

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

INTERLOCAL AGREEMENT CONCERNING
THE REGULATION OF SUBDIVISION PLATTING

This agreement is made at Angleton, Brazoria County, Texas between BRAZORIA COUNTY, TEXAS acting through its Commissioner’s Court (hereinafter “County”), and THE CITY OF ANGLETON, TEXAS, acting through its Mayor (hereinafter “City”).

NOW THEREFORE, THE COUNTY AND CITY agree as follows:

1.0 County presently regulates the platting of subdivisions in the area located outside of the city limits of the various municipalities located within the County pursuant to Texas Local Government Code §§232.001-232.005. No part of the County is located within the extraterritorial jurisdiction of a municipality which has a population exceeding 1.9 million people. County is not located within fifty miles of an international border and is not subject to the provisions of Texas Local Government Code Subchapter C, Chapter 232.

1.1 County and City wish to enter into an interlocal agreement pursuant to Texas Local Government Code §242.001(c) concerning the regulation of subdivisions located within the City’s extraterritorial jurisdiction.

1.2 Pursuant to Texas Local Government Code §242.001(d)(1) the City shall have exclusive jurisdiction to regulate plats and approve related permits in that part of the extraterritorial jurisdiction set out in Exhibit "A" attached hereto and incorporated herein by reference; provided, however, that the County expresses no opinion regarding which city has exclusive jurisdiction to regulate platting and approve related permits in the areas of the extraterritorial jurisdiction with competing claims for such authority by more than one city. With respect to the portion of the extraterritorial jurisdiction shown in Exhibit "A", the City may regulate subdivisions pursuant to Chapter 212 of the Texas Local Government Code and the City's ordinances and regulations..

1.3 Pursuant to Texas Local Government Code §242.001(d)(1) the County shall have exclusive jurisdiction to regulate subdivision plats and approve related permits in the remaining portion of the City's extraterritorial jurisdiction which is located in Brazoria County, Texas.

1.4 If the County determines that the City is not applying its subdivision regulations in the area described in Exhibit "A", the County shall give written notice to the City of such noncompliance. If the City does not respond by enforcing its subdivision regulations within a reasonable time, then the County can seek appropriate legal relief to enforce this agreement.

1.5 The City will be responsible for enforcing federal emergency management agency regulations and onsite sewage regulations promulgated by the Texas Natural Resources Conservation Commission, where applicable, in the area described in Exhibit "A".

1.6 The City shall provide two blue line or black line paper copies of approved construction drawings of improvements to the County Engineer for the area described in Exhibit "A".

1.7 The City shall provide the County Engineer with one reproducible copy on stable base film of the recorded plat upon recording by the County Clerk for the area described in Exhibit "A".

1.8 The City recognizes that roads which do not meet or exceed the standards established by the County may not be accepted into the county road system. The County and City shall be named as joint obligees on any construction or performance and maintenance bonds required of a subdivision developer constructing improvements in the area of the extraterritorial jurisdiction described in Exhibit "A".

1.9 Within ten (10) working days of receipt of a preliminary plat for a subdivision requiring construction of road(s) or street(s) within the area described in Exhibit "A" the City shall provide written notice to the County that such preliminary plat has

been received by the City. The written notice shall include the general location of the subdivision and the name and address of the developer.

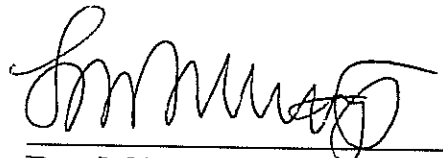
1.10 If it is later determined that any part of the area shown in Exhibit "A" is the exclusive extraterritorial jurisdiction of another city the County agrees that Angleton shall not be responsible for any of the obligations set forth in this Agreement with respect to such area. In such case Angleton agrees to notify the County so that this Agreement may be amended accordingly.

Signed this 21 day of MAY, 2002.


BRAZORIA COUNTY, TEXAS

CITY OF ANGLETON, TEXAS

By: John Willy
Brazoria County Judge



By: MATT SEBESTA, Mayor



Attest: David Emswiler
City Secretary