall be submitted to the Commissioner in whose precinct the proposed subdivision is located, for his review and approval a minimum of fourteen (14) days prior to the requested date

of action by the Commissioners' Court.

At a minimum, the Engineering Report shall address storm runoff before and after development for the 5-year and the 100-year storm events. When a development increases flow rates to the downstream waterways, with limited drainage capacity as determined by the County, the Report shall address mitigation of the increased runoff using offsite or onsite improvements, and/or detention ponds.

3. Drainage Design shall meet or exceed the following criteria:
 - a. Roadside ditches shall be constructed with a minimum of 3:1 side slopes and with a minimum flowline slope of 0.10 feet of fall per 100 feet of length.
 - b. Gutter flow lines on curb and gutter streets shall be constructed with a minimum slope of 0.30 feet of fall per 100 feet of length.
 - c. Culverts shall be reinforced concrete pipe and meet the requirements of ASTM C-76, minimum Class III.
 - d. Detention basins shall be constructed for all development projects that require onsite mitigation of increased storm runoff.

4. Computation of Storm Runoff

Peak storm runoff rates may be estimated using the Rational Method. In larger, complex watersheds, other methods of hydrologic analysis may be used, when approved by the Commissioners' Court. The peak runoff before and after development will be calculated using the Rational Method equation:

$$Q = CiA$$

Where:

Q is the peak runoff rate (cubic feet per second).

C is the runoff coefficient for the watershed (unitless).

i is the rainfall intensity for the critical time of concentration for the watershed (inches per hour).

A is the area of the contributing watershed (acres).

The runoff coefficient and rainfall intensity shall be computed using the Texas Department of Transportation Hydraulic Design Manual (current revision as available on the Texas Department of Transportation Manual System Website).

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Roadside ditches and internal drainage system within the development shall be designed to convey developed runoff from the 5-year storm. Consideration must be given conveyance of the 100-year runoff through the development without creating excess flooding within or adjoining the development.

5. Detention Design

Detention facilities, if required, shall be sized to detain the peak developed runoff, while allowing discharge at a maximum rate not to exceed the undeveloped runoff rate for the 100-year storm with a maximum intensity, i, of 2.00 inches per hour).

The Design Engineer shall confirm that the downstream waterway has adequate capacity to accommodate the entire contributing watershed at the proposed

detention discharge rate or the detention discharge rate shall be reduced to the prorata share of the downstream waterway capacity.

Detention may be computed using the following Simplified Method:

The simplified inflow hydrograph shall have a peak runoff rate computed using the Rational Method at the critical time of concentration for the contributing drainage area. The minimum critical time of concentration for the computation of the detention volume shall be 20 minutes. The discharge versus time graph of the simplified inflow hydrograph shall be triangular in shape with a base equal to four times the critical time of concentration.

The simplified outflow hydrograph shall be represented by a line that extends from the origin of the hydrograph to the point at which the allowable discharge rate intersects the descending leg of the simplified inflow hydrograph.

The detention volume shall be computed as the difference between the simplified inflow and outflow hydrograph as follows:

$$V = 4 * t_c * (Q_{DEV} - Q_{ALLOW})$$

V = detention volume required (cubic feet)

t_c = developed time of concentration (seconds)

Q_{DEV} = developed peak storm runoff (cubic feet per second)

Q_{ALLOW} = allowable peak storm runoff for the development
(cubic feet per second)

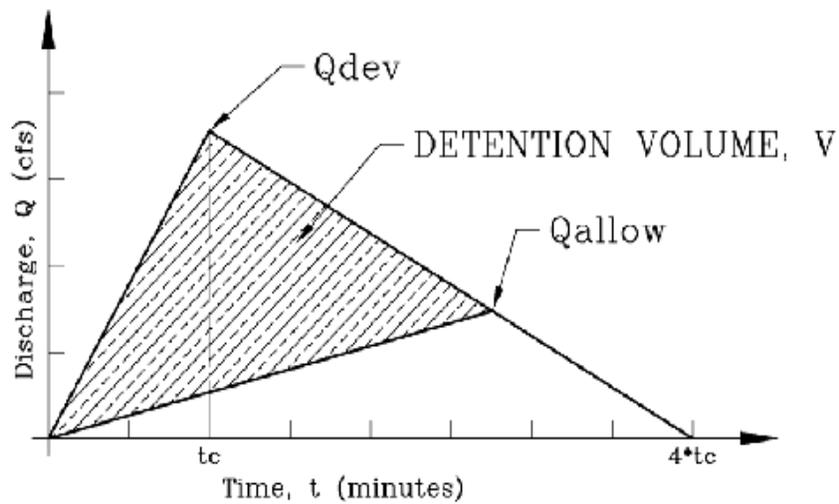
A graphic representation of this Simplified Method for computation of the detention volume is attached.

Detention and related drainage facilities shall have a gravity discharge and shall be designed and constructed with consideration for long-term maintenance and operation. Detention facilities must be owned and maintained by a permanent, privately funded property owners association or private corporation acceptable to the County.

6. Drainage outfalls from ditches into natural or constructed drainage ways shall enter 1 foot above the grade of the existing drainage channel. If necessary, drop or other type outfall structures shall be installed to prevent erosion. These structures shall be placed so as to not interfere with maintenance of the channel.
7. Drainage Easement Widths - all necessary drainage easements shall be furnished at no expense to Wharton County and meet the following standards and widths:
 - a. Top channel widths from 0 to 50 feet require top width plus 15 feet on each side.
 - b. Over 50 feet top channel widths require top width plus 25 feet on each side.
8. “All drainage easements shall be kept clear of fences, buildings, plants, and other obstructions to the operation and maintenance of the drainage facility, and abutting property shall not be permitted to drain into this easement except by an approved means.” This note shall be placed on all plats to be recorded dedicating drainage easements.

WHARTON COUNTY

Detention Computation



$$V = 4 * t_c * (Q_{dev} - Q_{allow})$$

D. General Street Location Standards

All proposed streets shall provide satisfactory alignment for continuation of existing platted streets with which they are to connect, and shall compliment any comprehensive plan adopted by the Court.

1. Basic Consideration - Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient. Proposed streets shall be extended to the boundary lines of the land included in the subdivision submitted for approval, when extension is required to provide for normal circulation of traffic within the vicinity.
2. Specific Considerations
 - a. Alleys - Alleys may be provided to serve business, commercial and industrial areas, for service access, off-street loading, unloading and parking consistent with and adequate for the uses permissible on the property. The right-of-way width of an alley shall be twenty feet (20') or more. Changes in alignment of alleys shall be made on the centerline radius of not less than fifty feet (50'). Dead-end alleys shall be avoided where possible, but, if unavoidable, shall be provided with adequate turn around facilities for service trucks at the dead end, with a minimum external R.O.W. diameter of one hundred feet (100').
 - b. Arterial Streets - Where a subdivision abuts or contains an existing or proposed arterial street, the County Commissioner may require marginal access streets, to afford separation of through and local traffic.

- c. Arterial and Collector Intersections - New street entrances on roads designated or classified as major arterials shall not be less than one thousand - seven hundred feet (1,700') apart, and new street entrances on roads, designated or classified as collector streets, shall not be less than five hundred feet (500') apart. Provided, however that the County Commissioner may reduce these requirements whenever it is determined that such action will not be contrary to the purpose of this regulation.
- d. Cul-de-sacs - Cul-de-sac streets shall not exceed two thousand feet (2000') in length except in those cases where the pavement is constructed twenty-four feet (24') wide for the entire length of the roadway and in no case longer than four thousand feet (4000') without a variance being granted by Commissioners Court. In addition, for cul-de-sac streets exceeding one thousand feet (1000') in length, the developer shall provide stub streets every one thousand feet (1000'), right and left, to the plat boundary if the contiguous properties are undeveloped. Turnaround shall be provided at the closed end (cul-de-sac) having an outside roadway paving diameter of at least eighty-four feet (84') and a property line diameter of at least one hundred feet (100').
- e. Curvilinear Streets - Whenever a street changes direction or connecting street lines deflect from each other by more than ten (10) degrees, there shall be a horizontal curve. To ensure adequate sight distances, minimum center line radii for horizontal curves shall be as follows:

Minor and Collector Streets - 300 feet

Major Arterial Streets - 750 feet

- f. Dead End Streets - Temporary dead-end streets may be permitted upon approval by the County Commissioner. Temporary cul-de-sacs, meeting the above requirements, shall be provided for streets exceeding one lot depth.
- g. Ditch Grades - The grades on all ditches shall conform to the following requirements:
 - 1) Maximum Grade 6%
 - 2) Minimum Grade 0.15%
- h. Half Streets - Unless contiguous to an existing subdivision with a half street, half streets shall not be permitted.
- i. Minor (or local) Streets - Minor streets within subdivisions should be so laid out and designed that their use by through traffic and speeding traffic will be discouraged.
- j. Private Roads - For a private road to exist in a new subdivision, a variance must be granted by Commissioners Court. When a request for a private road is received by the County Commissioner, the Commissioner will submit the request and his recommendation to the Commissioners Court for their approval or disapproval. It is required that the developer present a scaled drawing of the proposed subdivision showing:
 - 1) The location of the private road;

- 2) The reason for requesting a private road; and
 - 3) The type of construction proposed, ie: asphalt, concrete.
 - 4) That the proposed road complies with all requirements for a county road.
- k. Reverse Curves - A tangent of at least one hundred feet (100') shall be introduced between reverse curves on major arterial and collector streets.
- l. Street Jogs - Street jogs, or centerline offsets in the horizontal alignment of streets across intersections of less than one hundred twenty-five feet (125') shall be prohibited.
- m. Street Names and Numbers - All streets within a subdivision hereafter established shall be named. No name shall be used which will duplicate or be confused with existing street names, and all shall be approved by the 9-1-1 Addressing Coordinator.
- n. Street Signs - Street name or number markers and stop signs (Texas MUTCD R1-1) which meet County specifications shall be installed at all street intersections when streets are accepted for maintenance and curve signs (Texas MUTCD W1-2R or 2L, W1-4R or 4L) shall be erected where the degree of curve exceeds 5 degrees. Stop ahead signs (Texas MUTCD W3-1 or W3-1a) shall be erected when the stop sign is not visible for a sufficient distance to permit the driver to stop. Dead end signs (Texas MUTCD W14-1) shall be erected for each cul-de-sac street. Type III

barricades (Texas MUTCD) shall be erected at the end of each temporary dead end street.

3. Installation of Improvements - Where applicable, all the underground work for water mains, sanitary sewers, storm sewers, gas mains, electric power, telephone services, conduits, and any other utilities including all service connections shall be installed completely and approved through the length of the road to a point at least two feet (2') outside of the back of the curb, or edge of the pavement prior to placement of base materials. All underground improvements so installed for the purpose of future service connections, shall be properly capped and back filled.

E. Design, Inspection and Completion of Improvements

1. Design and Inspection of Improvements

A Texas Registered Professional Engineer shall be employed by the developer to design required physical improvements to include but not be limited to streets, drainage facilities, bridges, sidewalks, bulkheads and utilities. All plans for improvement submitted both at the preliminary and final state of development shall be prepared by an engineer.

All physical improvements (including all utilities) shall be installed under the direction, supervision, and coordination of the developer's engineer. After required improvements have been installed, such engineer shall submit certification that the improvements have been constructed according to approved plans and specifications along with such changes requested in writing and

approved by the County Commissioner. The County Commissioner shall inspect all construction subject to these regulations.

He shall be authorized to call to the attention of the developer's engineer or owner any failure of work or materials to conform with the plans and specifications.

Inspection by the County Commissioner or failure by him to inspect construction as required herein shall not in any way impair or diminish the obligation of the developer to install improvements in the subdivision in accordance with plans and specifications therefore as approved by the County Commissioner in accordance with the County's standards. The required laboratory tests and field measurements are as follows:

- a. Subgrade - width, depth, density and plasticity index.
- b. Base - width, depth, density, crown.
- c. Surface - width, depth, extraction and stability.
- d. Concrete - Compressive strength.

Such tests to be made by approved testing laboratory at the developers expense and in keeping with good engineering practice.

The developer may delay the placement of the wearing course (or blacktopping) until just prior to the final inspection at the end of the 12 month's maintenance period by the developer. Wharton County reserves the right to inspect and approve the base course (prior to priming and application of the wearing surface) and may require that additional materials be incorporated into the base course to bring it up to required standards.

Prior to final inspection by Wharton County, the developer's engineer shall submit a statement to the County Commissioner that all materials used meet Texas Department of Highways and Public Transportation current specifications and that the tests and measurements performed by him meet the requirements of the plans and specifications. To accomplish this requirement, it is suggested that the developer's engineer require that all material suppliers submit certifications of their material to him.

Copies of all test reports, including subgrade densities, base densities, asphalt testing, and compression tests, shall be submitted to the County Commissioner's Office as they are prepared.

At the expiration of a minimum of one year following completion and approval of construction, the developer will notify the County Commissioner by letter, that these improvements have been maintained at his expense for a period of one year following completion and approval of the construction of the roads, streets and drainage facilities and accompanying his letter is a letter from the applicable drainage district (if any), stating that the drainage facilities of the subdivision have been constructed according to approved plans or to their satisfaction.

Upon receipt of said request, the County Commissioner will make a final inspection of the improvements and if they are in conformance with the approved plans and these Regulations, the Commissioners Court, upon recommendation of the County Commissioner, will accept said roads for County Maintenance.

F. Right-of-Way Provisions for Dedicated Roads

1. Right-of-Ways - Shall be sufficiently wide to fully encompass:
 - a) Major arterial streets (100' to 120')
 - b) Collector streets (80' Min.)
 - c) Local or minor streets (rural streets to be governed by cross-section - 60' Min.) (50' Min. with curb and gutter)
 - d) Construction and utility easements for all of the above (10' wide each side) outside of and contiguous to right-of-way.
 - e) Classification Chart

Type of Road Required	When # of Lots Relating to Road Traffic Exceeds:
local (or minor)	required as a minimum
collector	400 lots
2 lane arterial	1000 lots
4 lane arterial	5400 lots

2. Additional Right-of-Way - a proposed subdivision that adjoins or encompasses an existing public street, that does not conform to minimum right-of-way requirements of these regulations, shall provide for the dedication of additional right-of-way along either or both sides of said street so that the minimum right-of-way required by these regulations can be established. If the proposed subdivision

abuts only one side of said street, then a minimum of half of the required right-of-way shall be dedicated by such subdivision.

G. Road Construction Specifications

The following shall be the minimum specifications for the preparations and construction of streets dedicated to the public, in said street right-of-way. All work, methods, materials and equipment, not covered by these "Regulations", shall conform to the most current issue of "Standard Specifications and Construction of Highways, Streets and Bridges" of the Texas Department of Highways and Public Transportation.

1. Clearing and Grubbing - Shall consist of the removal and disposal of trees, stumps, brush, roots, vegetation, logs, rubbish and other objectionable matter.
2. Backfilling - Excavations and depressions must be properly backfilled and compacted in accordance with good engineering practice.
3. Disposal of Waste Material
 - a) Muck and peat shall be completely removed within the area between points five feet (5') outside the edges of the pavement and spread uniformly two inches (2") loose, on shoulders and front slopes, or disposed of by the developer.
 - b) Trash, brush, trees, etc., may be burned within the rights-of-way limits provided no local, county, state, or federal law is violated.
4. Grading - The fill section shall be constructed in eight inch (8") maximum lifts to provide 95% density to a minimum thirty-two foot (32') wide road crown.
5. Subgrade

- a) Width - The subgrade shall be four feet (4') wider than the base material course (2 feet each side) and in the case of curb and gutter, shall extend to the back side of the curb two feet (2').
- b) Stabilization - The plasticity index of the subgrade soil shall be determined by the A.A.S.H.T.O. method of testing. When the plasticity index exceeds twenty (20), the percentage of hydrated lime (minimum 6% lime by weight), or as recommended by a reputable testing laboratory, shall be added to the subgrade, which shall be stabilized to a compacted depth of a minimum of six inches (6"). After curing, the stabilized section will be tested again (prior to placement of the base material) by the same testing laboratory, to determine if the desired plasticity index was reached. The stabilized area will then be compacted to a density of not less than 95% standards proctor by standard A.A.S.H.T.O. methods. Density tests shall be provided to the County Commissioner.

6. Base

- a) Acceptable Base Material - All suitable base materials (limestone, caliche, stabilized shell or other materials suitable to the County Commissioner) will be compacted on a six inch (6") stabilized subgrade, to a density of not less than 95% standard proctor by standard A.A.S.H.T.O. methods. Design computation on roads where heavy traffic or loads can be expected may be required by the County Commissioner. Design computations, when required, will be submitted with Improvement Plans. All base

materials shall meet Texas Department of Highways and Public Transportation specifications.

- b) Compacted Depth
 - Arterials - 10" limestone, or equal
 - Collectors - 8" limestone, or equal
 - Local - 8" limestone or equal
- c) Width - All bases shall be two feet (2') wider (1' each side) than the finished surface or to the face of the curb.
- d) Forms - No form board will be required unless, in the opinion of the County Commissioner, the developer is not taking precautions to obtain the full depth at the edges.
- e) Prime Coat - Shall consist of 0.20 of a gallon MC-30 per square yard.

7. Surface

- a) Acceptable Types - (Double Surface Treatment Minimum)
 - 1) Bituminous Surface Treatment (Double surface treatment minimum)
 - 2) Asphaltic Concrete - Hot Mix, Hot Laid, one and one-half inches (1-1/2 ") thick minimum. (Type "D")
 - 3) Portland Cement Concrete
 - (a) Minor-Subdivision Streets - All gravel concrete is to be 6" uniform thickness, 5.0 sacks of Portland Cement reinforced with #4 (1/2") steel reinforcing and is to be spaced 24"

center to center each way. Minimum width, back to back of curb is to be 28'-0" (3000 PSI).

In developments where no curbs are to be used, a thickened edge pavement is required. The thickened edge to be 8" thick decreasing to 6" at a point 4' from the edge of pavement. Minimum width to be 20'.

- (b) Collector Subdivision Streets - (No Median) All gravel concrete is to be 7" uniform thickness, 5.5 sacks of Portland Cement, reinforced with #4 (1/2") steel reinforcing and is to be spaced 24" center to center each way. Minimum width for roadway section to be 29'-0" back to back of curb (3,500 PSI Concrete) .

In development where no curbs are used, a thickened edge pavement is required. The thickened edge to be 9" thick decreasing to 7" at a point 4' from the edge of the pavement. Minimum width of pavement will be 11' for each one half roadway section.

- (c) Major Arterial Streets - (2 Lane - No Median) All gravel concrete is to be 7" uniform thickness, 5.5 sacks of Portland Cement, reinforced with #4 (1/2") steel reinforcing and is to be spaced 24" center to center each way. Minimum width for roadway section to be 27'-0"

back to back of curb. With parking, width shall be 43'-0" back to back of curb (3500 PSI Concrete).

In developments where no curbs are used, a thickened edge pavement is required. The thickened edge to be 9" thick decreasing to 7" at a point 4' from the edge of pavement. Minimum width of pavement will be 12' for each one-half roadway section.

- (d) Major Arterial Streets - (4 Lane) - All gravel concrete is to be 7" uniform thickness, 5.5 sacks of Portland Cement, reinforced with #4 (1/2") steel reinforcing and is to be spaced 24" center to center each way. Minimum width of roadway section to be 51'0" back to back of curve. With parking, width shall be 67'-0" back to back of curb (3500 PSI Concrete).

In developments where no curbs are used, a thickened edge pavement is required. The thickened edge to be 9" thick decreasing to 7" at a point 4' from the edge of pavement. Minimum width of pavement will be 24' for each one half roadway section.

- (e) The developer's engineer will have his survey party establish blue tops and tack points on offsets at intervals not exceeding 50' on tangents and 25' on all vertical and

horizontal curves to which the pavement is to be laid, set radius points, and will be required to check the subgrade, form lines and grade immediately prior to the pour, in order to attain both a true line, a uniform thickness and a smooth riding surface. No concrete shall be laid at any time unless the County Commissioner's Office is notified 24 hours in advance. Expansion joints with standard load transmission device, or equal, are to be placed a maximum of 60' center to center. All joints are to be poured with an asphaltic compound as quickly as possible after the concrete has been laid.

- (f) All concrete pavement is to be laboratory controlled by a recognized laboratory. The laboratory shall inspect and test concrete batch design at the plant site before beginning each day's pour. A beam shall be made for each 1000 square yards of pavement or part thereof for each day's pour and/or one beam on each street. The beam shall be tested at 7 days. Minimum flexural strength shall be 500 psi and 550 psi respectively on 5.0 sack and 5.5 sack concrete. One core shall be taken for each 1000 linear feet of pavement, except that not less than one core shall be taken for each 2500 square yard of pavement and/or one core on

each street. Each core shall be checked for thickness.

Minimum compressive strength shall be 3000 psi and 3500 psi respectively for 5.0 and 5.5 sack concrete. Cores shall not be tested until concrete is a minimum of 28 days old. Complete reports shall be furnished on all tests, a copy of which shall be submitted to the County Commissioner.

- (g) A minimum of 84 hours shall elapse from the time the pavement is finished and beam break testing. At least 400 pounds flexural strength shall be obtained before placing or running any vehicle or construction equipment on the pavement.
- (h) Weakened plane (or dummy) joints shall be sawed transversely, 1” deep, every 20 feet, ie: 3 per each 60 foot slab.

b) Surface Widths (Flexible Base & Surface)

The following are minimum roadway surface widths:

Classification	Width No Curbs	Curbed Section Width
(1) Four Lane Major Arterial	48'	48' (plus 2-8' parking lanes in municipal section.
(2) Two Lane Major Arterial	24'	24' (plus 2-8' parking lanes in municipal section.
(3) Marginal Access	20'	
(4) Collector	24'	36'

(5) Local or Minor	20'	28'
(6) Cul de sacs	42' radius, 20' wide pavement	42' radius, 28' wide pavement

8. Miscellaneous Details

1. Shoulders (Rural Sections)

4 Lane Major Arterial - 8'	Local - 5'
2 Lane Major Arterial - 8'	Cul-de-sacs - 5'
Collector - 6'	

2. Sidewalks

Four feet paved sidewalks, if installed, shall be constructed to County Standards.

3. Sprigging, Seeding and Mulching - Shall be done between edges of pavement and ditch bottoms in rural sections and between curb and sidewalks in urban areas, if need is evident at the end of twelve(12) month maintenance period, by the developer.

4. Concrete Specifications - Concrete shall have a minimum compressive strength of 3000 p.s.i. for 5 sack cement and 3500 p.s.i. for 5.5 sack cement, if not noted otherwise.

H. Utility and Pipeline Crossing:

1. All new liquid fuel, high pressure and low pressure gas lines shall be buried a minimum of sixty inches (60") below ditch grade, cased and vented. By specific exception, the Commissioners Court may allow encasement to be

omitted in the event the road crossed is a low volume County Road and the line is protected by reinforced concrete pad, specifications for which are attached hereto. In addition to the concrete pad, the unencased lines shall employ welded steel carrier pipe and the following additional protective measures:

- a) heavier wall thickness and/or higher factor of safety in design
- b) adequate coating and wrapping
- c) cathodic protection

2. All cable TV and telephone lines shall be buried a minimum of twenty-four inches (24") below the ditch grade.

VIII. OTHER CONDITIONS/GENERAL

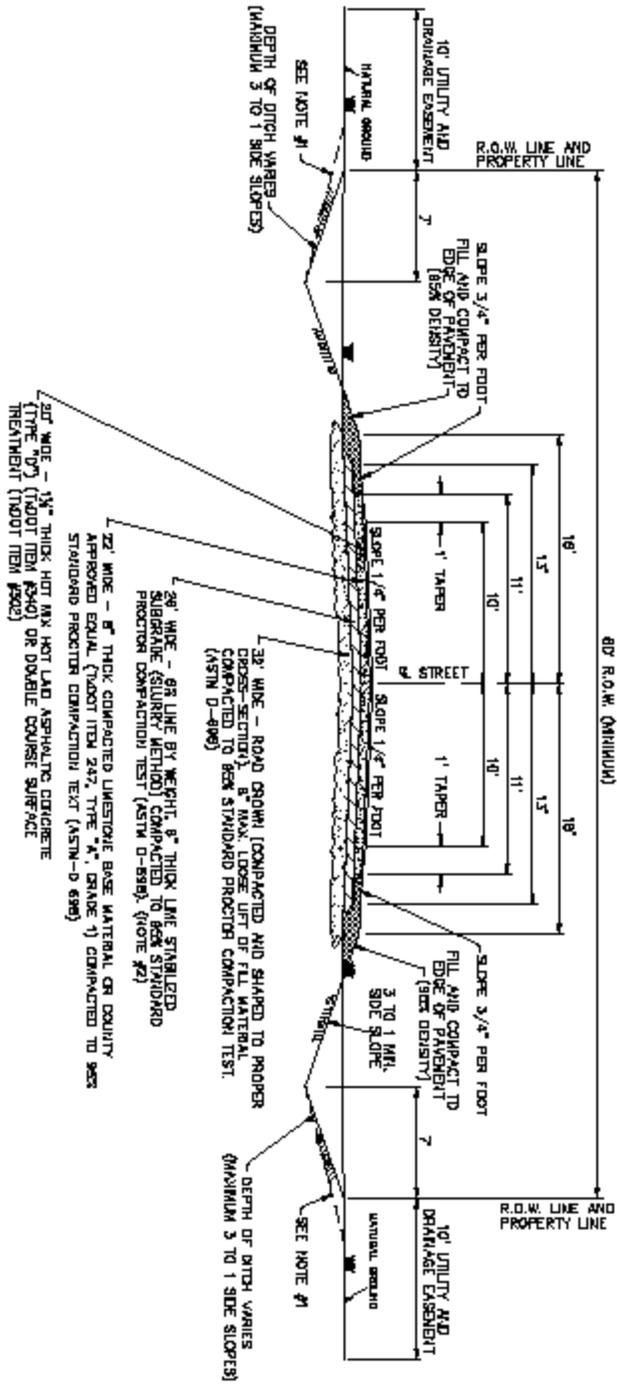
A. In accordance with Local Government Code Section 232.0015, a Subdivision Plat is not required if the owner of a tract of land divides the tract into two or more parts and does not lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts, and:

1. The land is used primarily for agricultural use as defined by Section 1-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use, within the meaning of Section 1-d-1, Article VIII, Texas Constitution; or
2. 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
3. All of the lots of the subdivision are more than 10 acres in area; or
4. All of the lots are sold to veterans through the Veterans' Land Board program; or
5. 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
6. 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

7. 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 these regulations; or
 8. 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.
- B. Effective May 9, 2011, a Subdivision Plat is not required if the owner of a tract of land divides the tract for the purposes of creating a private family cemetery of less than ten acres and abides by all state law requirements for the creation of such.
- C. If the tract described in Sections A-1, 2, 3, 4, 5, 6, 7, 8 or B ceases to meet the exemption described therein, then platting requirements shall immediately apply.
- D. Subject to the exemptions stated above, 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. Has filed with the County Clerk a legally approved plat for recordation in the Map Records of the County.
- E. 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 in a contract for a deed, using a contract of sale or other executory contract, purchase option rental agreement, or using any other method to convey property.

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

IX. APPENDICES

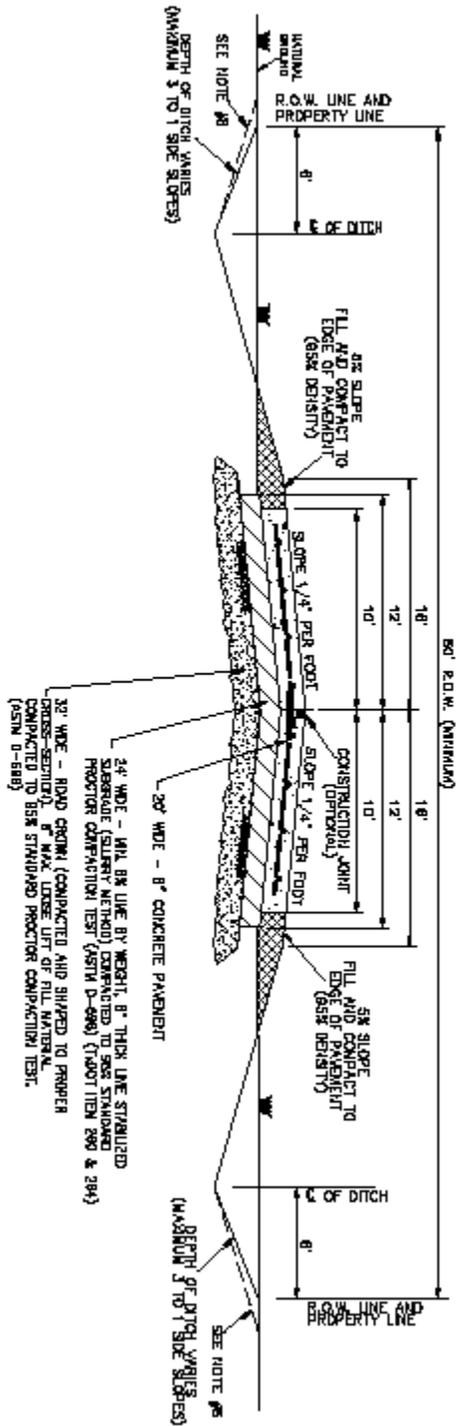


- NOTES:**
1. EXTEND BACK SLOPE OF DITCH WITH DRAINAGE EASEMENT IF NECESSARY TO MAINTAIN 3 TO 1 SIDE SLOPE (TYP.)
 2. WHEN THE PLASTICITY INDEX (P.I.) IS LESS THAN 5, USE MINIMUM 5% CEMENT BY WEIGHT, 6" THICK STABILIZED SUBGRADE.
 3. TESTING - DENSITY TESTING AND COMPACTION TESTS OF SUBGRADE, FLENSLE BASE, ASPHALT, AND COMPRESSIVE TESTS OF CONCRETE ARE REQUIRED. (COPY TO COUNTY COMMISSIONER)

MINOR ASPHALT STREET WITH OPEN DITCH DRAINAGE

SCALE: N.T.S.

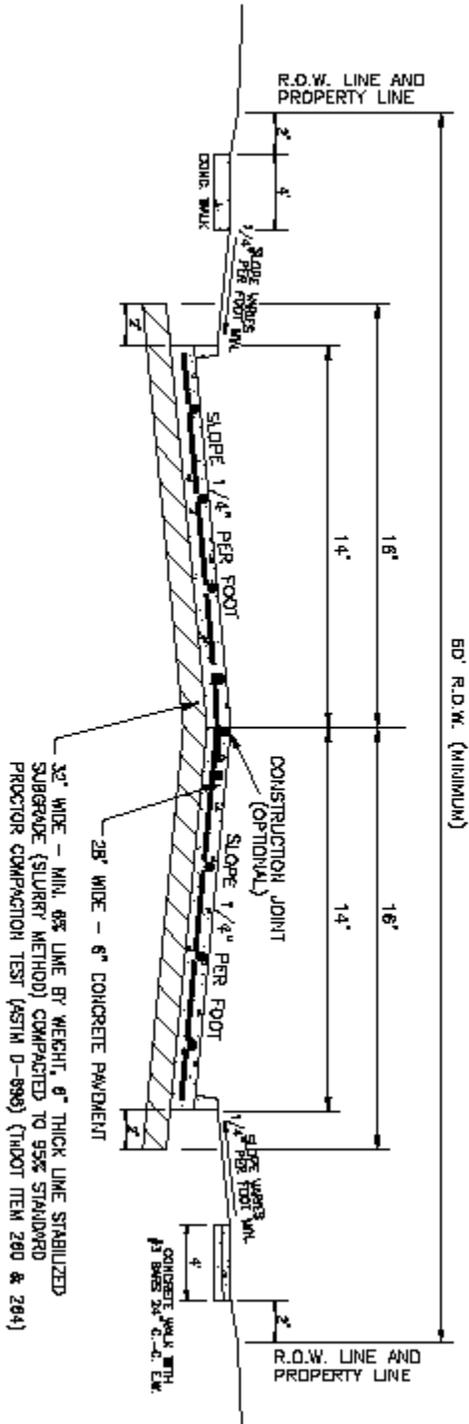
(A)



- NOTES:**
1. ALL REINFORCING STEEL SHALL CONFORM TO ASTM-A15, CURRENT REVISION, GRADE 60. MINIMUM LAP AT ALL SPICES SHALL BE FIFTEEN INCHES (15") 160. 4 BARS @ 24" O.C.E.W.
 2. CONCRETE SHALL BE 3000 P.S.I. AT 28 DAYS, AND 500 P.S.I. FLEXURAL STRENGTH AT 7 DAYS, AND MINIMUM FIVE (5) BAGS OF CEMENT PER CUBIC YARD OF CONCRETE.
 3. EXPANSION JOINTS SHALL BE SPACED AT 80'-0" O.C. (MAXIMUM) WITH LATERAL, SAWED JOINTS AT APPROXIMATELY 20'-0" O.C. ALL JOINTS SHALL BE SEALED. THE LOCATION OF CONSTRUCTION JOINTS AND DEFORCED METAL STRIPS MAY BE VARYED, WITH THE APPROVAL OF THE COUNTY.
 4. 4" LINE STRANDED SUBGRADE SHALL BE A MINIMUM OF 6% LINE, UNLESS SPECIFICALLY APPROVED BY THE COUNTY. WHEN THE PLANTING INDEX (PI) IS LESS THAN 5, USE MINIMUM 8% CEMENT BY WEIGHT. 6" THICK STRANDED SUBGRADE.
 5. THE SLOPE BEHIND PAVEMENT MAY BE INCREASED, WITH APPROVAL FROM THE COUNTY.
 6. EXTEND BACK SLOPE OF DITCH BEYOND THE R.O.W. LINE IF NECESSARY TO MAINTAIN 3 TO 1 SIDE SLOPE. (77P-2)
 7. TESTING-DESIGN TESTING AND COMPACTION TESTS OF SUBGRADE, FLEXIBLE BASE, ASPHALT, AND COMPRESSIVE TESTS OF CONCRETE ARE REQUIRED. (COPY TO COUNTY COMMISSIONERS)

MINOR CONCRETE STREET WITH OPEN DITCH DRAINAGE

SCALE: 1/2" = 1'-0"

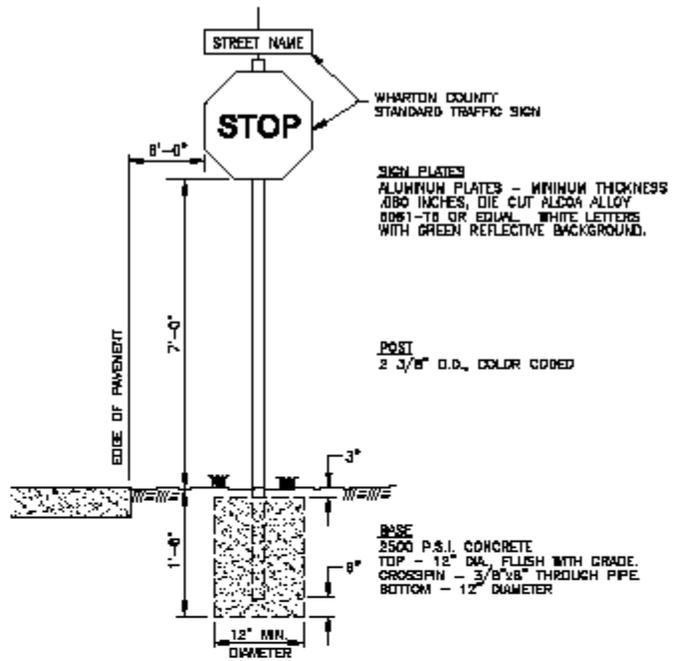


- NOTE:**
1. ALL REINFORCING STEEL SHALL CONFORM TO ASTM-615, CURRENT REVISION, GRADE 60. MINIMUM LAP AT ALL SPLICES SHALL BE FIFTEEN INCHES (15").
No. 4 BARS @ 24" O.C.E.W.
 2. CONCRETE SHALL BE 3000 P.S.I. AT 28 DAYS, AND 500 P.S.I. FLEXURAL STRENGTH AT 7 DAYS, AND MINIMUM FIVE (5) SACKS OF CEMENT PER CUBIC YARD OF CONCRETE.
 3. EXPANSION JOINTS SHALL BE SPACED AT 60'-0" O.C. (MAXIMUM) WITH LATERAL, SAWED JOINTS AT APPROXIMATELY 20'-0" O.C. ALL JOINTS SHALL BE SEALED. THE LOCATION OF CONSTRUCTION JOINTS AND DETRIMED METAL STRIPS MAY BE VARIED WITH THE APPROVAL OF THE COUNTY.
 4. 6" LIME STABILIZED SUBGRADE SHALL BE A MINIMUM OF 6% LIME, UNLESS SPECIFICALLY APPROVED BY THE COUNTY. WHEN THE PLASTICITY INDEX (P.I.) IS LESS THAN 5, USE MINIMUM 5% CEMENT BY WEIGHT, 6" THICK STABILIZED SUBGRADE.
 5. THE SLOPE BEHIND PAVEMENT MAY BE INCREASED, WITH APPROVAL FROM THE COUNTY.
 6. TESTING-DENSITY TESTING AND COMPACTION TESTS OF SUBGRADE, FLEXIBLE BASE, ASPHALT, AND COMPRESSIVE TESTS OF CONCRETE ARE REQUIRED. (COPY TO COUNTY COMMISSIONER)

**MINOR CONCRETE STREET
WITH CONCRETE CURB AND GUTTER**

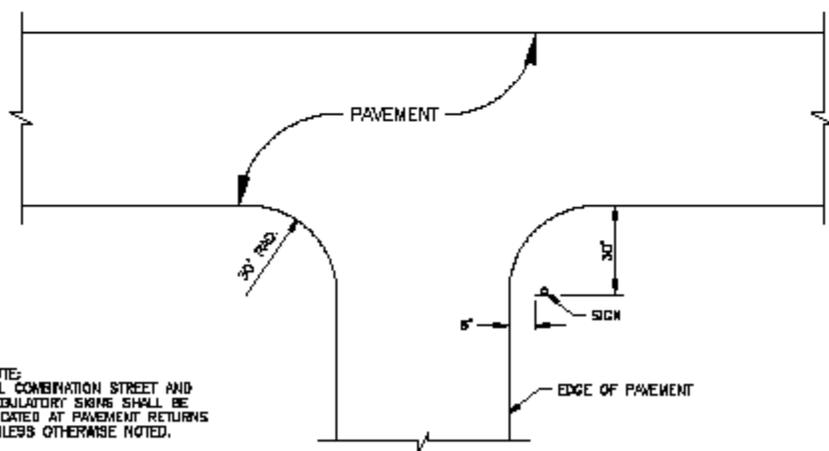
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TYPICAL SIGN MOUNT DETAIL

SCALE: N.T.S.

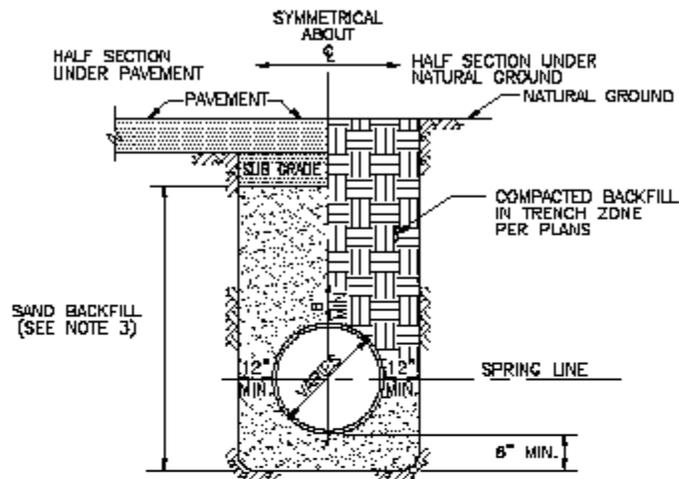


NOTE:
ALL COMBINATION STREET AND REGULATORY SIGNS SHALL BE LOCATED AT PAVEMENT RETURNS UNLESS OTHERWISE NOTED.

TYPICAL SIGN LOCATION DETAIL

SCALE: N.T.S.

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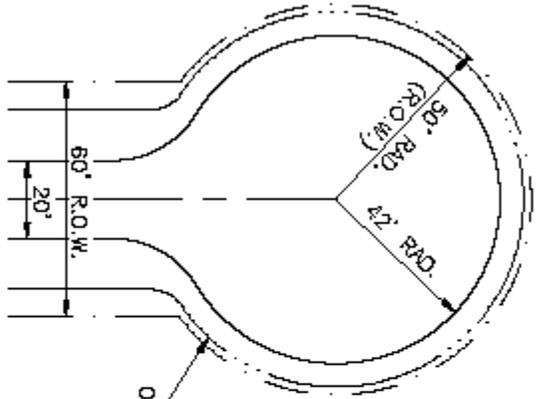
NOTES:

1. BACKFILL SHALL BE NATIVE SOIL, FREE OF DEBRIS, COMPACTED TO 90% STANDARD PROCTOR DENSITY.
2. INITIAL BACKFILL SHALL BE UNIFORMLY GRADED MATERIAL (MAXIMUM SIZE, 3" DIAMETER,) PLACED IN 8" LIFTS AND COMPACTED TO 90% STANDARD PROCTOR DENSITY.
3. UNDER PAVING OR WITHIN 3' OF PAVEMENT, THE INITIAL BACKFILL AND ALL BACKFILL UP TO THE PAVEMENT SUBGRADE SHALL BE SAND COMPACTED TO 95% STANDARD PROCTOR DENSITY.
4. TRENCH SHORING, IN ACCORDANCE WITH OSHA, SHALL BE INSTALLED WHERE REQUIRED.
5. SOIL IN THE PIPE ZONE SHALL CONSIST OF NON-WATERBEARING, COHESIVE SOILS WITH A SHEAR STRENGTH OF 1,000 PSF OR GREATER. WHEN WET SAND EXISTS IN THE PIPE ZONE, MODIFIED BEDDING SHALL BE INSTALLED.

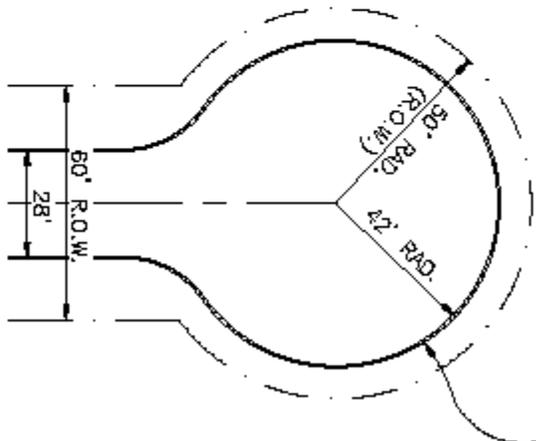
**STORM SEWER
BEDDING AND BACKFILL**
SCALE: N.T.S.

©

6" CONG. CURB & GUTTER FOR ASPHALT PAVEMENT
AND 6" CONG. CURB FOR CONG. STREET PAVEMENT



ASPHALT OR CONCRETE
UNCURBED STREETS

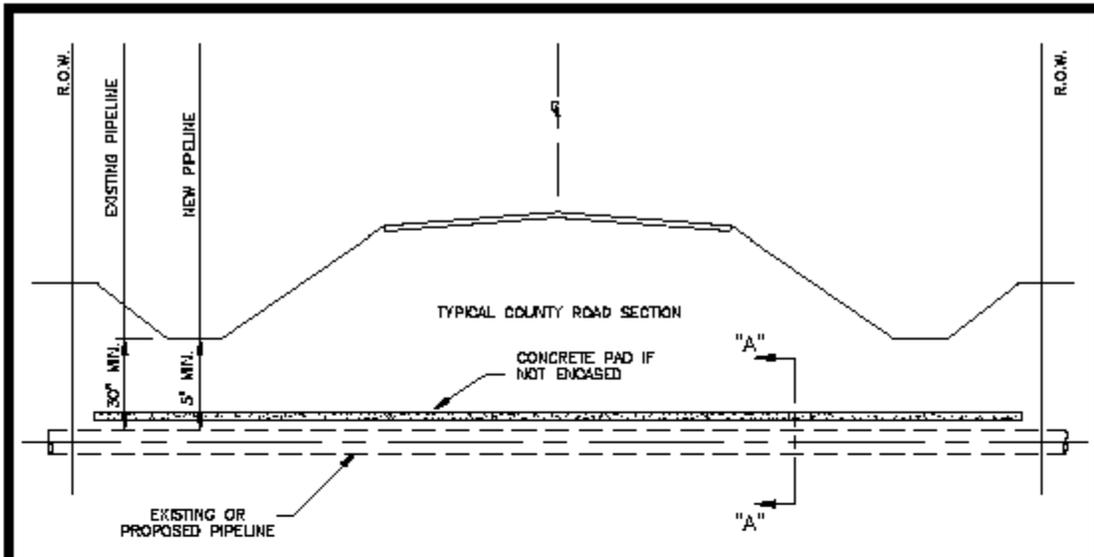


ASPHALT OR CONCRETE
CURBED STREETS

MINIMUM CUL-DE-SAC SPECIFICATIONS

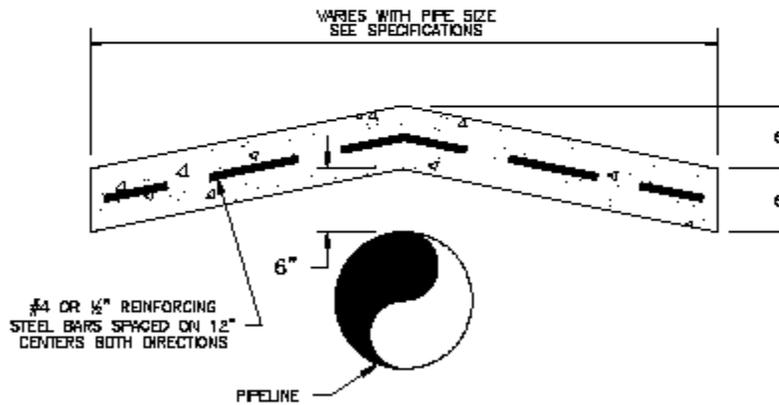
SCALE: N.T.S.

(H)



TYPICAL PIPELINE CROSSING

SCALE: N.T.S.



CONCRETE PAD SPECIFICATIONS
 LENGTH TO BE FROM R.O.W. TO R.O.W.
 WIDTH TO BE 3x PIPE DIAMETER OF MINIMUM
 OF 5'. CONCRETE SHALL BE A MINIMUM OF
 5 SACKS CEMENT PER CUBIC YARD.

NOTE:
 THIS IS EXCEPTION TO COUNTY'S STANDARD
 UTILITY POLICY OF REQUIRING ENCASEMENT,
 AND TO BE USED ONLY IN SPECIAL
 CONDITIONS APPROVED BY COUNTY
 COMMISSIONER OR THE WHARTON COUNTY
 COMMISSIONER'S COURT.

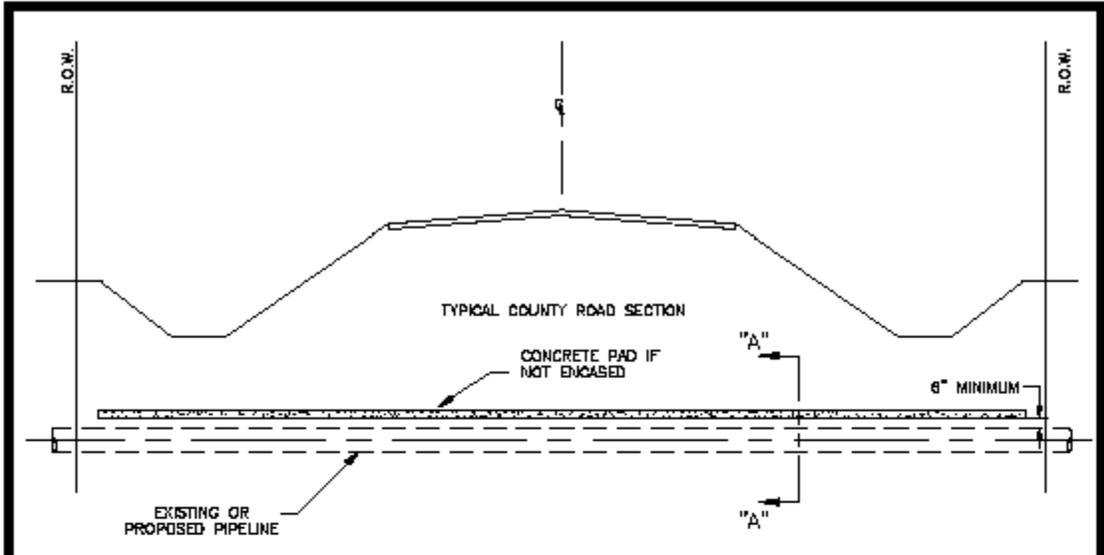
CROSS-SECTION "A-A"

SCALE: N.T.S.

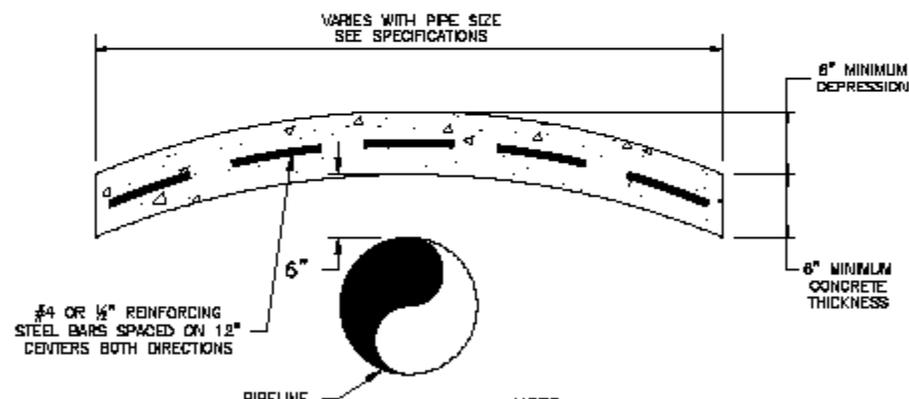
**ALTERNATE #1
 TYPICAL PIPELINE PROTECTION**

SCALE: N.T.S.





TYPICAL PIPELINE CROSSING
SCALE: N.T.S.



CONCRETE PAD SPECIFICATIONS
LENGTH TO BE FROM R.O.W. TO R.O.W.
WIDTH TO BE 3x PIPE DIAMETER OF MINIMUM
OF 5'. CONCRETE SHALL BE A MINIMUM OF
5 SACKS CEMENT PER CUBIC YARD.

NOTE:
THIS IS EXCEPTION TO COUNTY'S STANDARD
UTILITY POLICY OF REQUIRING ENCASEMENT,
AND TO BE USED ONLY IN SPECIAL
CONDITIONS APPROVED BY COUNTY
COMMISSIONER OR THE WHARTON COUNTY
COMMISSIONER'S COURT.

CROSS-SECTION "A-A"
SCALE: N.T.S.

ALTERNATE #2
TYPICAL PIPELINE PROTECTION
SCALE: N.T.S.



BOND

STATE OF TEXAS §
COUNTY OF WHARTON §

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, _____, whose address is _____, Texas, hereinafter called the Principal, and _____, a Corporation existing under and by virtue of the laws of the State of _____ and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at _____, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is _____, hereinafter called the Surety, are held and firmly bound unto the County Judge of Wharton County, Texas, or his successors in office, in the full sum of _____ Dollars (\$_____) current, lawful money of the United States of America, to be paid to said County Judge of Wharton County, Texas, or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bond ourselves and each of us, our heirs, executors, administrators, successors, assigns, and legal representatives, jointly and severally, by these presents.

WHEREAS, the said Principal is the owner of the following Subdivision(s):
located in Wharton County, Texas; and,

WHEREAS, the Commissioners Court of Wharton County, Texas, has promulgated certain rules, regulations, and requirements relating to Subdivisions in Wharton County, Texas,

as more specifically set out in “Wharton County Subdivision Platting Policy” as amended; same being made a part hereof for all purposes, as though fully set out herein; wherein it is provided, among other things, that the owner of a Subdivision will construct the roads, streets, bridges, and drainage in the right-of-way depicted on the plat thereof, in accordance with the specification set out therein, and maintain such roads, streets, bridges, and drainage in the right-of-way until such time as said roads, streets, bridges, and drainage in the right-of-way have been accepted for maintenance by the Commissioners Court of Wharton County, Texas.

It is further stipulated and understood that the approval of the map or plat of the above-named Subdivision(s) is conditioned upon and subject to the strict compliance by the Principal herein with the aforesaid specifications, and that the terms of said specifications, including all deletions, additions, changes, or modifications of any kind or character, constitute and contract between the County of Wharton and Principal; and it is understood by the Principal that the approval of said map per plat of the above Subdivision(s) was obtained only by the undertaking of the Principal to so comply with the said regulations and specifications within a reasonable time, as set by the Commissioners Court of Wharton County, Texas, and that without such undertaking such approval would not have been granted.

Now the condition of this obligation is such that if the above-bounded Principal, his, her, their, or its heirs, executors, administrators, successors, assigns, and legal representatives, and each and every one of them to do in all things well and truly observe, perform, fulfill, keep and comply with all and singular the rules, regulations, requirements, and specifications above referred to, including any deletions, additions, changes or modifications of any kind or character, in the construction and maintenance of all roads, streets, bridges, and drainage in the right-of-

way in the above-named Subdivision(s) and that upon approval of the construction of said roads, streets, bridges, and drainage in the right-of-way by the County Commissioner, and upon the approval of such maintenance by the County Commissioner, and upon acceptance of such roads, streets, bridges, and drainage in the right-of-way by the Commissioners Court of Wharton County, Texas, then this obligation to be void and of no force and effect.

The Principal and Surety hereon each agree, bind, and obligate themselves to pay to County Judge of Wharton County, Texas, or his successors in office, for the use and benefit of Wharton County, all loss or damages to it occasioned by reason of the failure of the Principal to comply strictly with each and every provision contained in the rules, regulations, requirements, and specifications above-referred to relating to the construction and maintenance of roads, streets, bridges, and drainage in the right-of-way in the above-named Subdivision(s), and further agree, bind, and obligate themselves to defend, save, and keep harmless the County of Wharton from any and all damages, expenses, and claims of every kind and character which the County of Wharton may suffer, directly or indirectly, as a result of the Principal's failure to comply with the rules, regulations, and specifications relating to the construction and maintenance of the roads, streets, bridges, and drainage in the right-of-way in the above-named Subdivision(s).

The word *Principal* when used herein means Principal or Principals whether an individual, individuals, partnership, corporation, or other legal entity having the capacity to contract. The words *roads, streets, bridges, and drainage in the right-of way* used herein mean each and every road, street, bridge, and drainage in the right-of-way in said Subdivision(s). The word *maintenance* as used herein means all needful, necessary, and proper care and repair from completion of the roads or streets and approval thereof by the County Commissioner until

acceptance of the roads and streets by the Commissioners Court. The word *surety* when used herein means Surety or Sureties, and it is understood by the parties that any and all liabilities of any kind or character assumed or imposed upon the Principal by the terms hereof extend in full force and vigor to each and every Surety jointly and severally.

In the event of suit hereunder, such suit shall be brought in Wharton County, Texas.

Executed this _____ day of _____, 20_____.

ATTEST:

Secretary

Principal

By: _____

Surety

Attorney in Fact

APPROVED this _____ day of _____, 20_____.

ATTEST:

Sandra K. Sanders

County Clerk
Wharton County, Texas

Phillip Spenrath

County Judge
Wharton County, Texas

ENGINEER’S CONSTRUCTION COMPLIANCE STATEMENT

I, _____, a professional engineer registered in the State of Texas, do hereby certify that _____ (project name) was completed on _____, 20_____.

This project was under periodic inspection during construction and was constructed in accordance with and includes all items in the plans and specifications as approved by Wharton County and complies with all Wharton County requirements.

(Signature and Title)

(Seal)

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ (name), _____ (title if appropriate), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed (add for corporations “and in the capacity therein and herein set out, and as the act and deed of said corporation”).

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

CONTRACTOR/CONTRACTOR’S AFFIDAVIT OF CONSTRUCTION COMPLIANCE

I, _____, do hereby certify that the construction of this project complies with the construction documents and meets or exceeds the specifications and requirements of Wharton County.

Signature

Date

Title, Company Name

(A separate Affidavit will be required for each Contractor, unless all work was assigned to a General Contractor who accepts responsibility for all work. Each affidavit may be qualified by a description of work performed by the applicable contractor.)

(Seal)

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ (name), _____ (title if appropriate), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed (add for corporations “and in the capacity therein and herein set out, and as the act and deed of said corporation”).

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

NOTARY PUBLIC ACKNOWLEDGMENT FOR ALL SIGNATURES

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ (name), _____ (title if appropriate), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed (add for corporations “and in the capacity therein and herein set out, and as the act and deed of said corporation”).

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20____.

Notary Public in and for the State of Texas