

ORDINANCE SCATTERED OAKS SUBDIVISION FINAL PLAT

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF NEW BERLIN, TEXAS;
APPROVING THE FINAL PLAT FOR THE SCATTERED OAKS SUBDIVISION**

WHEREAS, (Chapter 212.004 – Plat required, of the Texas Local Government Code and/or Charter) of the City of New Berlin, Texas, an incorporated city, provides for the process of final plat procedures of a subdivision:

(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.

(b) To be recorded, the plat must:

- (1) describe the subdivision by metes and bounds;
- (2) locate the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part; and
- (3) state the dimensions of the subdivision and of each street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part.

(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.

(d) The plat must be filed and recorded with the county clerk of the county in which the tract is located.

(e) The plat is subject to the filing and recording provisions of Section [12.002](#), Property Code.

WHEREAS, the procedures prescribed by the (Texas Local Government Code and/or Charter) of the City of New Berlin, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit for final plat approval:

Real property located at 1480 Church Road, Seguin Texas (Exhibit A). Scattered Oaks Subdivision (Exhibit A), known as 17.603 acres of land, more or less, out of the Michael Ramel survey, Abstract 280 and the John A. Wells Survey No. 51, Abstract 335 Guadalupe County, Texas and also being out of 44.142 acre tract as described in Doc#202399000377, also described in Doc#202399002634. This property is located at the intersection of Church Road and Woelke Road.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL (OR COMMISSION) OF THE CITY OF NEW BERLIN, TEXAS:


Accepts and approves the attached Scattered Oaks Subdivision Final Plat for the proposed 17.603 acres subdivision, attached as Exhibit A.

The City Clerk (or Secretary) is hereby directed to file with the County Clerk of Guadalupe, Texas, a certified copy of this ordinance.

PASSED by an affirmative vote of all members of the City Council (or Commission), this the 20 day of July, 2023

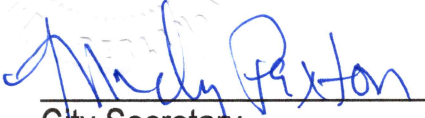


APPROVED:



WALTER WILLIAMS JR.
Mayor

ATTESTED BY:

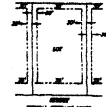


City Secretary

**PLAN OF
SCATTERED OAKS
SUBDIVISION**

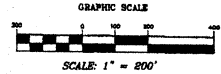
Being 17,000 acres of land, more or less and of the original Survey of 1836 and the same as shown on the original Plat of 335 Sections County, Texas and also being out of a 24,100 acre tract as described in the Official Public Records of Guadalupe County, Texas and establishing Lots 1-4.

OWNER/DEVELOPER
DMK LAND DEVELOPMENT LLC
P O BOX 218
MARCO, TEXAS 78124
(512) 761-3078



FLOODPLAIN NOTE.
THE PROPERTY IS NOT LOCATED IN THE 1% ANNUAL FLOOD (100-YEAR FLOOD) ZONE ESTABLISHED BY THE FEDERAL FLOOD MANAGEMENT AGENCY (FFMA) ACCORDING TO FEMA PANEL HYDROLOGIST DATA NUMBER 2, 2007.

- SURVEY PLAT NOTES**
- THE ENTIRE SUBDIVISION IS WITHIN LA VERNA INDEPENDENT SCHOOL DISTRICT.
 - THE ENTIRE SUBDIVISION IS WITHIN THE CITY OF NEW BERLIN'S EXTRA TERRITORIAL JURISDICTION (ETJ).
 - THE SUBDIVISION IS LOCATED IN PRECINCT DISTRICT # 4 OF GUADALUPE COUNTY.
 - EACH LOT IS SUBJECT TO A FLOODING 10-FT HIGH BY 40-FT LOW HIGH EASEMENT TO BE LOCATED BY GUADALUPE VALLEY ELECTRIC COOPERATIVE, (P) (C).
 - ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREES AND OTHER OBSTRUCTIONS), REPAIRS OF METERS, AND REPAIRS OF ALL OVERHEAD AND UNDERGROUND UTILITIES.
 - ALL TRACTS ARE SUBJECT TO A 15-FT ELECTRIC AND COMMUNICATION EASEMENT ALONG ALL SIDE, FRONT AND REAR PROPERTY LINES.
 - ALL EXISTING OVERHEAD LINES POSSESS A 30-FT COVERLINE EASEMENT, 15-FT EACH SIDE OF LINE.
 - WHERE UNDERGROUND SERVICES ARE UTILIZED, ONE WILL POSSESS A 8-FT WIDE EASEMENT TO THE SERVICE METER LOCATION; EASEMENT TO FOLLOW SERVICE LINE AND WILL VARY DEPENDING ON LOCATION OF METER STRUCTURE.
 - NO SIGNAGE, WELLS OR OTHER OBSTRUCTIONS SHALL BE PLACED IN ANY UTILITY EASEMENT. DRAINAGE EASEMENTS SHALL BE FREE OF ANY STRUCTURES OR FENCING THAT OBSTRUCTS FLOW.
 - 1/2" HIGH ROHS LOCATED AT ALL PROPERTY CORNERS UNLESS NOTED OTHERWISE, SET FROM ROHS HAVE A CAP LABELED "18 2007".
 - NO FURTHER IMPROVEMENTS ARE PROPOSED OR WILL BE CONTEMPLATED WITHOUT ADDITIONAL APPROVAL OF THE GUADALUPE COUNTY ENGINEER.
 - FURTHER IMPROVEMENTS WILL BE CONSIDERED SIMULTANEOUSLY WITH EXISTING STRUCTURES ON SITE FOR THE PURPOSE OF DRAINAGE IMPACT.
 - SUBSEQUENT SUBDIVISION OF THE PROPERTY INTO SMALLER TRACTS WILL ALLEVIATE THIS APPROVAL AND WILL REQUIRE SUBMITTAL OF A DRAINAGE STUDY FOR REVIEW IN ADDITION TO APPLICABLE PLATTING REQUIREMENTS. DETENTION OR OTHER MITIGATION MAY BE REQUIRED FOR PROPOSED TRACT AND ACCOUNT FOR EXISTING IMPROVEMENTS.
 - CHANGE IN USE OF THE SUBDIVISION REQUIRES APPROVAL BY GUADALUPE COUNTY AND DETENTION OR OTHER DRAINAGE MITIGATION MAY BE REQUIRED AT THAT TIME.
 - TRANSFER OF PROPERTY OWNERSHIP DOES NOT RELEASE SUBSEQUENT OWNERS FROM THE OBLIGATIONS IMPOSED HEREON.
 - PROPOSED IMPROVEMENTS DO NOT INDETERMINATELY ALTER OR CHANGE THE FLOW OF WATER ON AN ADJACENT PROPERTY.



**BUTZ
LAND
SURVEYING**
1630 HUNTERWOOD RD. MARCO, TEXAS 78126
PHONE 210-267-1230
FAX 210-267-1334
JOB NO. 22-180 DATE: 12/15/22 DRAWN BY: R.C.C.

STATE OF TEXAS
COUNTY OF GUADALUPE
I, the undersigned authority on the day personally approved this plat, examined the same, and approved the same for recording and the same shall be filed in the official public records of Guadalupe County, Texas and the same shall be the basis for the purposes of the public records as expressed and in the capacity therein expressed.
[Signature]
NOTARY PUBLIC STATE OF TEXAS
MARCO, TEXAS 78126

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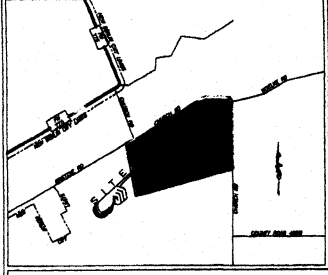
CERTIFIED TO BE A TRUE AND CORRECT COPY.
Guadalupe County Clerk
PAGE 1 OF 1

2023000009 V0110 p4 20
I certify this instrument was FILED and RECORDED in the OFFICIAL PUBLIC RECORDS of Guadalupe County, Texas on 2/2/2023 at 11:41 AM. PAGE: 1 Out of 1.
TERESA KIEL, COUNTY CLERK

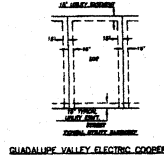
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NOTARY PUBLIC STATE OF TEXAS
MARCO, TEXAS 78126

FEB 2 1 2023

REVISED FEBRUARY 3, 2023



- LEGEND**
- SET IRON ROD
 - WOOD POST
 - FOUND IRON ROD
 - CONCRETE
 - EXISTING CONTOURS
 - PROPOSED CONTOURS



QUADALUPE VALLEY ELECTRIC COOPERATIVE
THIS SUBDIVISION PLAT OF SCATTERED OAKS SUBDIVISION HAS BEEN SUBMITTED TO AND APPROVED BY QUADALUPE VALLEY ELECTRIC COOPERATIVE, INC. FOR EASEMENTS.

EAST CENTRAL SPECIAL UTILITY DISTRICT
THIS LAND DEVELOPMENT PLAT HAS BEEN SUBMITTED TO AND APPROVED BY EAST CENTRAL SPECIAL UTILITY DISTRICT FOR CONDUITS UNDER PROTECTIVE OF THE DISTRICTS AND THE DISTRICT WILL PROVIDE CONDUIT SERVICE TO EACH LOT IN THIS SUBDIVISION. BY AGREEMENT WITH THE DEVELOPER.

JOIST REQUIREMENT
DUE TO VARIABLE SOIL CONDITIONS EACH LOT WILL NEED A SPECIFIC DESIGN UNDER A SEPARATE COVER BY A CERTIFIED GEOTECHNICAL ENGINEER.

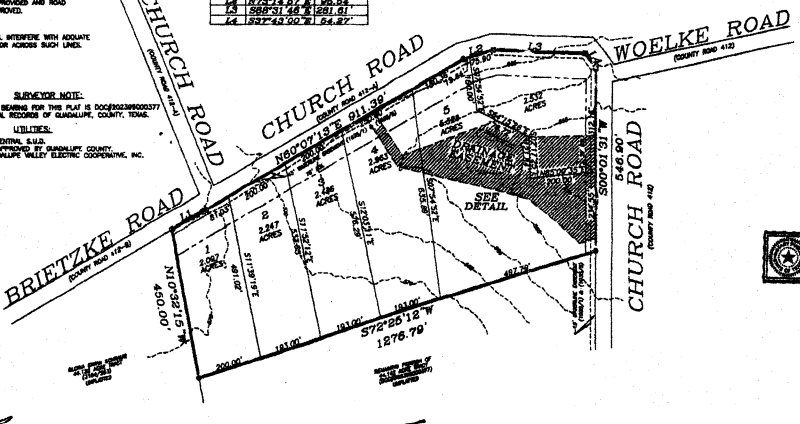
SEPTIC PERMIT NOTE
NO STRUCTURES/HOUSES ARE TO BE BUILT OR BROUGHT ONTO THE LOT UNTIL AN ON-SITE SERVICE FACILITY PERMIT HAS BEEN SECURED OR PUBLIC SERVICE HAS BEEN PROVIDED AND ROAD CONSTRUCTION IS COMPLETED AND APPROVED.

DRAINAGE PLANS
NO FENCING OR STRUCTURES THAT WILL INTERFERE WITH ADEQUATE DRAINAGE FLOW WILL BE ALLOWED ON OR ADJACENT SUCH LOTS.

SURVEYOR NOTE:
THE BASIS OF BEARING FOR THIS PLAT IS DOGWOODSPOONBRIDGE OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS.
UTILITIES:
WEST-EAST CENTRAL, S.U.D.
POWER-LINE APPROVED BY GUADALUPE COUNTY ELECTRIC-GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC.

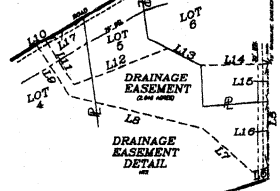
LINE TABLE

LINE	BEARING	LENGTH
L1	N60°20'30" E	58.87
L2	N72°25'12" W	127.76
L3	S89°51'42" W	128.81
L4	S37°43'00" W	54.87



DRAIN LINE TABLE

LINE	BEARING	LENGTH
L1	N60°20'30" E	58.87
L2	N72°25'12" W	127.76
L3	S89°51'42" W	128.81
L4	S37°43'00" W	54.87
L5	N72°25'12" W	127.76
L6	N60°20'30" E	58.87
L7	N60°20'30" E	58.87
L8	N72°25'12" W	127.76
L9	S89°51'42" W	128.81
L10	S37°43'00" W	54.87
L11	N72°25'12" W	127.76
L12	N60°20'30" E	58.87
L13	N60°20'30" E	58.87
L14	N72°25'12" W	127.76
L15	S89°51'42" W	128.81
L16	S37°43'00" W	54.87
L17	N60°20'30" E	58.87



- DATA - OFFICIAL PUBLIC RECORDS GUADALUPE COUNTY, TEXAS**
- D.A.# - DEED RECORDS GUADALUPE COUNTY TEXAS
R.O.# - RIGHT OF WAY
C.A.# - COUNTY BOOK
V.O.# - VOLUME
P.# - PAGE
(W.L.#) - WELL LOGS
S.# - SURVEY NUMBER
E.L.C.# - ELECTRIC
T.L.C.# - TELEPHONE
C.A.# - CABLE TELEPHONE
S.# - EASEMENT
S.# - BUILDING SETBACK LINE

DRAINAGE MAINTENANCE NOTE
PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF DRAINAGE STRUCTURES, FENCING AND EASEMENTS MAINTAINED WITHIN THE SUBJECT PROPERTY. MAINTENANCE RESPONSIBILITY FOR DRAINAGE SHALL NOT BE ACCEPTED BY THE COUNTY OTHER THAN THAT ACCEPTED IN CONNECTION WITH OWNERSHIP OR PROTECTIVE OF THE ROAD EASEMENT. MAINTENANCE RESPONSIBILITY FOR STORM WATER MANAGEMENT CONTROLS WILL REMAIN WITH THE OWNER.

OBSTRUCTION NOTE
NO STRUCTURES, WALLS OR OTHER OBSTRUCTION OF ANY KIND SHALL BE PLACED WITHIN THE BOUNDARIES OF DRAINAGE EASEMENTS, NO LANDSCAPING, FENCING, OR OTHER TYPE OF IMPROVEMENTS WITHIN THE CROSS SECTION OF THE DRAINAGE EASEMENTS OR DIMINUTES THE HYDRAULIC CAPACITY OF THE EASEMENT SHALL BE ALLOWED.

DRIVEWAY PERMIT NOTE
IN ORDER TO PRESERVE SAFE USE OF STREETS AND PREVENT THE CONDITION OF PUBLIC STREETS, NO DRIVEWAYS CONSTRUCTED ON ANY LOT WITHIN THE SUBDIVISION SHALL BE PERMITTED UNLESS A PUBLICLY DECIDED COUNTY RIGHT-OF-WAY HAS BEEN ESTABLISHED THAT HAS BEEN GRANTED BY THE GUADALUPE COUNTY ROAD & BRIDGE. THE DRAINAGE SHALL BE CONSTRUCTED TO MEET THE GUADALUPE COUNTY ROAD & BRIDGE DEPARTMENT SPECIFICATIONS WHICH SHALL BE STATED ON THE PERMIT.

STATE OF TEXAS
COUNTY OF GUADALUPE
I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: *[Signature]*
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2024

STATE OF TEXAS
COUNTY OF GUADALUPE
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUTS TO THE BEST OF MY KNOWLEDGE. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFORM DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY OF NEW BERLIN.
[Signature]
REGISTERED PROFESSIONAL ENGINEER #116894
OFFICE OF SURVEYING & ENGINEERING
100 W. BIRMINGHAM BLVD.
P.O. BOX 78147
MARCO, TEXAS 78124
7-1600

