

**SUBDIVISION PLAT APPLICATION FORM B
AMENDING PLAT**

This section for staff use:

Date / Time Received

Initials

Instructions: Complete or indicate as Not Applicable (NA) all items.

SECTION I.**a. EXISTING SUBDIVISION PLAT BEING AMENDED, including recording information:** _____

b. PROPOSED AMENDING PLAT TITLE: _____

c. Total acreage of lots: _____**d. Total number of lots:** _____**e.** ☐ Inside city limits☐ ETJ☐ Unincorporated & outside ETJ**f. WATER SYSTEM:**☐ Public (TCEQ-certified public water supply system)☐ Individual wells**g. WASTEWATER SYSTEM:**☐ Public☐ Individual on-site sewage facilities**h. Are you proposing a residential subdivision, manufactured housing community, multi-unit residential development, business park, or other similar structure that uses On-Site Sewage Facilities for sewage disposal?** Yes _____ No _____**i. Will the proposed subdivision activity affect any existing On-Site Sewage Facilities components?** Yes _____ No _____**j. If you answered "Yes" to item h or i above, please submit item d on the next page.****CONTACTS:****Property Owner(s):** _____

Email: _____

Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Applicant/Authorized Agent: _____

Email: _____

Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

SECTION II.

APPLICATION REQUIREMENTS

There are no review fees for this plat application. Recording fees will be calculated and collected prior to plat approval.

- a. **Application Form B** (this form, completed and signed) ☐
- b. **Proposed Plat**--1 paper copies (18" x 24") + 1 emailed PDF ☐
- c. **Recorded Deeds** (copies) indicating current ownership of all property within plat boundary ☐
- d. **APPROVAL signed by Asst. County Engr. of Licensing Authority Recommendation for Private Sewerage Facilities** application (See items h, i, and j on previous page for conditions.) ☐
- e. **Tax Certificates**--sealed by Tax Office--showing current year's taxes paid in full (ORIGINAL--no copies) ☐
Additional documentation of property tax payment may be required after Sept. 1 of any given year, per Property Code § 12.002(e).
- f. **Lienholder Acknowledgement** (ORIGINAL--no copies) -OR- letter stating "no liens on plat property" ☐
- g. **Property Owner's Statement regarding Subdivision Covenants & Restrictions** (plus POA/HOA correspondence, if applicable) ☐

I affirm that I have provided all information required for my plat type and that this submission constitutes a complete plat application. I understand that within 10 business days of receipt of this application, Comal County will notify me of any missing documents and/or information necessary to complete this application. Furthermore, I consent to the online posting/public release of my email address associated with this plat application.

Owner or Authorized Agent Signature

Printed Name

Date

**Application for Licensing Authority Recommendation
for Private Sewerage Facilities for a Proposed Subdivision**

Date: _____

Subdivision Name: _____

Owner's Name: _____

Address: _____

Phone #: _____

Fee Schedule:

5 or less tracts: \$20/tract

6 or more tracts: \$100 base fee + \$5/tract

Total Fee: \$ _____

Received by: _____

Make Check Payable to Comal County

According to TAC §285.4(c), persons proposing residential subdivisions, manufactured housing communities, multi-unit residential developments, business parks, or other similar structures that use OSSFs for sewage disposal shall submit planning materials, prepared by a professional engineer or professional sanitarian, for these developments to the permitting authority and receive approval prior to submitting an OSSF application:

- An overall site plan
- Topographic map
- 100-year floodplain map
- Soil survey
- Location of water wells
- Locations of easements as identified in TAC §285.91(10) (relating to Tables)
- A complete report detailing the types of OSSFs to be considered and their compatibility with area-wide drainage and groundwater
- A comprehensive drainage plan
- Edwards Aquifer requirements that are pertinent to the proposed OSSF
- If the proposed development includes restaurants or buildings with food service establishments, the planning materials must show adequate land area for doubling the land needed for the treatment units

Comal County also asks for an existing improvements sketch and gate combination(s) in order to adequately inspect the site for use of OSSFs for sewage disposal.

Applicant/Agent Signature

Date of Review (must be within 45 days of receipt): _____

☐ Approved

☐ Denied

Reason(s) for Denial: _____

Reviewer: _____, D.R.

*** Note: This sheet shall be first with all planning materials listed above following behind.**

LIENHOLDER ACKNOWLEDGEMENT

I/We, _____ (mortgagee(s)),
owner(s) and holder(s) of a lien (or liens) against the property described in the plat known as
_____,
said lien(s) being evidenced by instrument(s) of record in Document(s) No. _____
of the Official Public Records of Comal County, Texas, do hereby in all things subordinate to
said plat said lien(s), and I/we hereby confirm that I am/we are the present owner(s) of said
lien(s) and have not assigned the same nor any part thereof.

The lienholder acknowledges that a foreclosure of said lien(s) will require the preparation of a
subdivision plat if the foreclosure results in a division of a tract of land, pursuant to applicable
state, county, and municipal regulations. The lienholder also acknowledges that the foreclosed
tract may not comply with applicable subdivision regulations without significant modification,
additional access, or other requirements.

By: _____
(Signature(s) of Lienholder(s))

(Name(s) and Title(s), printed)

STATE OF _____ §

COUNTY OF _____ §

Sworn to and Subscribed before me by _____

on the _____ day of _____, 20_____.

(Notary)

seal

(Printed name)

Property Owner's Statement regarding Subdivision Covenants and Restrictions

Please check the appropriate box below and enter the subdivision name.

- ☐ **1.** I am aware that this proposed amending plat within _____ (subdivision)
is regulated by covenants and restrictions; AND

 - the proposed amending plat does not attempt to remove recorded covenants or restrictions; AND
 - **I have attached correspondence from the subdivision's Property/Home Owners Association confirming the above statement.**

- ☐ **2.** I am aware that this proposed amending plat within _____ (subdivision)
is regulated by covenants and restrictions; AND

 - the proposed amending plat does not attempt to remove recorded covenants or restrictions; AND
 - **no active Property/Homeowners Association exists for said subdivision.**

- ☐ **3.** (a) This proposed amending plat is within _____ (subdivision); AND

 - **no recorded covenants or restrictions exist for said subdivision.**

I affirm that the statements that I have marked above are true and correct to the best of my knowledge.

Signature of Property Owner/Authorized Agent

Date

Printed name (and relationship, if not property owner)

AMENDING PLAT, Type 1, Purpose & Requirements

ORDER # 298



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

§

ORDER ADOPTING TEXAS LOCAL GOVERNMENT CODE §212.016(a)(9)&(b) AS AN ADDITIONAL PROCEDURE FOR PLAT REVISION

WHEREAS, Comal County regulates the revisions of plats pursuant to Texas Local Government Code Chapter 232, §232.009; and

WHEREAS, the use of the current Comal County Amendment to Plat procedure has resulted in considerable cost savings to the property owners of Comal County; and

WHEREAS, Texas Local Government Code Chapter 232, §232.0095(b) states that as an alternative to the provisions in § 232.009 governing the revision of plats, a county, by order, may adopt the provisions in §212.016, governing plat amendments; and

WHEREAS, pursuant to Texas Local Government Code Chapter 212, §212.016(a)(9)&(b), the authority responsible for approving plats may approve an amending plat, for the purpose of relocating one or more lot lines between one or more adjacent lots if:

- (A) the owners of all those lots join in the application for amending the plat,
- (B) the amendment does not attempt to remove recorded covenants or restrictions; and
- (C) the amendment does not increase the number of lots.

A notice, a hearing, and the approval of other lot owners are not required for the approval of an amending plat; and

WHEREAS, adoption of Texas Local Government Code §212.016(a)(9)&(b) will benefit Comal County property owners.

NOW, THEREFORE, BE IT ORDERED that the Commissioners Court of Comal County has considered the matter and deems it appropriate to adopt Texas Local Government Code §212.016(a)(9)&(b) as an additional procedure for plat revision.

AMENDING PLAT, Type 2, PURPOSES

Sec. 232.011. AMENDING PLAT.

(a) The commissioners court may approve and issue an amending plat, if the amending plat is signed by the applicants and filed for one or more of the following purposes:

- (1) to correct an error in a course or distance shown on the preceding plat;
- (2) to add a course or distance that was omitted on the preceding plat;
- (3) to correct an error in a real property description shown on the preceding plat;
- (4) to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
- (5) to correct any other type of scrivener or clerical error or omission of the previously approved plat, including lot numbers, acreage, street names, and identification of adjacent recorded plats; or
- (6) to correct an error in courses and distances of lot lines between two adjacent lots if:
 - (A) both lot owners join in the application for amending the plat;
 - (B) neither lot is abolished;
 - (C) the amendment does not attempt to remove recorded covenants or restrictions;

and

(D) the amendment does not have a material adverse effect on the property rights of the other owners of the property that is the subject of the plat.

(b) The amending plat controls over the preceding plat without the vacation, revision, or cancellation of the preceding plat.

(c) Notice, a hearing, and the approval of other lot owners are not required for the filing, recording, or approval of an amending plat.

Added by Acts 2007, 80th Leg., R.S., Ch. 1390 (S.B. 1867), Sec. 1, eff. September 1, 2007.

HIGH POINT CIRCLE (60' R.O.W.)

Draw a cloud around new items.

L=25.40'
R=370.00'
Δ=03°55'59"
C LEN=25.39'
BRG=S 34°04'37" E

S 42°09'20" E 95.20' (PER PLAT)

(PER PLAT)
C1

C2 (PER PLAT)

30' X 50'
DRAINAGE
ESM'T. (PER PLAT)
N 16°18' W 30.00'
S 73°42' W 50.00'

Strike or cross through items being changed.

~~LOT 1174~~
~~1.00 AC.~~

LOT 1174AP
1.003 ACRES

~~LOT 1175~~
~~1.00 AC.~~

LOT 1175AP
1.003 ACRES

LOT 1173

LOT 1178

S 47°50'40" W 325.00' (PER PLAT)

S 47°50'40" W 276.82' (PER PLAT)

S 42°09'20" E 134.60' (PER PLAT)

S 42°09'20" E 143.17' (PER PLAT)

N 42°09'20" W 8.73'

LOT 1182

LOT 1181

LOT 1180

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	370.00'	39.47'	39.46'	S 39°05'57" E	06°06'46"
C2	370.00'	151.46'	150.40'	S 24°18'57" E	23°27'13"



NOTES required on Amending Plats*

1. In accordance with the Texas Local Government Code, Chapter(s) 232.0095 and/or 232.011, the purpose(s) of this Amending Plat is/are to relocate the lot line(s) between adjacent Lots _____, and/or to _____ *(purpose(s) from list on next page under Chapter 232.011, if applicable).*
2. Property Owner(s): _____, Lot(s) _____
Lienholder: (Name & Address, or "None")
Deed of Trust (or Warranty Deed with Vendor's Lien) Doc. # _____,
Comal County Official Public Records
Lienholder Acknowledgment Doc. # _____ *(Leave blank, to be entered at time of plat recording.)*
3. *(Enter additional owner(s) & lienholder(s) information, as above, if applicable.)*
4. Date of plat preparation: _____

Place the following note *prominently* under the plat title:

**This Amending Plat controls over the preceding plat, (Plat Title),
recorded in (Volume & Page/Document#, Comal County Map & Plat
Records), without the vacation, revision, or cancellation of the preceding
plat.**

**Notes from the plat being amended are not necessary. The original plat notes remain in effect, per the statement above.*

EXAMPLE

Plat Title & Note:

**AMENDING PLAT OF
MYSTIC SHORES, UNIT TEN
AMENDING LOTS 1174 AND 1175,
ESTABLISHING LOTS 1174AP
AND 1175AP**

*THIS AMENDING PLAT CONTROLS OVER THE
PRECEDING PLAT, MYSTIC SHORES, UNIT TEN,
RECORDED IN VOLUME 14, PAGES 353-358 OF
THE COMAL COUNTY MAP AND PLAT RECORDS,
WITHOUT THE VACATION, REVISION, OR
CANCELLATION OF THE PRECEDING PLAT.*

LEGEND



- = 1/2" IRON ROD SET
- = FND 1/2" IRON ROD
- = RECORD INFORMATION

C.M.

= CONTROLLING MONUMENT



= ORIGINAL LOT LINE BEING CHANGED

(PER PLAT) = VOL. 14, PGS. 353-358, MAP & PLAT RECORDS, COMAL COUNTY, TEXAS



= ITEM AS AMENDED



= ITEM BEING AMENDED

EXAMPLE

Owner Certification:

STATE OF TEXAS:
COUNTY OF COMAL:

KNOW ALL MEN BY THESE PRESENTS:
THE OWNER OF THE LAND SHOWN ON THIS PLAT WHOSE NAME IS
SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT,
HEREBY AMEND(S) THE PLAT AS SHOWN.

OWNER
LEVONTE YAKIS
13150 BETHLEHEM DR. N.E.
GERVAIS, OREGON 97026

Chantel Born

OWNER'S AGENT
Chantel Born
2302 Gruene Lake Dr., Suite A
New Braunfels, Texas 78130

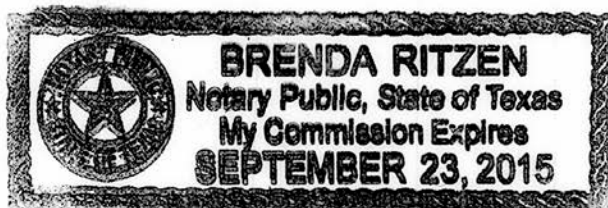
STATE OF TEXAS:
COUNTY OF COMAL:

BEFORE ME THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
CHANTEL BORN, OWNER'S AGENT, KNOWN TO ME TO BE THE PERSON WHOSE NAME
IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND ACKNOWLEDGED
TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND & SEAL OF OFFICE THIS 21st DAY OF May,
2015

Brenda Tef
NOTARY PUBLIC, STATE OF TEXAS

Brenda Ritzen
NOTARY PUBLIC (PRINT NAME)



EXAMPLE

SURVEYOR, CLERK, & COMMISSIONERS COURT CERTIFICATIONS



STATE OF TEXAS
COUNTY OF COMAL

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN
ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

RICHARD A. GOODWIN
REGISTERED PROFESSIONAL LAND SURVEYOR #4069
SHERWOOD SURVEYING & S.U.E.
P.O. BOX 992
SPRING BRANCH, TEXAS 78070

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE ____ DAY OF _____, A.D., 20__.

NOTARY PUBLIC, STATE OF TEXAS

NOTARY PUBLIC (PRINT NAME)

STATE OF TEXAS
COUNTY OF COMAL

I, BOBBIE KOEPP, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS
PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, A.D.,
20__, AT ____ .M. AND DULY RECORDED THE ____ DAY OF _____, A.D.
20__, AT ____ .M. IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN
DOCUMENT # _____ IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL
SEAL OF OFFICE THIS ____ DAY OF _____, A.D. 20__.

COUNTY CLERK
COMAL COUNTY, TEXAS

BY: _____
DEPUTY

AMENDING PLAT OF VINTAGE OAKS AT THE
VINEYARD, UNIT 1, AMENDING LOTS 84 AND 85,
THIS _____ ESTABLISHING LOTS 84AP AND 85AP _____ HAS BEEN SUBMITTED TO AND CONSIDERED
BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS AND IS HEREBY APPROVED FOR FILING
BY SAID COURT ON _____, 20__.
DATED THIS ____ DAY OF _____, A.D., 20__.

BY: _____
COUNTY JUDGE

ATTEST: _____
COUNTY CLERK — DEPUTY