

ARTICLE VI. FINAL PLAT

SECTION A. PURPOSE.

The purpose of the final plat is to allow the Planning and Zoning Commission to review the overall platting of the tract and street patterns within the addition for compliance with this ordinance, and for compliance with an approved preliminary plat, if applicable.

SECTION B. GENERAL PROVISIONS.

1. FINAL PLAT REQUIRED:

- a. A final plat is required for the creation of a legal lot of record.
- b. If so desired by the developer, the final plat may constitute only that portion of the approved preliminary plat which he or she proposes to record and then develop. Provided, however, that such portion conforms to all requirements of these regulations.

On a tract of land containing less than forty (40) acres and which has frontage on one or more arterial or collector thoroughfares, as designated on the Transportation Plan, all of such property under the same ownership shall be included in a final plat of the tract. Such tract shall not be part of a phased platting strategy whereby a portion of the tract is included in a final plat and the remainder of the tract is included in a preliminary plat.

- c. No final plat, for which a preliminary plat was required, shall be acted on by the Planning and Zoning Commission until a preliminary plat conforming to all Planning and Zoning Commission stipulations has been submitted to the Planning Director.

2. PROCEDURE:

Formal application for final plat approval shall be made by the subdivider in the manner prescribed by the Planning and Zoning Commission. An application for final plat approval shall be processed and considered in accordance with Article III of this ordinance.

The final plat shall be in accordance with the approved preliminary plat. Provided, however, that the Planning and Zoning Commission may authorize minor adjustments to street and alley alignments, length, and lot lines where the Commission determines such adjustments are consistent with the intent and general layout of the approved preliminary plat. Where the final plat deviates from the approved preliminary plat to the extent that the Commission finds such deviation to be significant and not consistent with the intent and general layout of the approved preliminary plat, such final plat shall not be approved until it reflects the originally approved

preliminary plat, or a new preliminary plat has been approved in accordance with Article V of this ordinance.

3. VALIDITY:

A final plat shall be filed for record by the City of Carrollton with the appropriate county clerk within twelve (12) months from the date of Planning and Zoning Commission approval. Any final plat not filed within such time shall be considered invalid. It shall be the applicant's responsibility to submit all required copies of the plat to the city of Carrollton in time to acquire city signatures and to file the plat before the twelve-month period expires.

(Ord. No. 2573, 11/07/00)

Reapproval of a final plat by the Planning and Zoning Commission may be applied for at any time after the approved plat becomes invalid. If the Planning and Zoning Commission should deem changes necessary in the reapproval of a final plat in light of new or significant information or requirements, it shall so inform the subdivider. A final plat submitted for reapproval shall be prepared in accordance with, and comply with, the requirements of this ordinance, the Comprehensive Zoning Ordinance, General Design Standards, and all other applicable requirements in effect at the time such application for reapproval is formally filed with the Planning Department.

4. CONTENT:

The final plat shall include the following items:

- a. The final plat and accompanying data shall conform to the preliminary plat, if applicable, as approved by the Planning and Zoning Commission, incorporating any and all changes, additions, modifications, alterations, and corrections stipulated by the Planning and Zoning Commission.
- b. The final plat shall contain all of the features required for preliminary plats in Article V of this ordinance, and shall bear the seal of a registered Texas surveyor. Topographic contours, identification of physical features and wooded areas shall not be required on a final plat.
- c. Engineering plans prepared by an engineer registered in the state of Texas shall be required when property is platted for the purpose of immediate development. Engineering plans shall include grading and drainage plans, water and sewer plans, and other plans as required by the City Manager or Designee. The engineering plans shall be approved by the City Manager or Designee prior to filing the plat with the appropriate county clerk.
(Ord. No. 2573, 11/07/00; Ord. No. 3271, 01/01/09)
- d. In addition to the various requirements for the preliminary plat, the final plat shall also include the following:

1. EXISTING FEATURES:

- a. The exact location, dimension, name and description of all existing or recorded streets, alleys, reservations, easements or public rights-of-way within the subdivision, intersecting or contiguous with its boundary or forming such boundary, or located in close proximity to the site, with accurate dimensions, bearings or deflecting angles and radii, area and central angle, chord bearing and distance, tangent distance and length of all curves, where appropriate.

2. PROPOSED FEATURES:

- a. The exact location, dimensions, description and names of all proposed streets, alleys, common areas, parks, public areas, playgrounds or other similar uses, reservations, easements or rights-of-way, blocks, lots and significant sites within the subdivision, with accurate dimensions, bearing or deflecting angles and radii, area and central angles, chord bearing and distance, tangent distance and length of all curves where appropriate.
- b. The surveyor of record for the plat shall submit, with the initial Plat submittal, full calculations for the closure of the tract, showing the bearings and distances as shown on the Final Plat, the computed acreage and square footage for the site and closure information for the site. Closure tolerances shall be in accordance with state statutes, but in no case less than 1:25,000. These calculations shall be signed and sealed by the surveyor of record for the plat.
(Ord. No. 3271, 01/01/09; Ord. No. 3301, 06/02/09)

- 3. All dimensions and bearings along the lines of each lot shall be shown. The curve data pertaining to block or lot boundary may be placed in a curve table at the base of the plat and prepared in the following manner:

CURVE TABLE

CURVE NUMBER	DELTA ANGLE	RADIUS FOR OUTER PROPERTY LINE	RADIUS FOR CENTER LINE	RADIUS FOR INNER PROPERTY LINE	TANGENT LENGTH	ARCH LENGTH	CHORD DISTANCE	CHORD BEARING
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- 4. The names of all adjoining subdivisions, the dimensions of all abutting lots, lot and block numbers and accurate reference ties to courses and distances of at least two (2) recognized land corners shall be shown. If adjacent property is not platted, note "NOT PLATTED" and the owner's name.
- 5. All approved street names shall be shown.

6. All abstract lines shall be shown and labeled.
7. The location and dimension of any easement, designated by use, adjoining or abutting the subdivision.
8. Description of the subdivision by metes and bounds shall be shown.
9. Point of beginning or commencement shall reference an original abstract or existing subdivision property corner. Primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referenced.
10. The final plat shall show a title including the name of the subdivision, the names, addresses and phone numbers of the owner and engineer or surveyor, scale and location of the subdivision with reference to original land grant or survey, abstract number, and a north arrow depicting true or magnetic north, and noting whether true or magnetic north is used.
11. Show the one hundred year flood plain limits based on ultimate watershed development, as determined by the City Engineer, or note that such property is not within the flood plain limits, if applicable. Finished floor elevations of two (2) feet above the one hundred year flood plain elevation shall be shown on the plat, where applicable.
12. Location and description of monuments, which shall be placed at each corner of the boundary survey of the subdivision, shall be shown as described in Article XI, Sec. C. (*Ord. No. 2772; 02/04/03*)
13. Lot and block numbers shall be shown.
14. The square footage of all lots which are not rectangular shall be shown in a table.
15. Certificates of the owner, surveyor and utility companies, a dedication statement, city signature block and other standard notes shall be placed on the final plat in accordance with Figure 1 (As applicable). (*Ord. No. 3271, 01/01/09*)
16. Homeowners Agreement:

When a subdivision contains common areas, drainage ways, screening walls or other facilities not located within the public right-of-way nor subject to city maintenance, or if landscaping, sidewalks, or other amenities are provided within the public right-of-way for which a license agreement is required by the city, a homeowners agreement, as evidenced by the covenants identifying the association, shall be placed on the plat. Such homeowners agreement shall be approved as part of the preliminary plat process.

The City Attorney will review the homeowners agreement as to form.

The following six (6) statements shall appear on the face of the plat and in the homeowners agreement:

- a. "The owner of fee simple title to every individual lot of land within the subdivision must be a member of the homeowners association."
- b. "The homeowners association must have the authority to collect membership fees."
- c. "The homeowners association must be responsible for the maintenance of all common areas and screening walls."
(Ord. No. 3271, 01/01/09)
- d. "The homeowners association must grant the city the right of access to common areas to abate any nuisances thereon, and attach a lien for the prorated cost of abatement upon each individual lot."
- e. "The homeowners association shall indemnify and hold the city harmless from any and all costs, expenses, suits, demands, liabilities, damages, or otherwise including attorney's fees and costs of suit, in connection with the city's maintenance of common areas."
- f. "The homeowners association shall enter into a license agreement with the city of Carrollton, where additional right-of-way has been dedicated for the purpose of providing landscaping, additional areas for sidewalks, walls, or other amenities, and shall be responsible for the installation and maintenance of all landscape areas that are in the public right-of-way."
(Ord. No. 2029, 10/18/94)

17. Homeowners association note, if required by preliminary plat approval:

A homeowners association covenant has been approved by the city of Carrollton and recorded in _____ (volume and page) _____. Such homeowners association shall be responsible for the maintenance of all common areas and facilities and screening walls located in _____ (lot and block number of common area) _____, or public right-of-way where a license agreement with the city of Carrollton is required, or otherwise identified on the plat.
(Ord. No. 2029, 10/18/94)

FIGURE 1

STANDARD NOTE

Selling off a portion of this addition by metes and bounds description, without a replat being approved by the city of Carrollton, is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.

(Ord. No. 3271, 01/01/09)

VISIBILITY NOTE

Intersection visibility triangles shall have the dimensions specified in Section 53.40 et seq. of the Carrollton Code of Ordinances.

CITY SIGNATURE BLOCK

On the _____ day of _____, 20____, this plat was duly approved by the Planning and Zoning Commission of the city of Carrollton.

Signed: _____
Chairman
Planning and Zoning Commission

Attest: _____
City Secretary

Signed: _____
Director of Urban Development

SURVEYOR CERTIFICATE

STATE OF TEXAS

I, _____, Registered Public Surveyor, hereby certify that I have
(Engineer/Surveyor's printed name)

prepared this plat from an actual on-the-ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Carrollton, Texas.

(Ord. No. 3271, 01/01/09)

Engineer/Surveyor's Signature

DEDICATION STATEMENT

(to be used in all instances)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

THAT (OWNER’S NAME) ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS (SUBDIVISION NAME), AN ADDITION TO THE CITY OF CARROLLTON, TEXAS AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS, AND PUBLIC USE AREAS SHOWN HEREON, AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE PLAT FOR THE PURPOSES INDICATED TO THE PUBLIC USE FOREVER, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS SHOWN HEREIN. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS ON SAID PLAT. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO A PARTICULAR UTILITY OR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC’S AND CITY OF CARROLLTON’S USE THEREOF. THE CITY OF CARROLLTON AND ANY PUBLIC UTILITY 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 EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS AND THE CITY OF CARROLLTON ON ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (OWNER’S NAME) DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE DESCRIBED STREETS, ALLEYS, EASEMENTS, AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF CARROLLTON.

WITNESS MY HAND THIS ____ DAY OF _____, 20__.

Signature of Owner

Position in Corporation (if applicable)

Name of Corporation (if applicable)

Lien Holder (if applicable)

If there is no lien holder, add the following statement:

To the best of my knowledge, there are no liens against this property.

Signature of Owner
(Ord. No. 2088, 07/18/95)

UTILITY CERTIFICATE

THIS PLAT CORRECTLY PRESENTS THE REQUIRED EASEMENTS FOR THIS DEVELOPMENT.

TXU ELECTRIC AND GAS _____

COSERV ELECTRIC _____

(Please refer to the "Plat Checklist" as supplied by the Urban Development for updated names of utility companies)
(Ord. No. 2565, 10/03/00)

NOTARY CERTIFICATE

STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared _____, 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 and in the capacity therein stated and as the act and deed therein stated.

(Ord. No. 3271, 01/01/09)

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Signature

Notary Stamp:

The following statement shall be included when detention is required:

“Notice of Confidentiality rights: If you are a Natural Person, you may remove or strike any of the following information from this instrument before it is filed for record in the Public Records: Your Social Security Number or your Drivers’ License Number.”

**DETENTION & DRAINAGE EASEMENT – (X.XX ACRES)
(BENEFITTING PROJECT)**

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF _____ §

THAT, _____, a _____, whether one or more, hereinafter called “Owner,” shall be subject to the following conditions which shall be binding upon the Owner, their heirs, grantees, successors and assigns. The facilities, together with all incidental improvements, and all necessary laterals in, upon and across certain real property located in the City of _____, _____ County, Texas, is more particularly described in Exhibit “A”, which is attached hereto and made a part hereof by reference as if fully set forth herein (the “Easement Property”). The Easement will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Easement. The City will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Easement, as herein above defined, unless approved by the City Engineer. Provided, however, it is understood that in the event it becomes necessary for the City to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by drainage in or adjacent to the subdivision, then in such event, the City shall have the right to enter upon the Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure or structures, within the Easement.

SIGNED my hand this _____ day of _____, 200__.

<u>GRANTORS NAME HERE IN BLACK</u>	
By:	
Name:	
Title:	
Address:	

ACKNOWLEDGMENT

THE STATE OF TEXAS§

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 200__ by _____ its _____ of the _____, a _____ corporation, on behalf of said corporation.

Notary Public in and for the
State of Texas

AFTER RECORDING, PLEASE RETURN TO:
(Ord. No. 3271, 01/01/09)