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**JOYCE HUDMAN**  
**COUNTY CLERK**  
[www.brazoriacountyclerktx.gov](http://www.brazoriacountyclerktx.gov)

**PLAT REGULATIONS**  
**RECORDING SUBDIVISION PLATS**  
**(Revised January 21, 2009)**

1. All plats must be made on milar or kronar tracing linen with India ink in sizes 12X18, 18X24, 18X36, 18X48 or 24X36 and printed on the front side of the document.
2. All written matter should be clearly and legibly lettered or printed on the face of the plat and shall include all dedications, signatures by the owners, surveyor, lienholder (if applicable), notary acknowledgments, and members of governing bodies of any and all political subdivisions to whom any plat shall be presented for approval. (Some Cities may adopt an ordinance to allow only their Mayor, Engineer and City Secretary to sign approved plats. They will need to provide the ordinance.)
3. The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds (Local Gov. Code 212.004c)

***Local Government Code 212.004***

***c. The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds.***

4. All plats must be approved prior to recording by the City (Local Gov. Code 212.047) or Commissioners' Court (Local Gov. Code 232.002a).

***Local Government Code 212.047 = Approval of Development Plat***

***The municipality shall endorse approval on a development plat filed with it...***

***Local Government Code 232.002 = Approval by County Required***

***(a) The Commissioners' Court of the county in which the land is located must approve, by an order entered in the minutes of the court, a plat required by Section 232.001.***

5. An original tax certificate must be recorded when the plat (replat or amended) is recorded. The tax certificates are to be from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the real property (TX Property Code 12.002e). These tax certificates must include a complete signature and seal of each taxing entity. The only taxing entity that does not require a seal is a MUD district.

***Plats filed between September 1 and when tax statements for current year are mailed out: (Per Tax Office, Current Tax Certificates must accompany the plats filed After September 1 – 12.002.e)***

Tax certificates must have a special statement included that states ***“taxes for Current year have not be calculated”***.

***Plats filed after current year tax statements are mailed out:***

Even though taxes are not delinquent until February 1 of the next year, plats (replat or amended) that are filed **after tax statements are mailed out for current year** must have tax certificate from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the real property. These tax certificates must include a complete signature and seal of each taxing entity. The only taxing entity that does not require a seal is a MUD district.

Texas Property Code 12.002e = Dedication

***(e) A person may not file for record or have recorded in the***

***(e) A person may not file for record or have recorded in the county clerk's office a plat, replat, or amended plat or replat of a subdivision of real property unless the plat, replat, or amended plat or replat has attached to it an original tax certificate from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the real property. If the plat, replat, or amended plat or replat is filed after September 1 of a year, the plat, replat, or amended plat or replat must also have attached to it a tax receipt issued by the collector for each taxing unit with jurisdiction of the property indicating that the taxes imposed by the taxing unit for the current year have been paid or, if the taxes for the current year have not been calculated, a statement from the collector for the taxing unit indicating that the taxes to be imposed by that taxing unit for the current year have not been calculated. If the tax certificate for a taxing unit does not cover the preceding year, the plat, replat, or amended plat or replat must also have attached to it a tax receipt issued by the collector for the taxing unit indicating that the taxes imposed by the taxing unit for the preceding year have been paid.***

The tax certificates should reflect acreage which is equal to or greater than the amount of acreage or lots as described on the plat (replat or amended) to be recorded.

Cemetery plats on *new cemeteries* require tax certificates and dedication language on plat or a separate document recorded at same time as plat. Replats of cemetery plats for existing cemeteries which are adding a section within the existing cemetery do not require tax certificates or approval by City but does require signature of owner or authorized person to be acknowledged by notary. (Texas Health & Safety Code 711.034)

***Texas Health & Safety Code 711.034. DEDICATION.***

- (a) A cemetery organization that acquires property for interment purposes shall:***
  - (1) in the case of land, survey and subdivide the property into gardens or sections, with descriptive names or numbers, and make a map or plat of the property showing the plots contained within the perimeter boundary and showing a specific unique number for each plot; or***
  - (2) in the case of a mausoleum or a crematory and columbarium, make a map or plat of the property delineating sections or other divisions with descriptive names and numbers and showing a specific unique number for each crypt, lawn crypt, or niche.***
- (b) The cemetery organization shall file the map or plat with the county clerk of each county in which the property or any part of the property is located.***
- (c) The cemetery organization shall file with the map or plat a written certificate or declaration of dedication of the property delineated by the map or plat, dedicating the property exclusively to cemetery purposes...***

6. Individuals recording plats that are outside of city limits and subject to County policy should review the current Brazoria County Subdivision Regulations Revisions which are available at the County Engineer’s Office or on the County Website at the Engineer’s Office site.

7. When recording Replats and/or Amended Plats, they must have original signatures of the authorized municipality and the applicant(s) and be notarized. They must also have the Surveyor and their seal on the Replat and/or Amended Plat. (Local Govt. Code 212.016) They must have the wording ‘Amended’ or ‘Replat’ on the face of the plat.

***Local Government Code 212.016 =***

- (a) The municipal authority responsible for approving plats may approve and issue an amending plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:***
  - (1) to correct an error in a course or distance shown on the preceding plat;***

8. Name of plat needs to be printed on the Plat.

9. Document File Number – a space which measures 2” X 2” shall be provided on the top right corner of the first page of the plat in order to give the Clerk sufficient spacing to place the Document File Number.

10. File for Record – a space which measures 4” X 4” shall be provided on the bottom right corner of the last page of the plat in order to give the Clerk sufficient spacing to place the Document File for Record.
11. Plats are recorded, and held till the day has been posted. Once the day has been posted contact the customer to come pick up the plat. Fill out the Recorded Plat form located on the P:drive –E. Annex – Forms – Mailing- Recorded Plats.
12. If plat is located in the ETJ of a city, the customer must provide an extra original to be filed and sent to the Brazoria County Engineer’s office.