

Resolution and Order

The State of Texas

County of Cherokee

That on this, the 27th day of October 2008 A.D. the Commissioners Court of Cherokee County, Texas, met in a duly called and convened lawful Session at the County Courthouse in Rusk, Texas, with the following members present:

Chris Davis, County Judge, Presiding
Mary Gregg, Commissioner Precinct One
Kevin Pierce, Commissioner Precinct Two
Moody Glass, Jr., Commissioner Precinct Three
Byron Underwood, Commissioner Precinct Four,

Where, among other matters, came up for consideration and adoption the following Resolution and Order:

Whereas, the Cherokee County Commissioners Court of Cherokee County, Texas has after proper notice held a public hearing of the commissioner's court;

Whereas, after soliciting the public's comments, the Cherokee County Commissioners' Court finds that the adoption of the proposed revised regulations will be in the best interest of the public;

Therefore be it Resolved, that the Cherokee County Commissioners' Court hereby adopts the attached document as the revised Cherokee County Subdivision Regulations and orders that they be in full force and effect on and after this day; and

It is further Resolved, that all subdivisions platted or laid out, or road construction begun or finished prior to the adoption of this Order by the Commissioners' Court, shall be subject to the orders in effect at the time said subdivisions were platted, or laid out, or road construction begun or finished; and

It is further Resolved, that County Judge Chris Davis be, and is hereby authorized to sign this Resolution and Order as the act and deed of Commissioners Court.

The foregoing Resolution and Order was lawfully moved by Comm. Glass, duly seconded by ~~Comm.~~ Judge Davis and duly adopted by the Cherokee County Commissioners Court on a unanimous vote.



Judge Chris Davis
Cherokee County Judge

I. DEFINITION OF TERMS

A. *SUBDIVISION*

The dividing of a tract of land located in Cherokee County, but outside the limits of a municipality, into two or more parts to lay out: (1) a subdivision of the tract, including an addition; (2) lots; or (3) 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. Chapter 232. Sub-chapter A, Section .001, Texas Local Government Code as amended.

B. *STREET OR ROAD*

The term street or road may be used interchangeably and mean a vehicular way or way for vehicular traffic, and will be used to describe all vehicular ways regardless of other designations they may have.

C. *COUNTY COMMISSIONERS*

All references in these regulations to a "County Commissioner shall refer to the Commissioner in whose precinct the proposed subdivision is to be built. If the subdivision is located in two or more precincts, then any references to "permission requirements" shall apply to the County Commissioners from all affected precincts.

D. *DEDICATION OF STREET AND / OR ROADS*

All streets and/or roads and easements in a subdivision must be described by plat.

E. *COMMISSIONERS COURT*: Cherokee County Commissioners Court.

F. *CUL-DE-SAC*: A street having one outlet with the other outlet being a vehicle turnaround.

G. *SUBDIVIDER(DEVELOPER)*:

An owner or authorized agent proposing to divide land; any owner or authorized agent thereof proposing to divide or dividing land so as to constitute a subdivision according to the terms and provisions of the subdivision rules.

H. *ENGINEER*: A person registered and currently licensed to practice civil engineering by the Texas State Board of Registration for Professional Engineers.

U. *TCEQ*: Texas Commission on Environmental Quality

V. *TRACT*: A specified parcel of land

II. PROCEDURE FOR PREPARING AND OBTAINING APPROVAL OF A
SUBDIVISION PLAT

2.01 The following procedure shall be followed by the developer in securing approval of a plat by the Commissioners' Court Of Cherokee County, Texas, in accordance with SEC. 232.0025, L.G.C.

2.02 Six prints and the original plat shall be transmitted to the County Commissioner(s) in whose precinct the proposed sub-division is located for review and approval of the Commissioners' Court. The plat shall be at a minimum on sheets 18" x 24" and shall be plotted on a scale that is legible and measurable on the document and shall show the following:

1. The boundaries of the survey
2. The width of all right of ways, easements and locations there of
3. The scale with north arrow
4. The proposed name of subdivision.
5. The dimensions of all lots with Block and Lot numbers.
6. Place for County Surveyor to approve plat.
7. Surveyor's certificate:
8. Certification by the Owner of his dedication of all streets, alleys, easements to and other land intended for public use, signed and acknowledged before a Notary Public, by said Owner and by all other parties who may have lease rights, mortgage and lien interest in the property.
9. Certificate of approval signed by the designated representatives of the city having extra territorial jurisdiction over the area in which the subdivision is located , or of the governmental entity having jurisdiction for OSSF permitting.
10. Space shall be provided for the County Judge to sign, indicating approval of the plat by the Commissioners' Court.
11. A location map traced from the latest county road map, shall be drawn
on

vote, grants said release request. Method 2: Instead of the Developer putting up the Corporate Surety Bond or Irrevocable Letter of Credit, the Court will approve the plat submitted to the Court for approval after the County Surveyor has approved the plat but the plat shall NOT be filed with the Cherokee County Clerk until the roads in the subdivision have been constructed and an approval from the Commissioner(s) in whose precinct the road(s) are located is obtained and the Developer's engineer has provided a sealed certificate stating that the construction has been completed according to the County Requirements. Thereafter, the Commissioners' Court shall order that the plat be filed with the Cherokee County Clerk allowing the Developer to convey land to purchasers pursuant to the plat.

14. There shall be a certificate on the face of the plat by the appropriate water supplier stating that an adequate water supply IS or IS NOT available for the property contained within the subdivision.

15. There shall be a certificate on the face of the plat by the appropriate electrical power supplier stating that adequate electrical power IS or IS NOT available for the property contained within the subdivision.

2.03 After construction is completed, the Developer who posted the Bond or Letter of Credit shall in writing request the release of said Bond or Letter of Credit. The request shall contain a statement by the Developer of compliance with the Subdivision Regulations of Cherokee County, Texas, and the date the Bond or Letter of Credit was originally accepted by the Commissioners Court. An on-site inspection by the County Commissioner(s) shall be made prior to the release of the Bond or Letter of Credit by the Commissioners' Court. A Maintenance Bond or Irrevocable Letter of Credit which shall be made payable to the County Judge or his successors in office in the sum of five (\$5.00 / or such greater amount as set by Commissioners Court) per lineal foot of road or street shall accompany the request for release of Construction Bond or Letter of Credit. The condition of the Maintenance Bond or Letter of Credit shall be that the Developer will for two (2) years from the time the Construction Bond or Letter of Credit is released, repair and correct any and all defects in the streets, drainage ditches and drainage structures within the dedicated right-of-way.

III. NO LIABILITY BY CHEROKEE COUNTY

3.01 The Commissioners' Court, by regulating the construction standards of streets and roads by developers, in the rural areas of the county and requiring Bonds and/or Letters of Credit concerning that construction, does not become liable for guaranteeing construction of said streets and roads to the standards established in the Cherokee County Subdivision Regulations. The purpose behind said Bonds and Letters of Credit is to provide a reasonable method to complete road or street construction or to

- d. Completion of all infrastructure improvements shown on the plat and certification by developers engineer that infrastructure improvements have been constructed in compliance with applicable law and these subdivision regulations.

4.02 APPROVAL OF A PLAT BY THE COMMISSIONER'S COURT SHALL NOT INCLUDE ACCEPTANCE OF ANY STREETS FOR MAINTENANCE BY THE COUNTY UNLESS THE ORDER APPROVING THE PLAT SPECIFICALLY SETS FORTH THE ACCEPTANCE OF THE STREETS FOR COUNTY MAINTENANCE.

4.03 If any action, subsection or paragraph of this order of the Cherokee County Commissioners' Court, or the application thereof, is held invalid for any reason, such invalidity shall not affect any other provision of this order which can be given effect without the invalid provision or application and to this end this order is severable.

V. SUB-STANDARD SUBDIVISIONS

5.01 It shall be the policy of Cherokee County to provide road maintenance for its residents living in subdivisions with inadequate roads whenever possible, without placing an unfair tax burden on residents who have already paid for the roads serving their own homes.

5.02 The County may accept maintenance of any road located in a subdivision provided the roads were constructed in accordance with these regulations. Cherokee County assumes no responsibility or cost for bringing any road that was not constructed in accordance with these regulations into compliance before acceptance.

5.03 If the residents of a subdivision wish to bring the roads within their subdivision up to county standards, the Commissioners' Court will entertain a request to improve the roads to county standards, as provided by Chapter 253.001 et seq, Transportation Code and assess the cost of the improvements against the residents of the subdivision making the requests as follows:

1. Any resident of the subdivision may request the County Commissioner to place an item on the Court's agenda to consider improvements and an assessment.
2. If the Court finds that there is substantial interest among the residents of the subdivision, it will set a public hearing and give notice of the hearing as provided by law.

Statutes), or Chapter 151, Acts of the 52nd Legislature, Regular Session, 1951 (Article 2372k, Vernon's Texas Civil Statutes), before September 1, 1983, and that, after that date, continues to apply to a subdivision of land is enforceable under Subsection (a). A knowing or intentional violation of the requirement is an offense under Subsection (b).

VII. PURPOSE FOR APPENDIX "A" ATTACHED HERETO

7.01 All provisions of Chapter 232, Subchapter A of the Local Government Code, where not in conflict with this order, apply to Cherokee County.

7.02 The purpose for Appendix "A" is to incorporate the exact wording of State Law into this order.

7.03 The County, pursuant to Section 232.0015(a) of the Local Government Code, has created additional exceptions to the requirements for a plat in this county.

7.04 Additionally, Appendix "A" set forth specific actions the owner/subdivider/developer must take before a tract is divided, sold or conveyed.

7.05 Additionally, all persons are put on notice that Cherokee County has signed interlocal agreements with the municipalities in this county that governs the subdivision regulation within the Extra Territorial Jurisdiction of each municipality.

VIII. PURPOSE FOR APPENDIX "B" ATTACHED HERETO

8.01 The purpose for Appendix "B" is to set forth Engineering Guidelines for owners/subdividers/ developers.

8.02 These Engineering Guidelines sets forth specifics concerning streets, drainage, water availability and lot size and wastewater disposal.

8.03 After the Commissioners Court has approved a final subdivision plat and the same has been filed with the Cherokee County Clerk, the owner/subdivider/developer shall, at its own expense, provide a construction plan of the subdivision designed by a licensed professional engineer, and the same shall be presented to the commissioner of the precinct in which the subdivision is located, or the commissioners of the precincts in which the subdivision is located.

8.04 Thereafter, the Commissioner(s) may review the construction plan utilizing professional consultants where needed. The Commissioner(s) shall, within a reasonable time, provide the owner/subdivider/developer with a preliminary approval of the construction plan and any needed additions, changes or deletions to said construction plan.

8.05 After the preliminary approval is provided by the Commissioner(s), actual construction may begin.

(3) state the dimensions of the subdivision and of each lot, street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part.

(c) The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds.

(d) The plat must be filed and recorded with the county clerk of the county in which the tract is located.

(e) The plat is subject to the filing and recording provisions of Section 12.002, Property Code.

Sec. 232.0013. CHAPTER-WIDE PROVISION RELATING TO REGULATION OF PLATS AND SUBDIVISIONS IN EXTRATERRITORIAL JURISDICTION. The authority of a county under this chapter relating to the regulation of plats or subdivisions in the extraterritorial jurisdiction of a municipality is subject to any applicable limitation prescribed by an agreement under Section 242.001 or by Section 242.002.

Sec. 232.0015. EXCEPTIONS TO PLAT REQUIREMENT. (a) To determine whether specific divisions of land are required to be platted, a county may define and classify the divisions. A county need not require platting for every division of land otherwise within the scope of this subchapter.

(b) Except as provided by Section 232.0013, this subchapter does not apply to a subdivision of land to which Subchapter B applies.

(c) A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:

(1) the owner does not lay out a part of the tract described by Section 232.001(a)(3); and

(2) the land is to be 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.

(d) If a tract described by Subsection (c) ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of this subchapter apply.

(e) A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into four or fewer parts and does not lay out a part of the tract described by Section 232.001(a)(3) to have a plat of the subdivision prepared if each of the lots is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code. If any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the platting requirements of this subchapter apply.

(f) A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:

the form of a sale or of an exchange in kind. However, any land added to a tract through such a transaction shall become an integral part of that tract, and may not be separately conveyed except in compliance with the subdivision laws. Each resulting tract shall, of course, be subject to the minimum lot size requirements of these Regulations and other applicable laws. This exception does not apply if the adjustment will change the boundary between two legally platted lots, or subtract land from a legally platted subdivision.

(n) A plat is not required when a smaller tract is surveyed out of the parent tract solely for the purposes of obtaining financing for purchase or improvement of that part of the property, provided that possession and primary beneficial ownership of the entire parent tract are intended to remain unified.

(o) A plat is not required when a smaller tract is created by the legitimate foreclosure of a valid lien on a part of the parent tract. This provision does not exempt sham transactions or foreclosures staged to avoid the platting requirements

(p) A plat is not required when a smaller tract is created by the parent tract by a court with appropriate jurisdiction. This provision does not exempt sham transactions or partitions staged to avoid the platting requirement.

(q) A plat is not required when the owner of 2 or more distinct adjacent tracts sells one or more of them so long as all existing tracts remain in tact. To be "distinct" the tracts must have a history of separate use.

(r) An owner of a tract of land located outside the limits of a municipality may sell two tracts of land of at least three acres each and 200 feet of road frontage for each of the two tracts, provided that the residue, if any, of the parent tract, after the second tract of at least three acres has been conveyed, has at least ten acres remaining in the parent tract and the residue of the parent tract has at least 200 feet of road frontage.

(s) A plat is not required when a governmental entity purchases land for the purpose of building a public water supply reservoir and a parent tract is divided into two or more daughter tracts and daughter tracts are each less than ten acres. These daughter tracts can be conveyed by metes and bounds; however, if the owner of the parent and daughter tracts wishes to subdivide one of the daughter tracts further, and the tracts do not fit any exceptions, then a plat is required.

(t) An owner of a tract of land located outside the limits of a municipality who divides the tract into two parts is not required to file a subdivision plat if :

(1) the tract created is an existing home site that has an existing residence with existing electricity, water, sewer system, and/ or propane and the said tract created has a minimum of 0.5 acres net usable land and a minimum of

The owners of manufactured housing communities or multi-unit residential developments that are served by an on-site sewerage facility and rent or lease space shall submit a sewage disposal plan to the permitting authority for approval. The total anticipated sewage flow for the individual tract of land shall not exceed 5,000 gallons per day. The plan shall be prepared by a professional engineer or professional sanitarian. This plan is in addition to the requirements of paragraph #12 on page 6 of this order.

1.2 Certain additional requirements may be imposed for subdivisions with small lots and narrow road frontage.

1.2.1 60 foot frontage shall have a 30 foot curbed and guttered street.

1.2.2 Less than 60 foot road frontage shall have a 35 foot curbed and guttered street.

1.2.3 44 foot streets to be required only in collector streets or 4 lane streets.

1.3 It is the responsibility of the owner to see that all lots comply with any requirements imposed by the Endangered Species Act, and any and all other State or Federal laws or regulations that affect land use or development. Approval under these Regulations should not be interpreted to imply that Cherokee County has found the subdivision (or any part of it) to be in compliance with these other laws and regulations. Cherokee County does not enforce them, and cannot give any advice or suggestions regarding compliance.

2. ROAD ALIGNMENTS

- 2.1 Streets shall be laid out so as to align with existing streets in adjoining or nearby subdivisions, leaving the possibility of connecting such subdivisions with a minimum of road construction. No voids may be left within the subdivision with the intent of avoiding responsibility for constructing roads or bridges, nor along the subdivision boundary to avoid connecting with adjacent subdivisions or roads.
- 2.2 Cross-streets at a minimum spacing of 1500 feet shall be provided to facilitate the movement of emergency *vehicles such as fire trucks and ambulances*. More frequent spacing for urban roads may be required, depending on traffic conditions and density.
- 2.3 All streets or roads intersecting or joining a county road must be approved in writing, prior to approval of plat. When signal lights are required for the entrance

- 3.1.3 Minimum shoulder-to-shoulder width on uncurbed streets shall be not less than 32 feet or more than 56 feet. Such streets must have at least 28 feet of pavement.
- 3.3 Other subdivision streets:
 - 3.2.1 Minimum right-of-way shall be 50 feet but no more than 70 feet.
 - 3.1.2 Where a curb and gutter section is used, it shall be paved from curb to curb with all such streets paved to a minimum width of 30 ft.
 - 3.1.3 Minimum shoulder-to-shoulder width on uncurbed streets' shall be not less than 32 feet or more than 56 feet. Such streets must have at least 24 feet of pavement.
- 3.4 The following standards apply to all streets:
 - 3.4.1 Minimum compacted depth of base material shall be 6 inches.
 - 3.4.2 Maximum allowable grade shall be 9%.
 - 3.4.3 The standard for curbs, where installed, shall be 18 inches. with 18 inches of base beyond the curb.
- 3.5 Additional Right of Way for Existing Roads
 - 3.5.1 Where the subdivision affects a county road, the Commissioners' Court shall determine the right-of-way width which will be necessary for the maintenance and improvement of the road. This right-of-way requirement may be as wide as 100 feet if the county road is a potential major artery.
 - 3.5.2 Where the subdivision affects only one side of a county road, adequate tight-of-way shall be provided for one-half the additional width to provide right-of-way as prescribed by the Commissioners' Court.
 - 3.5.3 Where the development is on both sides of the existing county road right-of- way for the total prescribed width shall be provided.
 - 3.5.4 Any improvements proposed by the developer for existing county roads shall:

- 6.1 Unless otherwise provided in these Regulations, the base material shall meet the requirements for flexible base provided in the then-current version of the Texas Department of Transportation Manual concerning Standard Specifications for construction of highways, streets, and bridges.
 - 6.2 Pit-run is to be permitted when overlaid with at least 4 inches of crushed limestone. Use of pit-run is to be determined at the discretion of the Precinct Commissioner. Where pit-run is used, more frequent testing may be required, frequency of testing to be determined by the Independent Testing Lab.
 - 6.3 The base must be inspected and approved by an Independent Testing Laboratory and a certified copy given to the Precinct Commissioner, who must approve the report in writing.
 - 6.4 Base material shall meet the following minimum requirements and must be inspected and approved by an Engineer and the County Commissioner prior to hauling to job site.
 - 6.5
 1. For Asphaltic Hot Mix Pavement
 - a. Retained on 4" screen 0%
 - b. Retained on 40 sieve 40% to 85%
 - c. The plasticity index shall not exceed 15
 2. For Hot Oil Sand Asphalt
 - a. Retained on 4" screen 0%
 - b. Retained on 40 sieve 30% to 85%
 - c. The plasticity index shall not exceed 18
- NOTE: Other types of base material may be used with the prior written approval of the County Commissioner
- 6.5 Base material shall be delivered in vehicles of uniform capacity and it shall be the charge of the contractor that the required amount of specified material shall be delivered in each 100-foot station.
 - 6.6 The material shall be scarified, thoroughly wetted, mixed, manipulated and beaded so as to secure a uniformly wetted material and pulled in over the sub-grade in courses and set under the action of beading and rolling. All irregularities, depressions or weak spots which develop shall be corrected immediately by scarifying the areas affected, adding suitable material as required, reshaping and re-compacting by sprinkling and rolling. The base must be inspected and approved by an Engineer and the County Commissioner prior to the application of any surface treatment.

- 8.1 All streets and roads to be dedicated to the public with a subdivision shall be named, with prior approval for said name from the U.S. Postal Authorities. The street names shall be displayed on standard inspection street markers erected by the owner at each street intersection. All houses in areas receiving mail delivery shall be numbered. Where rural route boxes are in use, *such boxes* shall be set 3 ft. from the edge of the pavement or behind curbs, when used.
- 8.2 Each entrance to the subdivision must be marked with a sign identifying the subdivision. The size and type of sign shall be approved by the Precinct Commissioner, who shall also have authority at his or her sole discretion to waive this requirement for resubdivisions, small subdivisions, or secondary entrances.
- 8.3 Traffic control signs (such as stop, yield, and speed limit signs) as approved by Commissioners' Court, shall be installed by the owner or owners of said subdivision at all intersections where minor streets intersect with major, arterial' streets as herein defined. Other traffic control signs shall be installed to indicate any unusual traffic or road hazard or conditions that may exist. All traffic control devices shall be placed in compliance with the current standards of the Texas Department of Transportation.
- 8.4 A maximum 30 miles per hour speed limit within all platted subdivisions is hereby adopted. This limit may be changed only by Commissioners' Court upon the basis of an engineering and traffic investigation showing that the prima facie maximum reasonable and prudent speed for a particular street (or part of a street) should be some speed other than 30 miles per hour.
- 8.5 The streets or roads in any subdivision will not be accepted for final maintenance by the Commissioners' Court until all of the aforesaid requirement and conditions regarding street names, street signs and traffic control signs have been complied with.

9. DRAINAGE AND FLOOD CONTROL

- 9.1 Each development is required to detain runoff water on each developed tract so that water will not be released faster than when the property was in its natural state. Drainage is to be designed by a Registered Professional Engineer according to 25-year Flood Plain calculations. The engineer must certify that the work was completed in accordance with approved plans. Exceptions may be allowed when the engineer will certify that downstream property will not be adversely affected
- 9.2 Drainage, calculations shall be based on the assumption that all the property located in the subdivision, and all the property upstream from or above the subdivision, will be fully developed. Drainage shall be designed to carry the

will be held responsible to notify builders and lot owners of this requirement.

- 9.6.4 Notice of these drainpipe placement requirements shall be placed in all deed restrictions.
- 9.7 Retention ponds, when needed, shall be supplied with a view to restricting drainage from the platted area to rate of drainage of the land in its natural state.
- 9.8 Each plat shall carry the following legend:
- Prior to grading, any type of earth moving, construction of, on, or under the land in this subdivision, a drainage plan designed by a registered professional engineer shall be submitted for the proposed development, and modifications thereof to the Engineering Department of the City of [Name of City] (when applicable) and the Commissioners' Court of Cherokee County for a review and approval.
- 9.9 Responsibility for drainage is not to be accepted by the County other than that accepted in connection with draining or protecting the road system and streets.

APPENDIX C

INFRASTRUCTURE DEVELOPMENT PLAN

Infrastructure Development Plan

- A: In accordance with Local Government Code Section 232.007, an Infrastructure Development Plan (IDP) is required for all manufactured home rental communities developed after March 12, 2001.
1. The development shall have a minimum right of way of fifty (50) feet fronting a street or roadway which has been previously dedicated to the public for the public's use and benefit as a street or roadway. Access roads to the individual rental spaces must be constructed and paved to a minimum width of 32 feet. All roads will meet minimum road requirements as found in Appendix B, Sec. 3.3.
 2. No space may contain more than one single family residential unit. No common driveways shall be allowed. Each space shall have separate and individual access.
 3. A plat of the property shall be submitted to the County Surveyor prior to the request by the owner or occupier of the lot for any permit and/or utility services.

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

C. The IDP submitted shall also include the following documents:

1. Letters signed and dated from water, wastewater, and electric utilities of service commitment and availability and statement of approval of existing and proposed utility easements.
2. A tax certificate showing that all taxes currently due with respect to the original tract have been paid.
3. Results of soils analysis certified by a qualified site evaluator (as defined by 30 TAC Chapter 285) for on-site sewage facilities (OSSF).

5. A county that provides utility services; and
6. A special district or authority created by state law that provides utility services.

F. Timely Approval of Infrastructure Development Plans. Not later than the 60th day after the date the owner of a proposed manufactured home rental community submits an infrastructure development plan for approval, the County shall approve or reject the plan in writing. If the plan is rejected, the written rejection must specify the reasons for the rejection and the actions required for approval of the plan. The failure to reject a plan within the period prescribed herein constitutes approval of the plan.

(Amended October 2008)

Filed for Record in:
Official Public Records
Cherokee County

On: Nov 18, 2008 at 02:01P

As a
No Fee

Document Number: 00582748

By:
Blanca Harris,
Deputy

STATE OF TEXAS COUNTY OF CHEROKEE

I hereby certify that this instrument
was filed on the date and time stamped
hereon by me and was duly recorded in
the volume and page of the named
records of:

Cherokee County
as stamped hereon by me.

Nov 18, 2008

HONORABLE Laverne Lusk, COUNTY CLERK
Cherokee County

No charge

Cherokee County