

By: Callegari

H.B. No. 4473

A BILL TO BE ENTITLED

AN ACT

relating to the monumentation of residential subdivisions in a municipality.

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

SECTION 1. Chapter 212, Local Government Code, is amended by adding Section 212.0041 as follows:

Sec. 212.0041. MONUMENTATION OF RESIDENTIAL SUBDIVISIONS.

(a) For any residential subdivision that requires construction of infrastructure improvements, the registered professional land surveyor shall set or have set under his/her direct supervision the required subdivision corners as follows:

(1) All subdivision corners as noted on a plat required by Section 212.004 prior to the recordation of the subdivision plat; or

(2) The exterior/perimeter subdivision boundary corners as set prior to the commencement of infrastructure improvements, and within the earlier of one calendar year of recordation of the subdivision plat or six months of final acceptance of the infrastructure improvements by the approving authority, all of the required interior lot corners and all of the lost or destroyed exterior/perimeter subdivision boundary corners and right-of-way corners.

(b) If all required subdivision corners have not been set in accordance with subsection (a)(1), the registered professional

1 land surveyor shall indicate by plat notation the monuments that  
2 will be set subsequent to recordation of the plat, and will include  
3 the following notation in the plat certification: "Monuments as  
4 noted to be set in accordance with Sec. 212.0041, Texas Local  
5 Government Code."

6 (c) A plat with the notation under Subsection (b) shall have  
7 recorded with the county clerk of the county in which the land is  
8 located, an affidavit stating that the required subdivision corners  
9 as noted on the plat have been set.

10 SECTION 2. This Act takes effect September 1, 2009.