

By: Guillen

H.B. No. 2798

A BILL TO BE ENTITLED

AN ACT

relating to the filing of an amended subdivision plat with a county to correct certain errors or omissions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 232, Local Government Code, is amended by adding Section 232.011 to read as follows:

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

1 lines between two adjacent lots if:

2 (A) both lot owners join in the application for
3 amending the plat;

4 (B) neither lot is abolished;

5 (C) the amendment does not attempt to remove
6 recorded covenants or restrictions; and

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

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

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

16 SECTION 2. Subchapter B, Chapter 232, Local Government
17 Code, is amended by adding Section 232.044 to read as follows:

18 Sec. 232.044. AMENDING PLAT. The commissioners court may
19 approve and issue an amending plat under this subchapter in the same
20 manner, for the same purposes, and subject to the same related
21 provisions as provided by Section 232.011.

22 SECTION 3. Subchapter C, Chapter 232, Local Government
23 Code, is amended by adding Section 232.081 to read as follows:

24 Sec. 232.081. AMENDING PLAT. The commissioners court may
25 approve and issue an amending plat under this subchapter in the same
26 manner, for the same purposes, and subject to the same related
27 provisions as provided by Section 232.011.

1 SECTION 4. This Act takes effect September 1, 2007.