

ORDINANCE NO. 1168

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS AMENDING CHAPTER 106, "SUBDIVISIONS," OF THE CITY OF CLEVELAND CODE OF ORDINANCES; AMENDING SECTION 106-8 (7) FINAL PLAT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL;

WHEREAS, the City Council desires to adopt rules for the development plats under Subchapter B of the Chapter 212 of the Texas Local Government Code in addition to the provisions of Subchapter A; and

WHEREAS, after public hearing, the City Council desires to adopt the following amendments to its rules governing plats and subdivisions of land with the City's corporate limits and extraterritorial jurisdiction; and

WHEREAS, the City does not have a planning commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS THAT:

Section 1. Chapter 106, "Subdivisions," Section 106-8 (7) of the City Code is amended to read as follows.

"CHAPTER 106 - SUBDIVISIONS

Sec. 106-8. - Final plat.

(7) The final plat shall also include the following:

- a) Owner's acknowledgement.

State of Texas)
County of _____)

I (we), the undersigned, owner(s) of the land shown on this plat, and designated herein as the _____ subdivision to the City of _____, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Owner

State of Texas)
County of _____)

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office this _____ day of _____ / _____ / _____, _____.

_____ Notary Public, _____ County, Texas

b) *Certification by the director of public works.*

I, the undersigned, director of public works of the City of _____ hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the city as to which his approval is required.

Director of Public Works

c) *Approval of the council or authority delegated to approve plats.*

This plat _____ has been submitted to and considered by the Council of the City of _____, Texas, and is hereby approved by such Council.

Dated this _____ day of _____, _____

	By: _____ Chairman
ATTEST: _____ Secretary	

d) *Certification of the surveyor responsible for surveying the subdivision area, attesting to its accuracy:*

State of Texas)
County of _____)

I, the undersigned, a (registered professional engineer/public surveyor) in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

(Engineer or Surveyor's Seal)	
	<hr/> Registered Professional Engineer or Registered Public Surveyor

e) *A certificate by the engineer responsible for the preparation of the final plat and supporting data, attesting to its accuracy.*

State of Texas)
County of _____)

I, the undersigned, a registered professional engineer in the State of Texas, hereby certify that proper engineering consideration has been given this plat.

(Engineer's Seal)	<hr/> Registered Professional Engineer
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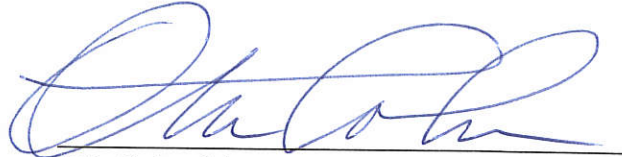
Section 2. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 3. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of Cleveland, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 5. Public Hearing. This ordinance was adopted following a public hearing as required by Section 212.002 of the Texas Local Government Code.

PASSED, APPROVED and ADOPTED this, the 17th day of July 2018.

APPROVED:



Otis Cohn, Mayor

ATTEST:



Angela Smith, City Secretary