

1-1 By: Zaffirini S.B. No. 1867
1-2 (In the Senate - Filed March 9, 2007; March 22, 2007, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 19, 2007, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; April 19, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the filing of an amended subdivision plat with a county
1-9 to correct certain errors or omissions.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter A, Chapter 232, Local Government
1-12 Code, is amended by adding Section 232.011 to read as follows:

1-13 Sec. 232.011. AMENDING PLAT. (a) The commissioners court
1-14 may approve and issue an amending plat, if the amending plat is
1-15 signed by the applicants and filed for one or more of the following
1-16 purposes:

1-17 (1) to correct an error in a course or distance shown
1-18 on the preceding plat;

1-19 (2) to add a course or distance that was omitted on the
1-20 preceding plat;

1-21 (3) to correct an error in a real property description
1-22 shown on the preceding plat;

1-23 (4) to show the location or character of a monument
1-24 that has been changed in location or character or that is shown
1-25 incorrectly as to location or character on the preceding plat;

1-26 (5) to correct any other type of scrivener or clerical
1-27 error or omission of the previously approved plat, including lot
1-28 numbers, acreage, street names, and identification of adjacent
1-29 recorded plats; or

1-30 (6) to correct an error in courses and distances of lot
1-31 lines between two adjacent lots if:

1-32 (A) both lot owners join in the application for
1-33 amending the plat;

1-34 (B) neither lot is abolished;

1-35 (C) the amendment does not attempt to remove
1-36 recorded covenants or restrictions; and

1-37 (D) the amendment does not have a material
1-38 adverse effect on the property rights of the other owners of the
1-39 property that is the subject of the plat.

1-40 (b) The amending plat controls over the preceding plat
1-41 without the vacation, revision, or cancellation of the preceding
1-42 plat.

1-43 (c) Notice, a hearing, and the approval of other lot owners
1-44 are not required for the filing, recording, or approval of an
1-45 amending plat.

1-46 SECTION 2. Subchapter B, Chapter 232, Local Government
1-47 Code, is amended by adding Section 232.044 to read as follows:

1-48 Sec. 232.044. AMENDING PLAT. The commissioners court may
1-49 approve and issue an amending plat under this subchapter in the same
1-50 manner, for the same purposes, and subject to the same related
1-51 provisions as provided by Section 232.011.

1-52 SECTION 3. Subchapter C, Chapter 232, Local Government
1-53 Code, is amended by adding Section 232.081 to read as follows:

1-54 Sec. 232.081. AMENDING PLAT. The commissioners court may
1-55 approve and issue an amending plat under this subchapter in the same
1-56 manner, for the same purposes, and subject to the same related
1-57 provisions as provided by Section 232.011.

1-58 SECTION 4. This Act takes effect September 1, 2007.

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