HARRIS COUNTY

OFFICE OF THE COUNTY ENGINEER

1001 Preston, Suite 500 Houston, Texas 77002 (713) 755-5370

March 18, 2021

Honorable County Judge & Commissioners

Attention: Commissioner Adrian Garcia

SUBJECT: Recommendation that Commissioners Court approve the revision to

the subdivision plat entitled DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3 under Local Government Code 232.009(c-1)

in Precinct 2.

Dear Court Members:

Pursuant to a Court Letter dated February 23, 2021, confirming the determination that said replat does not affect a public interest or public property of any type, including but not limited to, a park, school or road and establishing March 30, 2021 as the necessary public meeting for discussion of the proposed replat in accordance with Local Government Code 232.009(c-1).

If it meets with the approval of Commissioners Court, it is recommended that the revision to the subdivision plat entitled **DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3** be approved as requested and as described in the attached Court Order. If this request is granted, please submit a certified copy of the Court Order to this office for further processing.

This court letter and associated procedure has been reviewed and approved by the County Attorney's Office as necessary and appropriate.

Sincerely,

Loyd Smith for John R. Blount, P.E., LEED AP

County Engineer

JRB/jeb/vht Attachments

cc: Mike Lykes Milton Rahman, P.E. Tiko Reynolds-Hausman

Tiko Reynolds-Hausman Faustino Benavidez, P.E. Misty Rios Rosalie Brockman Juan Hernandez Jose Jimenez Chris Saddler Tiffany Harding

STATE OF TEXAS	Š
COUNTY OF HARRIS	

ORDER

On this the <u>30th</u> day of <u>March 2021</u>, at a regular meeting of the Commissioners Court of Harris County, sitting as the governing body of Harris County, with the following members present to wit:

Lina Hidalgo Rodney Ellis Adrian Garcia Tom S. Ramsey, P.E. R. Jack Cagle	Con Con	nmission nmission nmission	nty Judge er, Precinct 1 er, Precinct 2 er, Precinct 3 er, Precinct 4
And the following member(s) absent to wit:among other business, the following was transact	ted:		constituting a quorum, when
ORDER TO PERMIT THE REVISION OF "DREAMLAND PLACE SECTIO			
	otion f	or the ad	otion that the same be adopted. loption of the order. The motion g vote:
	Yes	No	Abstain
Judge Hidalgo			
Commissioner Ellis			
Commissioner Garcia			
Commissioner Ramsey			
Commissioner Cagle			

The County Judge thereupon announced that the order had been duly and lawfully adopted. The order thus adopted reads as follows:

ORDER

BE IT ORDERED, ADJUDGED, and DECREED by the Commissioners Court of Harris County, Texas that in accordance with the Local Government Code 232.009 (c-1) that the revision to the subdivision plat does not affect a public interest or public property of any type, including but not limited to, a park, school or road.

- Written notice of the application was provided to the owners of the lots that are within 200 feet of the subdivision plat to be revised, as indicated in the most recent records of the Harris County Appraisal District.
- Notice of the plat application was posted on the Internet website of the Harris County Engineering Department continuously for at least 30 days preceding the date of the meeting to consider the plat application until the day after the meeting.
- The revision will not interfere with the established rights of any owner of a part of the subdivided lands; or each owner whose rights may be interfered with has agreed to the revision.

LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

SUBTITLE B. COUNTY REGULATORY AUTHORITY

CHAPTER 232. COUNTY REGULATION OF SUBDIVISIONS

SUBCHAPTER A. SUBDIVISION PLATTING REQUIREMENTS IN GENERAL

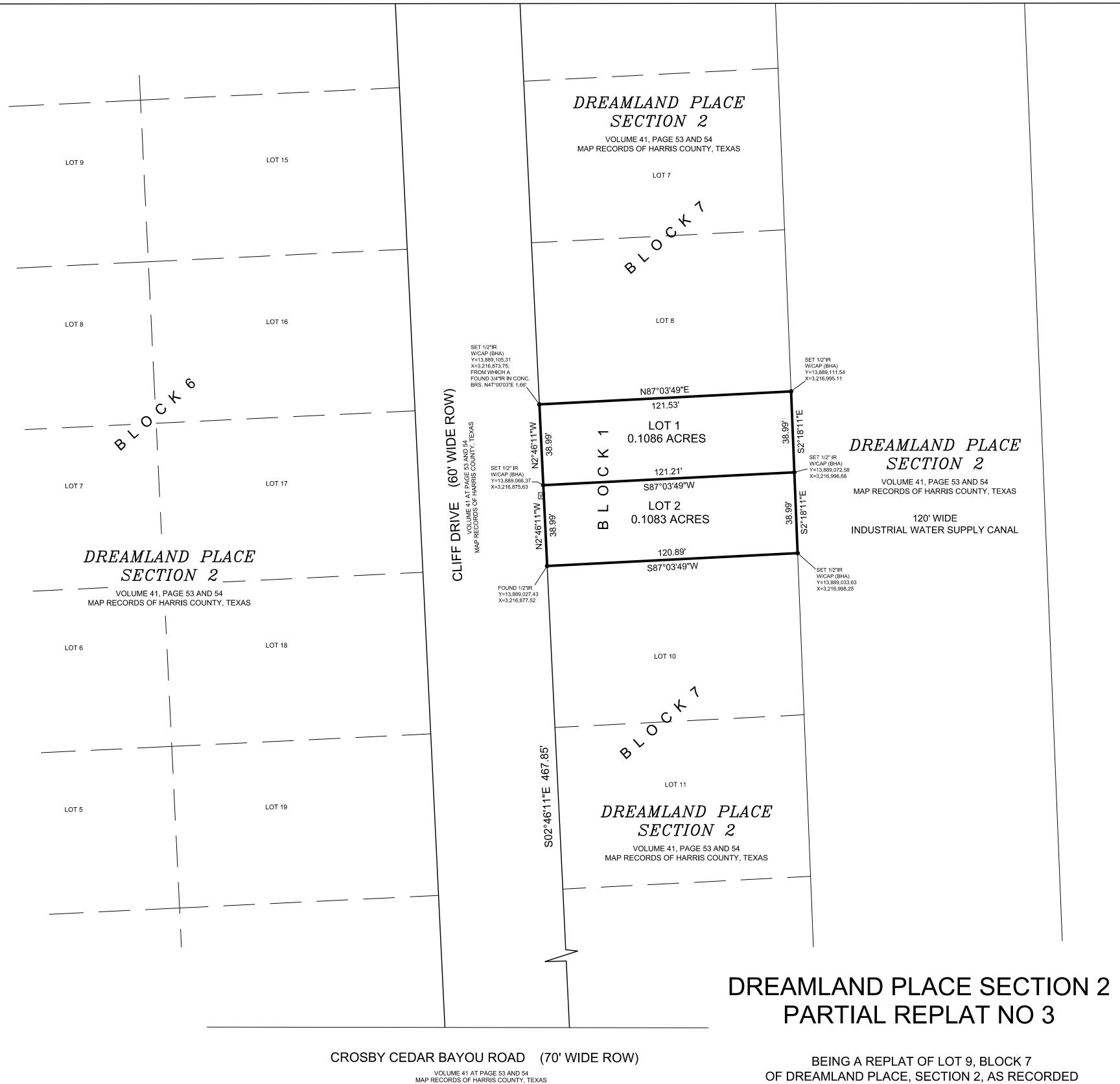
- Sec. 232.009. REVISION OF PLAT. (a) This section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities with a population of 1.5 million or more, as determined under Chapter 42.
- (b) A person who owns real property in a tract that has been subdivided and that is subject to the subdivision controls of the county in which the property is located may apply in writing to the commissioners court of the county for permission to revise the subdivision plat that applies to the property and that is filed for record with the county clerk.
- (c) Except as provided by Subsection (c-1), after the application is filed with the commissioners court, the court shall publish a notice of the application in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three times during the period that begins on the 30th day and ends on the seventh day before the date of the meeting. Except as provided by Subsection (f), if all or part of the subdivided tract has been sold to nondeveloper owners, the court shall also give notice to each of those owners by certified or registered mail, return receipt requested, at the owner's address in the subdivided tract.
- (c-1) If the commissioners court determines that the revision to the subdivision plat does not affect a public interest or public property of any type, including, but not limited to, a park, school,

or road, the notice requirements under Subsection (c) do not apply to the application and the commissioners court shall:

- (1) provide written notice of the application to the owners of the lots that are within 200 feet of the subdivision plat to be revised, as indicated in the most recent records of the central appraisal district of the county in which the lots are located; and
- (2) if the county maintains an Internet website, post notice of the application continuously on the website for at least 30 days preceding the date of the meeting to consider the application until the day after the meeting.
- (d) During a regular term of the commissioners court, the court shall adopt an order to permit the revision of the subdivision plat if it is shown to the court that:
- (1) the revision will not interfere with the established rights of any owner of a part of the subdivided land; or
- (2) each owner whose rights may be interfered with has agreed to the revision.
- (e) If the commissioners court permits a person to revise a subdivision plat, the person may make the revision by filing for record with the county clerk a revised plat or part of a plat that indicates the changes made to the original plat.
- (f) The commissioners court is not required to give notice by mail under Subsection (c) if the plat revision only combines existing tracts.
- (g) The commissioners court may impose a fee for filing an application under this section. The amount of the fee must be based on the cost of processing the application, including publishing the notices required under Subsection (c) or (c-1).

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 345, Sec. 6, eff. Aug. 28, 1989; Acts 1999, 76th Leg., ch. 129, Sec. 8, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 523, Sec. 9, eff. June 20, 2003. Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 430 (S.B. 552), Sec. 1, eff. June 14, 2013.



GENERAL NOTES:

NOTE 1: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83. ALL DISTANCES ARE ACTUAL DISTANCES. SCALE FACTOR = 1.0000000.

NOTE 2: DETENTION IS NOT REQUIRED IF THE DEVELOPED AREA IS LIMITED TO THE FIRST 150 FEET OR THE TOTAL IMPERVIOUS DEVELOPED AREA DOES NOT EXCEED THE AREA CALCULATED BY MULTIPLYING THE 150-FOOT LOT DEPTH BY THE LOT WIDTH ADJACENT TO THE PUBLIC ROAD.

NOTE 3: THIS PLAT REQUIRES COMPLIANCE WITH LANDSCAPING REQUIREMENTS PRIOR TO OCCUPANCY OF STRUCTURES AS MANDATED IN "REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE".

NOTE 4: SUBJECT TO RESTRICTIONS AND UNDETERMINED EASEMENTS AS SET OUT ON RECORDED PLAT/MAP RECORDED IN VOLUME 41, PAGE 53 AND 54 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

OF DREAMLAND PLACE, SECTION 2, AS RECORDED IN VOLUME 41 PAGE 53 AND 54 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS

CONTAINING 0.2169 OF AN ACRE OUT OF THE CHAS. WARE SURVEY, A-784, HARRIS COUNTY, TEXAS

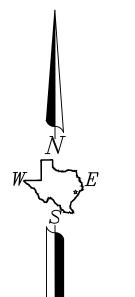
> FEBRUARY 2021 2 LOT 1 BLOCK JURISDICTION: HARRIS COUNTY, TEXAS NO ETJ.

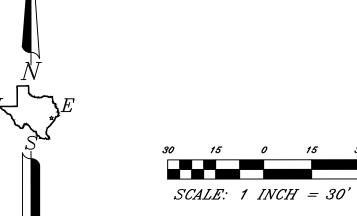
> > OWNERS: JOSE VALDES

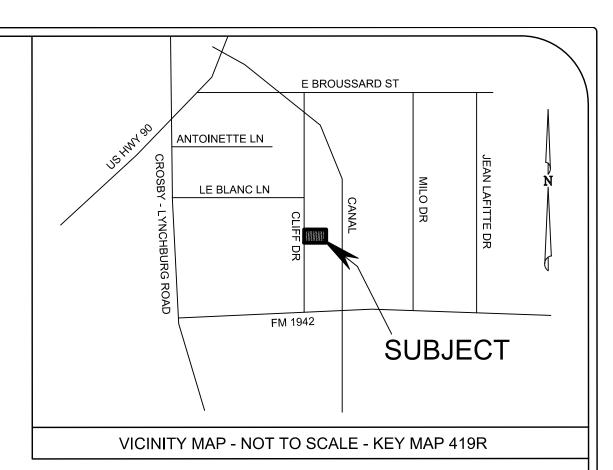
REASON FOR REPLAT: TO CREATE TWO LOT

HUTCHISON & ASSOCIATES

ENGINEERS AND SURVEYORS 1209 DECKER DR. ~ BAYTOWN, TEXAS 77520 ~ 281-422-8213 ENG. FIRM # F-267 ~ SURVEYING FIRM # 100293-00







THIS IS TO CERTIFY THAT I, JULIENE HARROD, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4379, OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND; AND THAT ALL CORNERS OF BLOCK LINES, POINT OF INTERSECTIONS OF CURVES, AND TANGENTS OF THE SUBDIVISION ARE PROPERLY MARKED AS SHOWN AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME.

JULIENE HARROD

RPLS No. 4379

I, John R. Blount, County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage

John R. Blount, P.E., LEED AP County Engineer

I, Teneshia Hudspeth, County Clerk of Harris County and ex officio clerk of the Harris County Commissioners' Court, do hereby certify that the within instrument was approved at a legally convened meeting of the Harris County Commissioners' Court held _, 2021 by an order entered into the minutes of the court.

Teneshia Hudspeth County Clerk of Harris County, Texas

I, Teneshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _, 2021, at ____ o'clock __.M., and duly recorded on 2021, at ____ o'clock ___.M., and at Film Code No. of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

Teneshia Hudspeth of Harris County, Texas

STATE OF TEXAS COUNTY OF HARRIS

I, Jose Valdes, owner, hereinafter referred to as Owners of the 0.2169 acre tract described in the above and foregoing map of DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3, do hereby make and establish said subdivision and development plan 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, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the

FURTHER, Owner have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21'

FURTHER, Owner do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed

FURTHER, Owner have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back-to-back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

FURTHER, Owner do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owner do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owner do hereby covenant and agree that all of the property within the boundaries of this plat 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, planting 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.

FURTHER, Owner certify and covenant that they have complied with or will comply with existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioners' Court of

ns County.		
WITNESS my hand in the City of Baytown, Texas, this	day of	, 2021.

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared JOSE VALDES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this

_____, 2021

Notary Public in and for the State of Texas

Harris County, Texas

1001 Preston St., Suite 934 Houston, Texas 77002

Staff Report

File #: 21-553	Agenda Date : 2/26/2021			Agenda #: 50.		
			YES	NO	ABSTAIN	
		Judge Lina Hidalgo	abla			
		Comm. Rodney Ellis	abla'			
		Comm. Adrian Garcia	abla'			
_		Comm. Tom S. Ramsey	abla'			
То:	Harris County Commissioners Court	Comm. R. Jack Cagle	abla			
Through: Prepared By:	John R. Blount, P.E., County Engineer, Office Veronica H. Thomas, Manager, Office of the C					
Subject:	Letter - Dreamland Place Section 2 Partial Re	plat No 3				

Purpose and Request:

Project ID (If applicable]:

Recommendation by the County Engineer to Proceed with Public Notice for the Revision of a Subdivision Plat to be called DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3 under Local Government Code 232.009(c-1) and Designate the March 30, 2021 Commissioners Court meeting as a Public Meeting for Consideration of the Replat Application, Precinct 2.

Background and Discussion:

Public hearing required by state law, Local Government Code 232.009(c-1).

Fiscal Impact:

Not applicable

Fiscal Summary			
Expenditures	FY 20-21	FY 21-22 Projected	Future Years Projected [3 additional years]
Service Impacted: Not	a		
Existing Budget			
Additional Appropriation	F		
Total Expenditures			
Funding Sources			
Existing Department Bud	9		
Please Identify Funding S Special Revenue, Grant,			
INSERT FUNDING SOU	1		
Total Sources			

Alternatives:

File #: 21-553 Agenda Date: 2/26/2021 Agenda #: 50.

Not applicable

Alignment with Strategic Objective:

Not applicable

Attachments:

Letter, Notice and Local Government Code

Presented to Commissioners Court

February 26, 2021

Approve: C/E

HARRIS COUNTY

OFFICE OF THE COUNTY ENGINEER

1001 Preston, Suite 500 Houston, Texas 77002

Chris Saddler

Tiffany Harding

February 11, 2021

Honorable County Judge & Commissioners

Attention: Commissioner Adrian Garcia

SUBJECT: Recommendation by the County Engineer to Proceed with Public Notice for

the Revision of a Subdivision Plat to be called DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3 under Local Government Code 232.009(c-1) and Designate the March 30, 2021 Commissioners Court meeting as a Public Meeting for Consideration of the Replat Application,

Precinct 2.

Dear Court Members:

The County Engineer has received an application from an owner of a tract who wishes to subdivide an existing residential lot in the plat of "DREAMLAND PLACE SECTION 2" recorded at Volume 41, Page 53 in the Harris County Map Records. The plat is located within Harris County, but outside of municipalities and outside of the extraterritorial jurisdiction of municipalities with a population of 1.5 million or greater, and therefore additional requirements have been set for the review and approval based on Local Government Code 232.009.

The County Engineer recommends that Commissioners Court confirm the determination that said replat does not affect a public interest or public property of any type, including but not limited to, a park, school or road. The determination will provide the necessary guidance to the County Engineer to provide public notice in accordance with Local Government Code 232.009(c-1), including establishment of the March 30, 2021 Commissioners Court meeting as the necessary public meeting for discussion of the proposed replat.

Harris County Commissioners Court will be provided with two additional opportunities to evaluate the proposed replat prior to its approval and recordation.

This court letter and associated procedure has been reviewed and approved by the County Attorney's Office as necessary and appropriate.

Sincerely,

John R. Blount, P.E., LEED AP

Loyd Smith for

County Engineer

JRB/jeb/vht Attachments

cc: Mike Lykes Misty Rios
Milton Rahman, P.E. Rosalie Brockman
Tiko Reynolds-Hausman Juan Hernandez
Faustino Benavidez, P.E. Jose Jimenez

OFFICE OF THE COUNTY ENGINEER

1001 Preston, Suite 500 Houston, Texas 77002 (713) 755-5370

<u>NOTICE</u>

Date: February 11, 2021

Subject: DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3

All,

Harris County has received the plat application to Approve the Revision of a Plat to be called "DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3": Being a subdivision of a 0.2169 Acre tract of land situated in the Thomas Toby Survey, Abstract No. 784 and also being a Replat of Lot 9, Block 7 of Dreamland Place Section 2 as recorded in Volume 41, Page 53 of the Map Records of Harris County, Texas.

Notice is hereby given that a public meeting of the Commissioners Court of Harris County, Texas, will be held on **Tuesday, March 30, 2021 at 10:00 a.m.** in the Courtroom of the Commissioners Court of Harris County, Texas, on the ninth floor of the Harris County Administration Building, 1001 Preston Avenue, Houston, Texas 77002, for the purpose of considering and taking action on this matter brought before the Court.

Due to global pandemic COVID-19, the public meeting may be held online so visit www.harriscountytx.gov/Government/Court-Agenda/Court-Videos. If you wish to speak at the meeting please call 713-274-1111 or sign up at appearancerequest.harriscountytx.gov.

If any other further assistance is needed, please contact me directly.

Sincerely,

John R. Blount, P.E., LEED AP

Loyd Smith for

County Engineer