

What is Property Subdivision?

The division of any lot, tract, or parcel of land into two or more lots or sites for the purpose of transferring ownership or development, whether immediate or future, including the re-subdivision of land for which a plat has been filed and recorded. Subdivision is regulated by Texas state law and local regulations.

Consequences

Failure to comply with laws and regulations governing subdivision can impact the ability of the owner or future owner to use the property.

As a buyer, some of the things you should consider before purchasing property are listed below:

- The property is a “legal lot” or divided in accordance with the governing laws and regulations.
- How the property is accessed and who is responsible for road maintenance.
- The property has water service that provides potable water.
- The property has sewer service or a septic system.
- The property has electric service.
- The property is not in a flood-prone area.
- No person other than the subdivider:
 - owns the property;
 - has a claim of ownership to the property; or
 - has an interest in the property.
- No liens are filed against the property.
- No back taxes are owed on the property.



Subdividing Your Property in Bastrop County

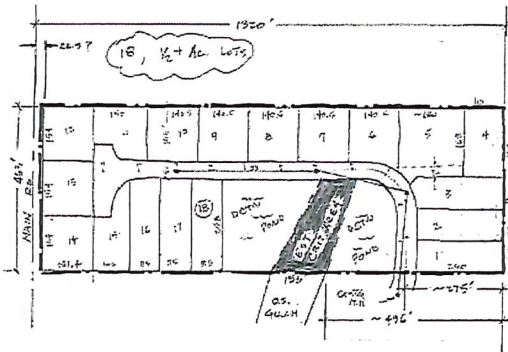
This brochure provides important information to help you with the process.

If you are subdividing land in Bastrop County outside incorporated city limits, please contact Bastrop County Development Services for guidance and assistance.

Bastrop County Development Services

211 Jackson Street
Bastrop, TX 78620
512-581-7176





Requirements

Plat Required

According to Chapter 232 of the Texas Local Government Code, the owner of a tract of land located outside the limits of a Municipality (City) or Extra-Territorial Jurisdiction (ETJ) must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:

- a subdivision of the tract, including an addition;
- lots; or
- streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public use.

A plat is basically a map of a specific land area showing the location of individual parcels of land subdivided into lots with streets, alleys and easements. It is drawn to scale by an engineer or surveyor. Finally, after an approval process by the local government, it is filed with the County Clerk and becomes public record.

Exceptions

Some exceptions...

The Local Government Code provides certain exceptions to the plat requirement.

The County may not require the owner of a tract of land located outside the limits of a City or ETJ who divides the tract into **two or more** parts to have a plat prepared if the owner does not lay out streets, alleys, squares, parks or other parts, and:

- all lots are more than 10 acres in area.
- all lots are sold to veterans through the Veterans' Land Board program.
- all parts are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development.
- the owner divides the tract into **four or fewer** parts to sell, give or otherwise transfer to an individual who is related to the owner "by blood" (within the third degree) or by marriage. **If any lot is sold, given or transferred to an individual not related, the plat requirements apply.**
- the land is to be used primarily for agriculture use or for farm, ranch, wildlife management or timber production as defined in the Texas Constitution.

A plat is not required if the owner of a tract of land located outside the limits of a City or ETJ divides the tract into **two** parts, does not lay out streets, alleys, squares, parks or other parts, and:

- one part is retained by the owner and the other new part is transferred to another person who will further subdivide the tract through the platting process.

For More Information

Because land subdivision has become increasingly complicated and subject to local regulations, it is recommended that you consult the local government for guidance.

Within the limits of an incorporated city, the municipality is responsible for the regulation of subdivision.

City of Bastrop Planning & Development
(512) 332-8840
www.cityofbastrop.org

City of Elgin Planning & Development
(512) 281-0119
www.elgintx.com

City of Smithville
(512) 237-3282
www.ci.smithville.tx.us

Authority for regulation of plats in an ETJ is prescribed by local agreement.

Additional information can be found in Chapters 212 (for municipalities) and 232 (for counties) of the Texas Local Government Code. Bastrop County's Subdivision Regulations are available on the website.

Contact Us

Bastrop County Development
Services
211 Jackson Street
Bastrop, TX 78602
(512) 581-7176

Visit us on the web:
www.co.bastrop.tx.us