

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
PACKET**

**July 24, 2023 - 3:30 PM
Council Chambers – City Hall**



Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at or following the time specified, to consider the following:

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for July 10, 2023.
3. Motion approving a Final Plat of Shenandoah Ridge, Section 2, being a Plat of an 8.09-acre tract of land out of Section 12, Block 39, T-1-S, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of Badland Avenue approximately 1,200-feet east of North State Highway 349. - Council District 1) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of Palermo Crest Addition, Section 3, being a Plat of a 0.302-acre tract of land in Section 1, Block 39, T-2-S T&P RR. CO Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Wayside Drive and East Gist Avenue. – Council District 2) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Country Sky Addition, Section 28, being a Residential Replat of Lot 16, Block 3, Country Sky Addition, Section 3, and comprising a total of 11.91-acres, being the remainder of Lot 16, Country Sky Addition, Section 3, the remainder of a called 6.14-acre tract of land, and a called 5.882 tract of land all out of Section 26, Block 40, T-1-S, T&P, RR. Co. Survey, and City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North County Road 1247 and West State Highway 158. – Council District 4) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

The Planning and Zoning Commission will hold public hearings on the following items:

MISCELLANEOUS

6. Motion approving with staff's recommended conditions the reinstatement of a proposed Preliminary Plat of Westridge Park Addition, Section 49, being a Plat of a 30.80-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. - Council District 4) (DEVELOPMENT SERVICES)
7. Motion approving a Final Plat of Westridge Park Addition, Section 49, being a Plat of a 24.48-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. - Council District 4) (DEVELOPMENT SERVICES)

Jeffrey S. Fisher
Planning Division Manager
Department of Development Services

The City of Midland Planning and Zoning Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the Planning Division at 432-685-7400 or write to us at P.O. Box 1152, Midland, Texas 79702, at least 48 hours in advance of the meeting.



Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: July 24, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Shenandoah Ridge, Section 2, being a Plat of an 8.09-acre tract of land out of Section 12, Block 39, T-1-S, T&P RY Co. Survey, City and County of Midland, Texas. (Generally located on the north side of Badland Avenue approximately 1,200 feet east of North State Highway 349. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single-Family Dwelling District.

Preliminary Plat Approval:

The Preliminary Plat for the entire 146.827-acres of Shenandoah Ridge was approved at the October 18, 2021, Planning and Zoning Commission Meeting, and at the October 26, 2021, City Council Meeting. The property owner is final platting 8.07-acres within this preliminary plat for 44 single-family residential lots.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District, and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved)

IMPACT FEES: Okay as shown. [For Applicant's Information Only.]

ROW: ROW okay as shown. [For Applicant's Information Only.]

PAVING: Pavement Improvements have been installed and accepted. [For Applicant's Information Only.]

WATER: Water Improvements have been installed and accepted. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test.

PRO RATA: None

SEWER: Wastewater Improvements have been installed and accepted. [For Applicant's Information Only.]

DRAINAGE: Drainage study has been approved on 07/12/2021

EASEMENTS: Show existing and proposed.

SIDEWALKS: Sidewalk Improvements have been installed and accepted. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *.

Transportation: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

No objections to plat. [For the Applicant's information only.]

Fire: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances.

Oil and Gas: (Approved)

The Mabee D #5 is a city permitted well (1-24-12) has the 500 ft. radius identified. A variance for building permit will be needed on lots 6, 7, 8 ,9, 10 on Arkose and lots 7,8,9,10,11 on Badland Blvd. per the radius on plat. The Mabee-D#1 is not a city permitted well and minimum of 135' is the requirement. The 500' radius around this well to identify the area that will need a future variance for lots inside the radius. Building permits less than the 500 ft radius will need to be addressed with the Operator- Pioneer prior submitting a requesting a variance to Building Official. A 225 ft. radius is identified from the well to lots. A variance would have to be presented to the City Council by the City Building Official. The needed information/example for variance request can be provided from the City Building Official- Jeff Pinkstaff. The variance process is processed thru the Building Official as he is the one making the request and issues the building permits for the houses inside the 500 ft. radius. Developer will want to visit with operator to identify exact location of flow lines and electrical lines for all Wells identified on the plat. Recommend that flow lines are located and follow Engineering requirements of depth and location under any city streets. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat for Shenandoah Ridge, Section 2, subject to condition A.

Conditions:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

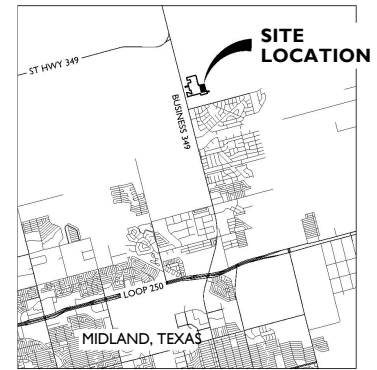
Attachments:

Proposed Final Plat
Application
Maps

SHENANDOAH RIDGE

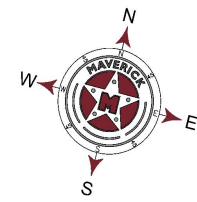
SECTION 2

BEING A 8.09 ACRE TRACT
OF
LAND IN SECTION 12, BLOCK
39,
MIDLAND PETROLEUM SURVEY,
TAX MAP OF MIDLAND,



VICINITY MAP

N.T.S.



0' 100' 200'
ORIGINAL SCALE: 1" = 100'

LEGEND

SET 1/2-INCH IRON ROD W/RED
PLASTIC CAP MARKED "MAVERICK FIRM#
10194514"
OR FOUND MONUMENT AS NOTED
BOUNDARY LINE

EXISTING PROPERTY LINES
EXISTING EASEMENT LINE
PROPOSED 10 FOOT GENERAL
UTILITY EASEMENT LINES
UNLESS OTHERWISE SPECIFIED

O.P.R.M.C.T.
D.R.M.C.T.
P.R.M.C.T.
OFFICIAL PUBLIC RECORDS, MIDLAND CO.,
TX
DEED RECORDS, MIDLAND CO., TX
TX



MAVERICK
ENGINEERING / SURVEY / WATER
RESOURCES

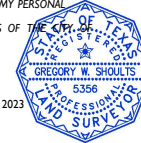
1909 West Wall Street, Suite
"K"
ENGINER FIRM# 9703089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 Fax: (432) 262-
0989

www.Maverick-Eng.com

**SHENANDOAH
RIDGE SECTION 2**

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE
PRESENTS
THAT I, GREGORY W. SHOULTS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF
THE
STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED
FROM AN
ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER
MONUMENTS
SHOWN THEREON WERE PROPERLY LOCATED UNDER MY PERSONAL
SUPERVISION, IN
ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF
MIDLAND,
TEXAS.
GREGORY W. SHOULTS RPLS#5356
MAVERICK ENGINEERING (TX FIRM
#10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701
FEBRUARY 15, 2023



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SHENANDOAH RIDGE DEVELOPMENT, LLC, IS THE RECORD
OWNER
OF A TRACT OF LAND SITUATED IN SECTION 12, BLOCK 39, T-1-S, T&P, R.R.
CO.
MIDLAND, TEXAS, COUNTY OF MIDLAND, TEXAS AND MARTIN COUNTY,
TEXAS;
PRESENTS
THAT SHENANDOAH RIDGE DEVELOPMENT, LLC, BEING THE OWNER OF
THE
LAND SHOWN ON THIS PLAT DESIGNATED AS SHENANDOAH RIDGE,
SECTION
2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS
AND
WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE
PUBLIC
USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON;
AND
DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY
OF
MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS
AND
MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS
AND
ACCESS THERETO; AND CONDITION SAID EASEMENT THAT NO
CONSTRUCTION
SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION
OF
SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY
THE
DIRECTOR OF UTILITIES.

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND
FOR
THE STATE OF TEXAS, 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 WAS ACTING AS OWNER, AND
THAT
DAY OF _____, 2023,
HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION
THEREIN
EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY
NOTARY PUBLIC IN AND FOR THE STATE OF
MIDLAND OF OFFICE THIS

PROPERTY OWNER

SHENANDOAH RIDGE DEVELOPMENT,
LLC
24 SMITH ROAD
SUITE 601
MIDLAND, TX 79705
INSTR #2007-3688
O.P.R.M.C.T.

PLAT FILED FOR RECORD
MIDLAND COUNTY,
TEXAS
NO. _____ CABINET

DATE _____ PAGE _____

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UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF
UTILITIES

Mark Lick

AT&T

AT&T

AT&T

AT&T

AT&T

AT&T

AT&T

AT&T

AT&T

AT&T

AT&T

AT&T

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA
ARC1	1430.00'	90.40'	90.38'	N 80°39'03" E	3°37'19"
C24	1430.00'	91.39'	91.38'	N 84°17'33" E	3°39'43"

LINE TABLE

LINE	BEARING	DISTANCE
L30	S 30°33'28" W	28.29'
L31	N 58°00'02" W	28.99'
L32	S 35°40'13" W	25.65'
L33	N 55°55'35" W	29.96'
L34	N 14°26'24" W	9.10'
L35	N 30°33'33" E	28.28'
L36	N 59°26'27" W	28.28'
L37	S 30°33'33" W	28.28'
L38	N 59°26'27" W	28.28'

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SHENANDOAH
RIDGE,
SECTION 2, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND
ZONING
COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

LUCY SISNIEGA, CHAIRMAN

JEFFREY FISHER, SECRETARY

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE
MAP
#48329C0100F, DATED SEPTEMBER 16, 2005, THIS PROPERTY LIES WITHIN
THE
UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED
TO BE
FLOOD PRONE". FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR
STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON
RARE
OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS
MAY BE
INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT
OVERRIDE

IMPRINT ON THE PART OF MAVERICK CIVIL & SURVEY, LLC

Drawing: P:\00000000\SHENANDOAH PETROLEUM\SHENANDOAH RIDGE PH II CONSTRUCTION STAKING\DRAWINGS\PLAT\220130 SHENANDOAH RIDGE SEC 2 FINAL PLAT.DWG Last Saved By:

Paulin on 5/17/23

SURVEY NOTES:

1. BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE ARE A
LAMBERT
CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE
GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY
FOOT,
WITH A CONVERGENCE ANGLE (theta) OF -0°54'17.58" AND A COMBINED
SCALE FACTOR OF 0.999928166 AT P.K. NAIL W/ WASHER MARKED "LCA"
FOUNDATION NO. 2007-3688 MARKED "MAVERICK"
FIRM #
10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
2. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF
MAVERICK
ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY
BE A
VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO
FINES
2. BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING
PERMIT
IS REQUIRED, IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF
MIDLAND. REPRESENTATIVE LISTS ARE REPLIED FOR SUBDIVISION INTO
MORE
THAN ONE LOT OR:
- (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
3. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING
PROCESS.

IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE
PLACE
DURING THE BUILDING PERMIT PROCESS. IMPACT FEES WILL BE
OR
INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS
THE
NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT

INCREASED.

Drawing: P:\00000000\SHENANDOAH PETROLEUM\SHENANDOAH RIDGE PH II CONSTRUCTION STAKING\DRAWINGS\PLAT\220130 SHENANDOAH RIDGE SEC 2 FINAL PLAT.DWG Last Saved By:

Paulin on 5/17/23



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Shenandoah Ridge, Section 2**Legal Description (attached sealed Metes and Bounds):** Being a 8.09 Acre Tract of Land in Section 12, Block 39, T-1-S, T&P RY Co. Survey, City of Midland, Midland County, Texas**Property Owner**

Printed Name: Shenandoah Ridge Development LLC

Phone ()

Email

Address 24 Smith Rd Ste 601

City Midland

State TX

Zip 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: AE, SF3**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 8.09

Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 44

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & CADD File
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Troy Martin

Date: 6/26/23

Property Owner (printed): Troy Martin - Shenandoah Ridge Development

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

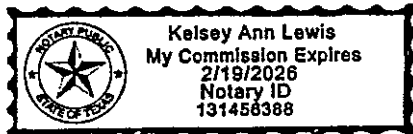
STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Shenandoah Ridge Dev, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L Mellen

Authorized Agent (signature)

Subscribed and sworn to before me, this 26th day of June, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☐ Mylar

☐ 1 Copy of Plat (11x17)

☐ CADD File

☐ Application Fee

☐ Title Opinion

☐ Public Improvement

Check #:

☐ Tax Certificates

☐ Recording Fee

Check #:

Received By:

Date:

****Application will not be considered for scheduling until reviewed by a planner****

PACKET

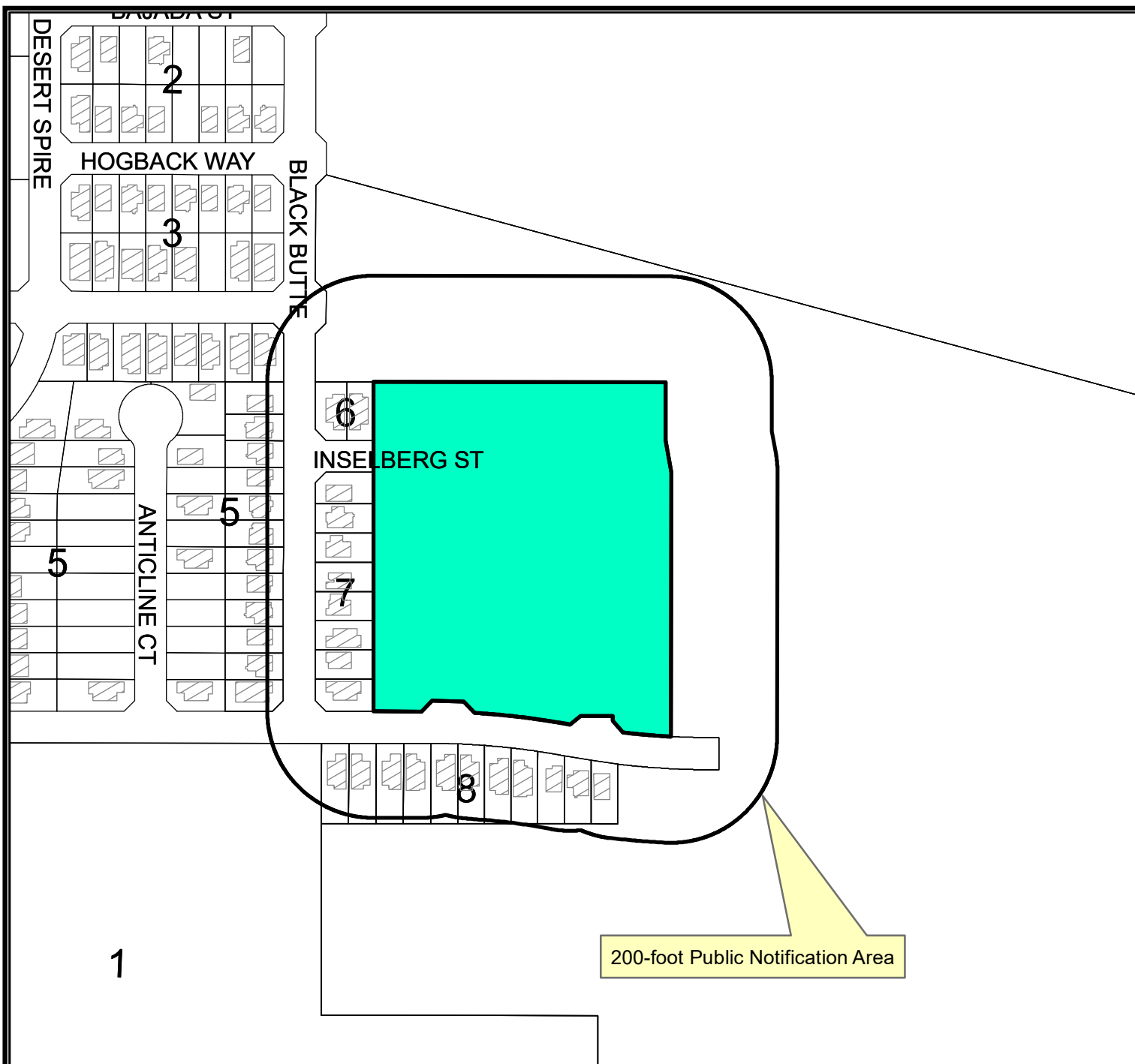
Page 3.8

July 24, 2023

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0587

Scale: 1" = 3,256'

Motion approving a Final Plat of Shenandoah Ridge, Section 2, being a Plat of an 8.09-acre tract of land out of Section 12, Block 39, T-1-S, T&P RY Co. Survey, City and County of Midland, Texas.

Generally located on the north side of Badland Avenue approximately 1,200 feet east of North State Highway 349. (Council District 1)

PACKET

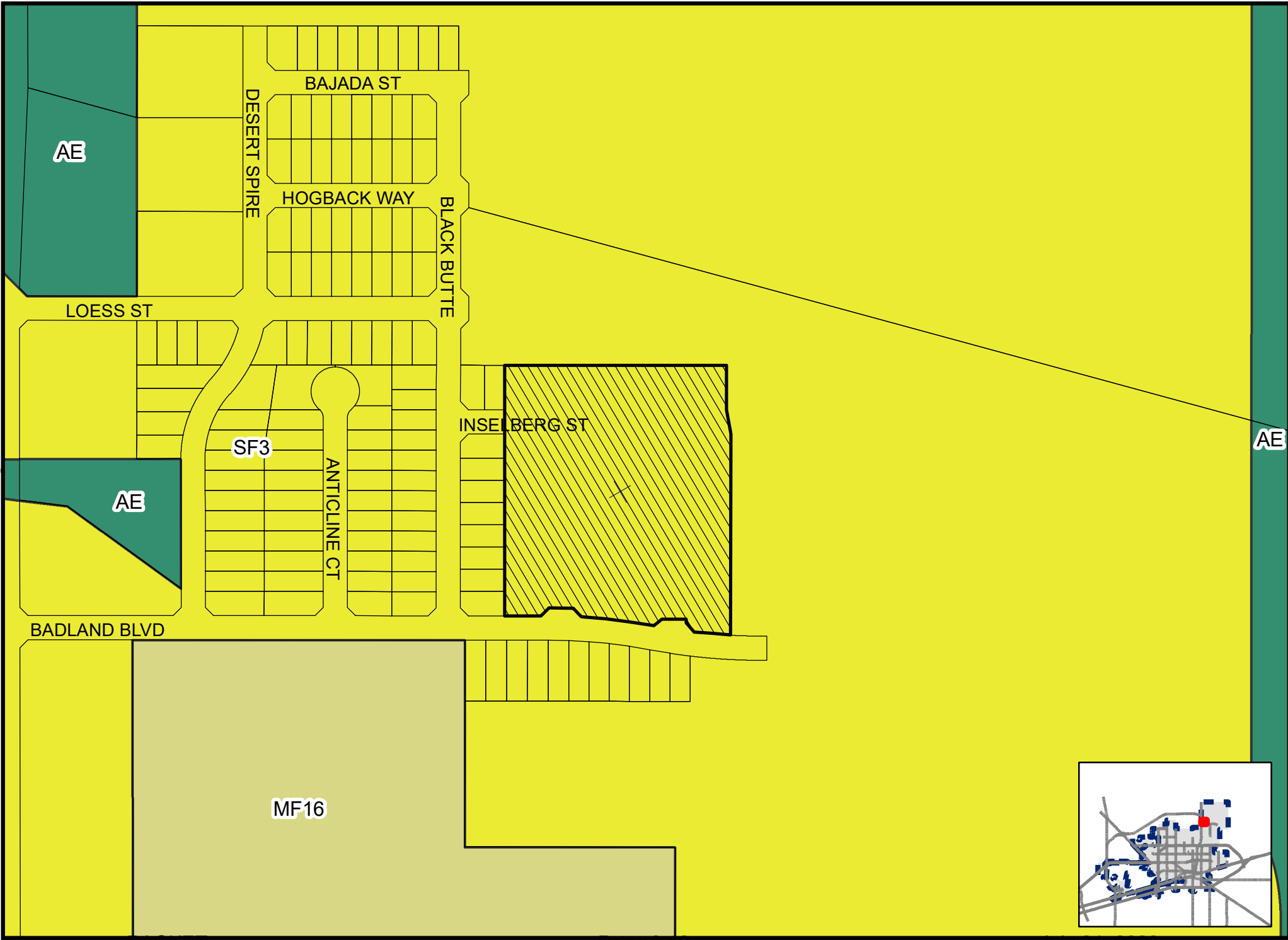
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: July 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of Palermo Crest Addition, Section 3, being a Plat of a 0.302-acre tract of land in Section 1, Block 39, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Wayside Drive and East Gist Avenue. – Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

C, Commercial District.

Preliminary Plat Approval:

The preliminary plat was approved at the April 3, 2023, Planning and Zoning Commission meeting. The property owner is platting this un-platted tract to obtain building permits.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

Engineering: (Approved)

IMPACT FEES: Okay as shown. [For Applicant's Information Only.]

ROW: Okay as is. [For Applicant's Information Only.] PAVING: Wayside Road and E Gist Ave. roadways are okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 8" water exists in E Gist Ave. West of tract, an 8" water on Wayside Street North West of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant's Information Only.]

PRO RATA: None. [For Applicant's Information Only.]

SEWER: 8" sewer exists in E Gist Ave , and along public utility easement South of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Show compliance with Davidhieser Drainage Study, prepared by LCA and approved by City in 2008, during building permit. [For Applicant's Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant's Information Only.]

SIDEWALKS: Required at building permit. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

No objections to plat. [For the Applicant's information only.]

Fire: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances.

Oil and Gas: (Approved)

No Oil & Gas well concerns. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city

permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

GIS: (Approved)

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Palermo Addition, Section 3, subject to condition A.

Conditions:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps

PALERMO ADDITION, SECTION 3

Being a 0.302 acre tract of land out of
Section 1, Block 39, T-2-S, T & P RR Co. Survey,
City and County of Midland, Texas

MIDLAND, TEXAS VICINITY MAP



E. GIST AVENUE

60' Right-of-Way
4" Buries
Paved Roadway

E. WAYSIDE DRIVE
Variable Right-of-Way
Paved Roadway

P.O.B.
N:10689162.06'
E:1761659.52'

N 75°35'02" E 139.77'

①

Lot 3
0.302 Acres

L=95.32'
P=100.00'
D=54°36'59"
CB=N 43°35'48" W
C=91.76'

30' Property Easement
No. 1278, Pg. 534
MCCPR

Lot 2
Block 1

Palermo Addition,
Section 2,
Cob. J, Pg. 177
MCCPR

S 14°25'28" E 143.29'

N:10689058.17'
E:1761671.01'

N 70°41'16" W 114.52'

1561 Lotts Street
Midland County Property Authority

60' Easement
No. 1278, Pg. 534
MCCPR

Lot 1
Block 1
Cob. J, Pg. 177
MCCPR

1901 S. Lamesa Road
Northern Real Estate
and More Etc. Appraiser

0.55 Acres
Document No. 2015-12430
MCCPR

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. A BLANKET EASEMENT OF INGRESS AND EGRESS WILL BE GRANTED FOR PALERMO ADDITION, SECTION 3, TO THE CITY OF MIDLAND FOR GARBAGE AND TRASH COLLECTION AND LOCATION AND MAINTENANCE OF TRASH STRUCTURES, SINKS AND EXCEPT THOSE AREAS OCCUPIED BY A BUILDING OF STRUCTURE. SAID EASEMENT IS CONDITIONED SUCH THAT EXACT LOCATION OF SAID CONTAINERS AND THE EASEMENTS IN CONNECTION THEREWITH HAVE BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.
4. BEARING & COORDINATES SHOWN ON THIS SURVEY ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, NAD 1983, CENTRAL ZONE (CORS).
5. THIS PROPERTY IS IN ZONE X AND DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO FEMA MAP NO. 45329C0206F, DATED SEPTEMBER 16, 2005, PREPARED FOR MIDLAND COUNTY, TEXAS.
6. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
7. PER CITY CODE SECTION 11-2-3(D)(8), THIS PLAT IS IN COMPLIANCE WITH DAVICHESER DRAINAGE STUDY PREPARED BY LCA AND APPROVED BY CITY OF MIDLAND.

- LEGEND
- 6" Iron Rod
 - Fire Hydrant
 - ⊙ Sewer Manhole
 - ⊙ Power Pole
 - ⋈ Guy Wire
 - ⋈ Water Valve
 - ⊙ AT&T Marker
 - Fence
 - Overhead Powerline
 - Pipeline



OWNER:
VICTOR ANIS JOHNSON
6225 OLYMPIC CT.
MIDLAND, TEXAS 79706
(432)599-5289

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____ PRINT NAME: _____
ATMOS ENERGY

SIGNED: _____ PRINT NAME: _____
ONCOR ELECTRIC DELIVERY

SIGNED: _____ PRINT NAME: _____
AT&T TEXAS

SIGNED: _____ PRINT NAME: _____
OPTIMUM

SIGNED: _____ PRINT NAME: _____
ASTOUND BROADCAST

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, VICTOR ANIS JOHNSON as the recorded owner of a Lot 13, Block 12, Carol Crest Addition (an unrecorded subdivision), Midland County Texas, recorded in Document No. 2022-34867, Midland County Official Public Records, County of Midland Texas, and more particularly shown hereon:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, VICTOR ANIS JOHNSON, do hereby adopt this plat designating the herein above described property as "PALERMO ADDITION, SECTION 3" an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS our hands at Midland, Texas,
this _____ day of _____, 2023.

VICTOR ANIS JOHNSON

ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared VICTOR ANIS JOHNSON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act as owner, and that he executed the same as the act for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "PALERMO ADDITION, SECTION 3" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on this _____ day of _____, 2023.

SIGNED: _____
Chairman
LUCY SISNEGA

ATTEST: _____
Secretary
ELIZABETH SHAUGHNESSY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____

July 24, 2023
FINAL PLAT
PALERMO ADDITION, SECTION 3

THAT I, ARON S. BURRELL, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS



PACKET
19 July 2023

ARON SCOTT BURRELL TX RPLS 5689



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Palermo Addition, Section 3**Legal Description (attached sealed Metes and Bounds):** Being a plat of Lot 13, Block 12
Carol Crest Addition (unrecorded), Being 0.302 Acres in Section 1, Block 39, T-2-S, T&P RR Co. Survey, City & County of Midland,
Texas

Property Owner Printed Name: Victor Anis Johnson		Phone (432) 599-5289	
		Email anis_victor2008@live.com	
Address 6225 Olympic Court	City Midland	State TX	Zip 79706

Developer (if different than Owner) Printed Name:		Phone ()	
		Email	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: Aaron Burrell Land Surveyors, LLC		Phone (432) 848-4439	
Printed Name: Aaron Burrell		Email aaron@asbssurveyors.com	
Address 415 W Wall St, Suite 204	City Midland	State TX	Zip 79701

Current Zoning:**Reason for Platting:** Building Permits

Plat Information	Total Acreage: 0.302 Acres
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 1 Lot	Number of Multi-Family Dwelling Units: 0

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

- ✓ 2 FOLDED Copies of Dimensioned Plat
- ✓ 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- ✓ 1 Extra Copy (11x17)
- ✓ Digital Files (JPEG & PDF) & CADD File
- ✓ Original Tax Certificates (Midland Central Appraisal District – MCAD)
- ✓ Title Opinion/Policy (dated less than 90 days)
- ✓ Application Fee – Payable to the 'City of Midland'
- ✓ Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature): [Signature]

Date: 5/01/2023

Property Owner (printed): VICTOR - JOHNSON

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

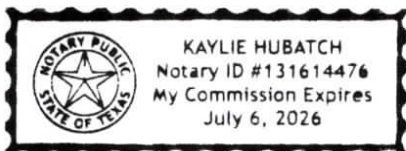
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Aaron S Burrell who, being by me duly sworn, upon oath says: That (s)he is authorized by Victor Johnson, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 1st day of May, 20 23, to certify which witness my hand and seal of office.



Kaylie Hubatch

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Mylar

☐ 1 Copy of Plat (11x17)

☐ CADD File

☒ Application Fee

☒ Title Opinion

☒ Public Improvement

Check # 1189

☒ Tax Certificates

☒ Recording Fee

Received By: _____

Check # _____

Date: _____

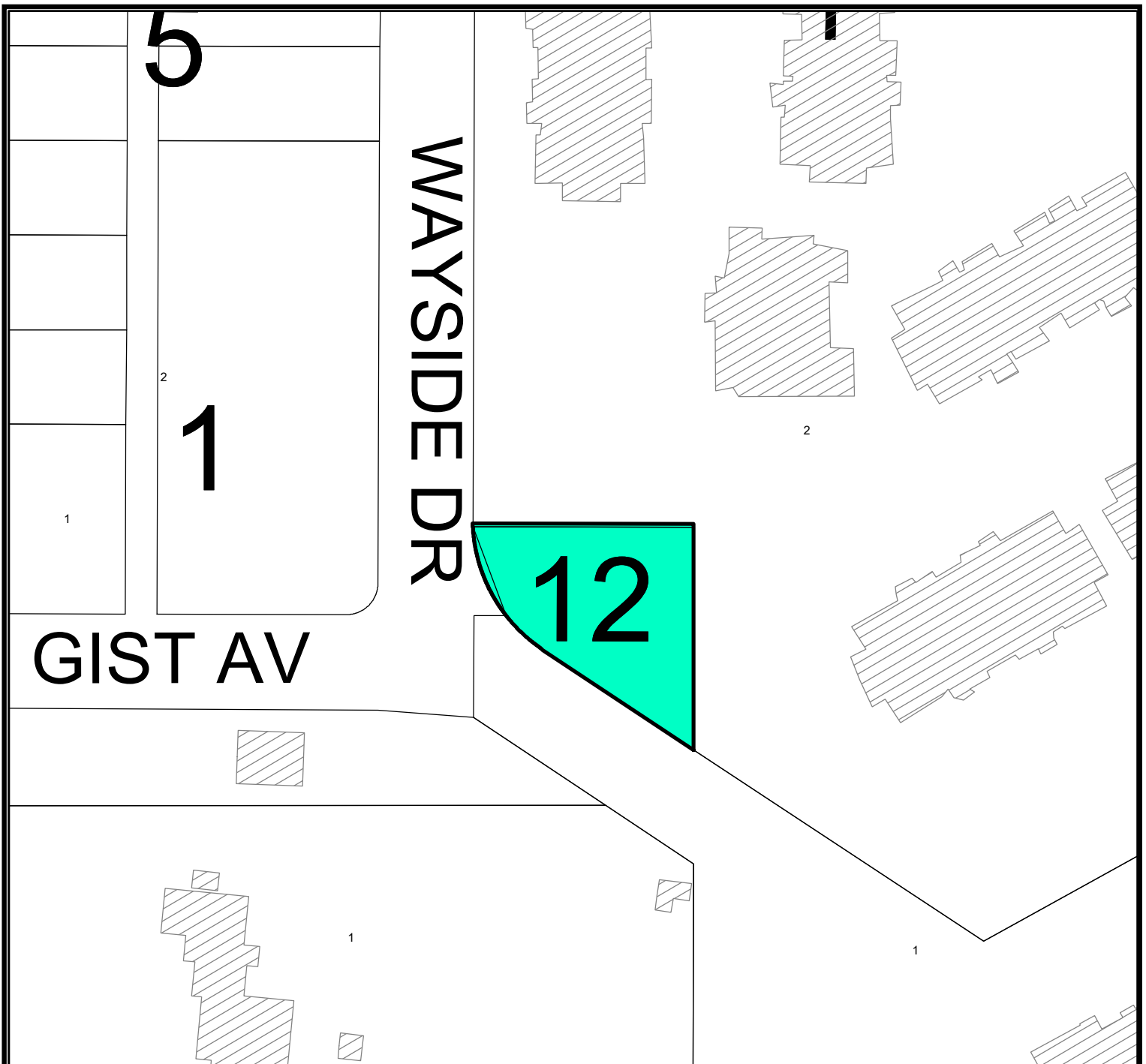
****Application will not be considered for scheduling until reviewed by a plan**

Final Plat Application

Page 4.16

July 24, 2023

BY: _____



LOCATION MAP

SUB-23-0589

Scale: 1" = 200'

Proposed plat of Palermo Crest Addition, Section 3, Being a Plat of Lot 13, Block 12, Carol Crest Addition, located in Section 1, Block 30, T-2-S T&P RR CO Survey, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of Wayside Drive and East Gist Avenue. (Council District 2)

PACKET

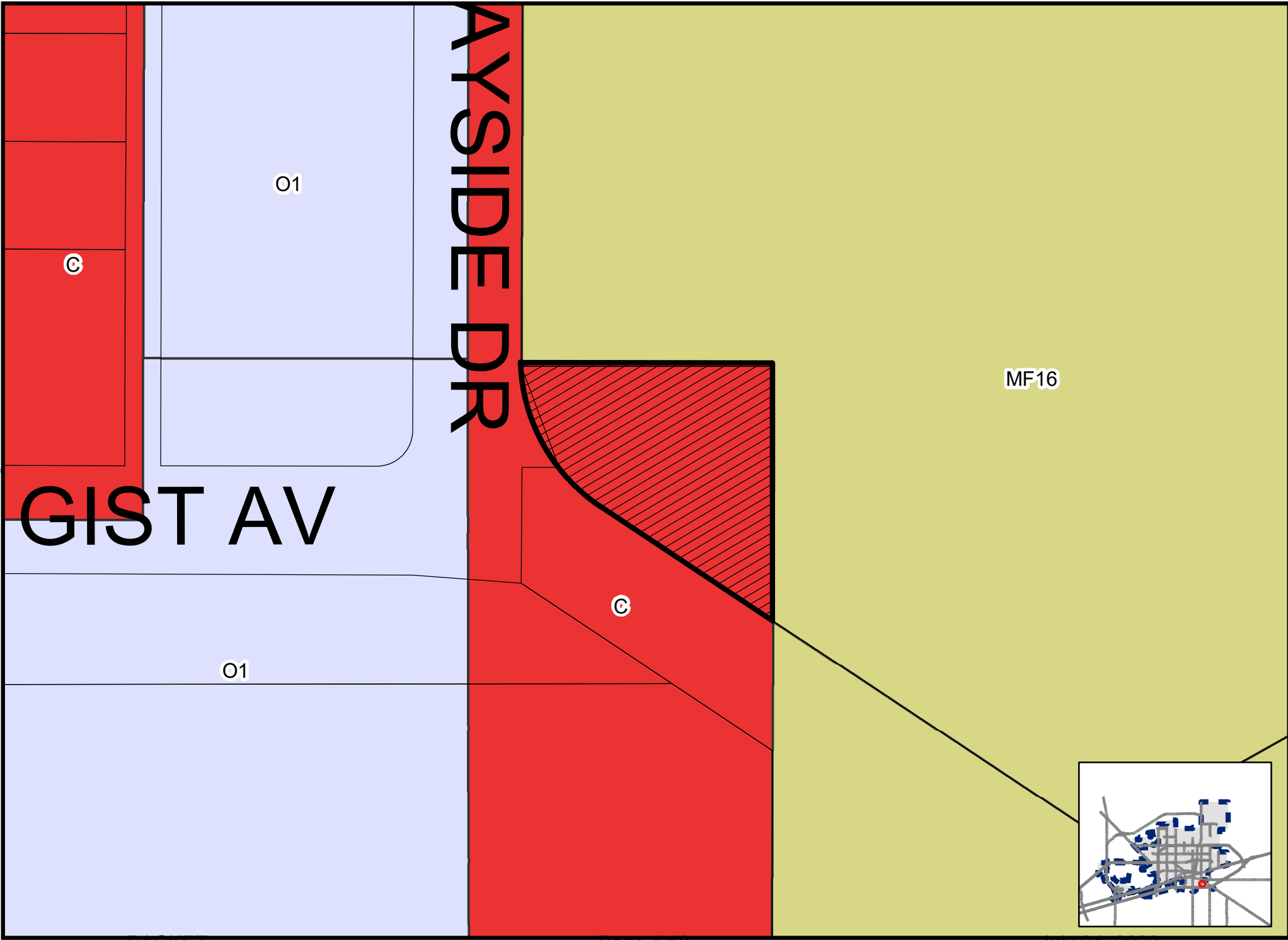
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: July 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of Country Sky Addition, Section 28, being a Residential Replat of Lot 16, Block 3, Country Sky Addition, Section 3, and comprising a total of 11.91-acres, being the remainder of Lot 16, Block 3, Country Sky Addition, Section 3, the remainder of a called 6.14-acre tract of land, and a called 5.882-acre tract of land all out of Section 26, Block 40, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North County Road 1247 and West State Highway 158. – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

CE, Country Estate District.

Preliminary Plat Approval:

The preliminary plat was approved at the April 17, 2023, Planning and Zoning Commission meeting. The property owner is platting for ownership purposes.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

Engineering: (Approved)

IMPACT FEES: Ok as shown. [For Applicant's Information Only.]

ROW: Ok as is. [For Applicant's Information Only.]

PAVING: Deferral request for paving improvements has been administratively approved on 04/04/2023 [For Applicant's Information Only.]

WATER: 12" water line exists in N C R 1247 West of tract. There is an 8" water line in Desert Wind and Wind Chase East of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant's Information Only.]

PRO RATA: None. [For Applicant's Information Only.]

SEWER: Deferral request for wastewater improvements has been administratively approved on 04/04/2023 [For Applicant's Information Only.] Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (A) Areas served by public water systems shall have lots of at least ½ acre. Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (B) Areas NOT served by public water systems shall have lots of at least 1 acre.

DRAINAGE: Drainage Report approved for platting purposes. [For Applicant's Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant's Information Only.]

SIDEWALKS: Required at building permit. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

No objections to plat. [For the Applicant's information only.]

Fire: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances.

Oil and Gas: (Approved)

No Oil & Gas well concerns. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

GIS: (Approved)

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Country Sky Addition, Section 28, subject to condition A.

Conditions:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Country Sky Addition, Section 28

Legal Description (attached sealed Metes and Bounds): An 11.91-Acre Tract of Land, Being the Remainder of Lot 16, Block 3, Country Sky Addition, Section 3, The Remainder of a Called 6.14 Acre Tract of Land, and a Called 5.882-Acre Tract of Land all out of Section 26, Block 40, T-1-S, Texas & Pacific Railway Co. Survey, City and County of Midland, Texas

Property Owner City of Midland
Printed Name: Harry Douglas Hartman & Donna Elaine Hartman

Phone ()
EmailAddress 300 N Loraine
708 Mogford St

City Midland

State TX

Zip 79701

Developer (if different than Owner)
Printed Name:

Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: CE

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 11.91

Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 4

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & CADD File
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature) Doug Hartman

Date: 6-16-23

Property Owner (printed): DOUG HARTMAN

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

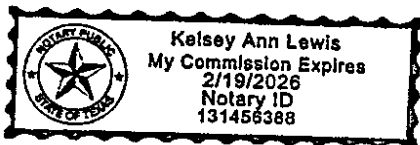
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Douglas Hartman, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of June, 2023 to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # _____ | ☐ Tax Certificates | ☐ Recording Fee |
| Received By: _____ | | Check # _____ |
| Date: _____ | | |

****Application will not be considered for scheduling until reviewed by a planner.****

PACKET

Page 5.23

July 24, 2023

Final Plat Application

2

Revised 7/01/19

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Donna Hartman

Date: 6-16-23

Property Owner (printed):

Donna Hartman

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

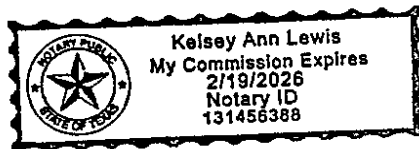
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Donna Hartman, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 16th day of June, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☐ Mylar

☐ 1 Copy of Plat (11x17)

☐ CADD File

☐ Application Fee

☐ Title Opinion

☐ Public Improvement

Check #

☐ Tax Certificates

☐ Recording Fee

Check #

Received By:

Date:

****Application will not be considered for scheduling until reviewed by a planner****

PACKET

Page 5.24

July 24, 2023

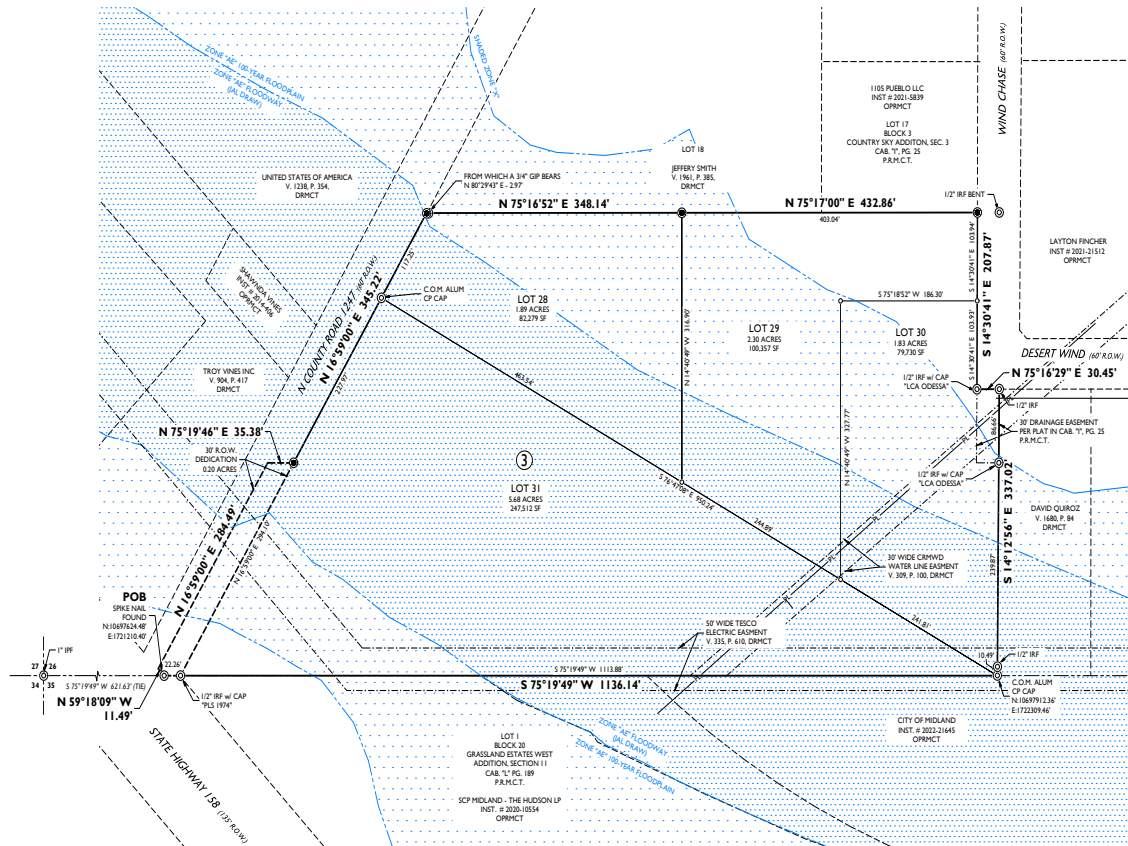
Final Plat Application

2

Revised 7/01/19

COUNTRY SKY ADDITION, SECTION 28

AN 11.91-ACRE TRACT OF LAND, BEING THE REMAINDER OF LOT 16, BLOCK 3, COUNTRY SKY ADDITION, SECTION 3, THE REMAINDER OF A CALLED 6.14 ACRE TRACT OF LAND, AND A CALLED 5.882-ACRE TRACT OF LAND ALL OUT OF SECTION 26, BLOCK 40, T-I-S, TEXAS & PACIFIC RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.



- DEVELOPMENT NOTES**
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
 - APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
 - THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) THE REPRESENTED LOTS ARE RELATED FOR SUBDIVISION INTO MORE THAN ONE LOT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSE USE.
 - IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP, FLOOD INSURANCE RATE MAPS #48229C0044 & #48229D004P, BOTH DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE SHADDED PORTION OF ZONE "X2", DESIGNATED AS A FLOODPLAIN WITH DETERMINED FLOOD ELEVATIONS.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FLOOD DAMAGED OR FLOOD DANGER, ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK CIVIL & SURVEY, LLC.

- SURVEY NOTES**
- BASE OF BEARING, COORDINATES, DISTANCE AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE, ZONE 14N, U.S. SURVEY FOOT WITH A CONVERSION INCHES PER FOOT OF 0.9144046. WITH A C.O.F. OF 0.99999199 AT THE POINT OF BEGINNING.
 - 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
 - SEE DOCUMENTS ON ELECTRONIC DATA FILED IN THE OFFICE OF THE CLERK OF COURTS, MIDLAND COUNTY, TEXAS, FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

LEGEND	
	NOTES SET 1/2-INCH IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
	NOTES FOUND MONUMENT AS NOTED
	NOTES PROPOSED LOT CORNER
	NOTES BOUNDARY LINE
	NOTES EXISTING PROPERTY LINES
	NOTES EXISTING EASEMENT LINE
	NOTES EXISTING SECTION LINE
	NOTES EXISTING UNDERGROUND PIPELINE
	NOTES OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
	NOTES PLAT RECORDS, MIDLAND CO., TX
	NOTES DEED RECORDS, MIDLAND CO., TX

UTILITY COMPANY'S CERTIFICATE	
THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES	
XITROS ENERGY	
BY: _____	
DATE: _____	
AT&T	
BY: _____	
DATE: _____	
OPTIMUM	
BY: _____	
DATE: _____	
ASTROWOOD BROADBAND	
BY: _____	
DATE: _____	
ONCOR ELECTRIC DELIVERY	
BY: _____	
DATE: _____	

PROPERTY OWNER

CITY OF MIDLAND
300 N. LOHME
MIDLAND, TEXAS 79701
DEED INSTRUMENT #2021-25419

PROPERTY OWNER

HARRY DOUGLAS HARTMAN AND WIFE,
DONNA ELAINE HARTMAN
708 WOODFORD ST.
MIDLAND, TX 79701-5445
DEED INSTRUMENT #1980-8522 & 1998-20548

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

THAT I, GREGORY W. SHULTZ, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

Gregory W. Shultz
GREGORY W. SHULTZ, REG. #10194514
MAVERICK ENGINEERING, L.L.C. (R# 010194514)
1001 W. WALL STREET, SUITE 4
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THE CITY OF MIDLAND, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 26, BLOCK 40, T-I-S, T&P RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS COUNTRY SKY ADDITION, SECTION 28, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF ROGERS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, M.

THIS _____ DAY OF _____, 2023.

BY: HARRY DOUGLAS HARTMAN, INTERIM CITY MANAGER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED HARRY DOUGLAS HARTMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS DONNA ELAINE HARTMAN, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 26, BLOCK 40, T-I-S, T&P RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT DONNA ELAINE HARTMAN, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS COUNTRY SKY ADDITION, SECTION 28, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF ROGERS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, M.

THIS _____ DAY OF _____, 2023.

BY: DONNA ELAINE HARTMAN

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED DONNA ELAINE HARTMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

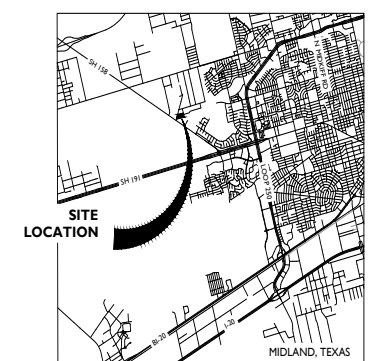
CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF COUNTRY SKY ADDITION, SECTION 28, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

DATE OF _____, 2023.

LUIS SORIEGA, CHAIRMAN

JERREY FISHER, SECRETARY



VICINITY MAP

N.T.S.



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS HARRY DOUGLAS HARTMAN, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 26, BLOCK 40, T-I-S, T&P RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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WITNESS MY HAND AT _____, M.

THIS _____ DAY OF _____, 2023.

BY: HARRY DOUGLAS HARTMAN

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED HARRY DOUGLAS HARTMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THIS _____ DAY OF _____, 2023.

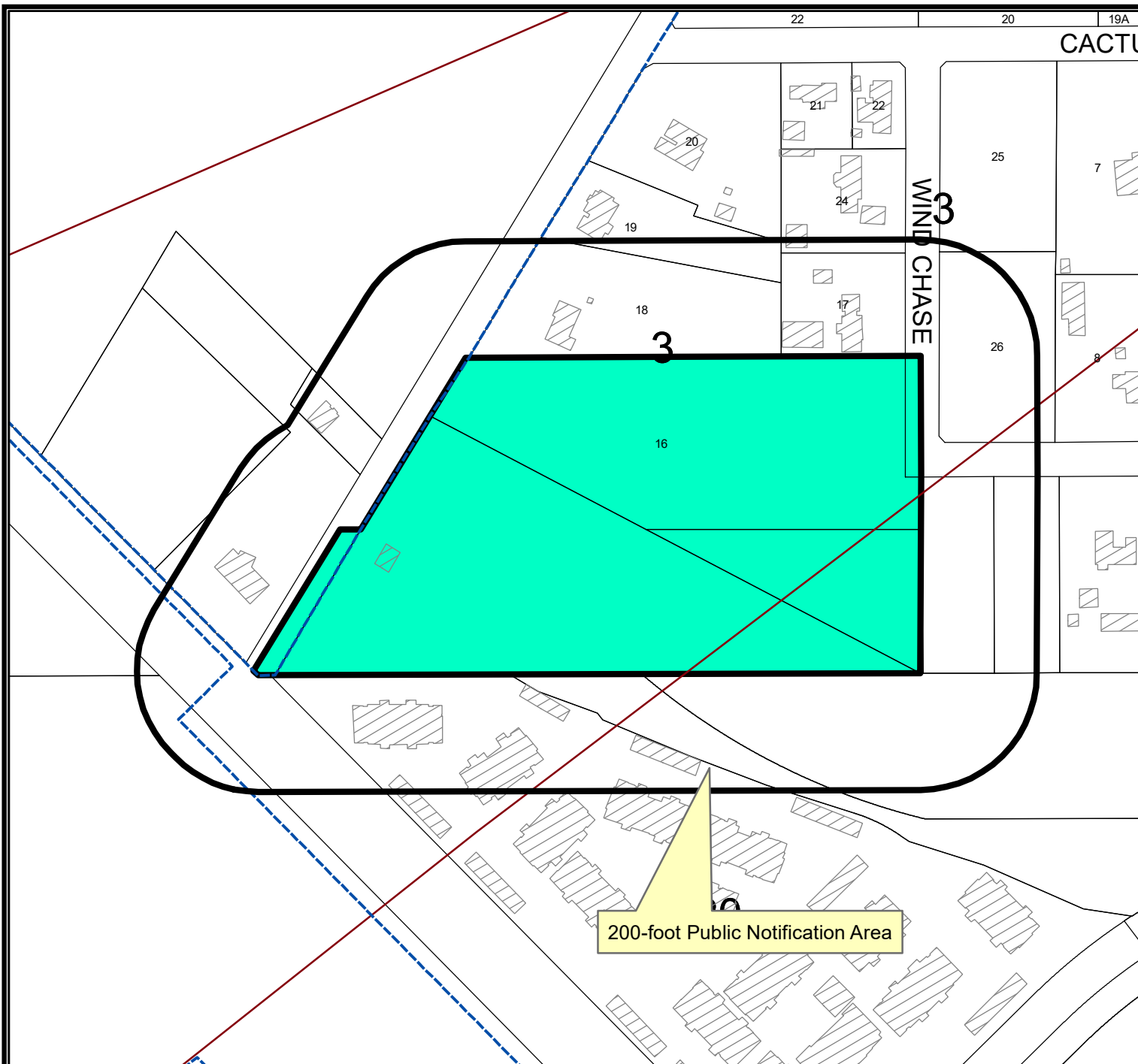
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # F-10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

COUNTRY SKY ADDITION
July 24, 2023
SECTION 28



LOCATION MAP

SUB-23-0597

Scale: 1" = 200'

Proposed plat of Country Sky Addition, Section 28, being a replat of Lot 16, Block 3, Country Sky Addition, Section 3, and a plat of a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, Ry Co. Survey, and City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of N County Road 1247 and W State Highway 158 (Council District 4)

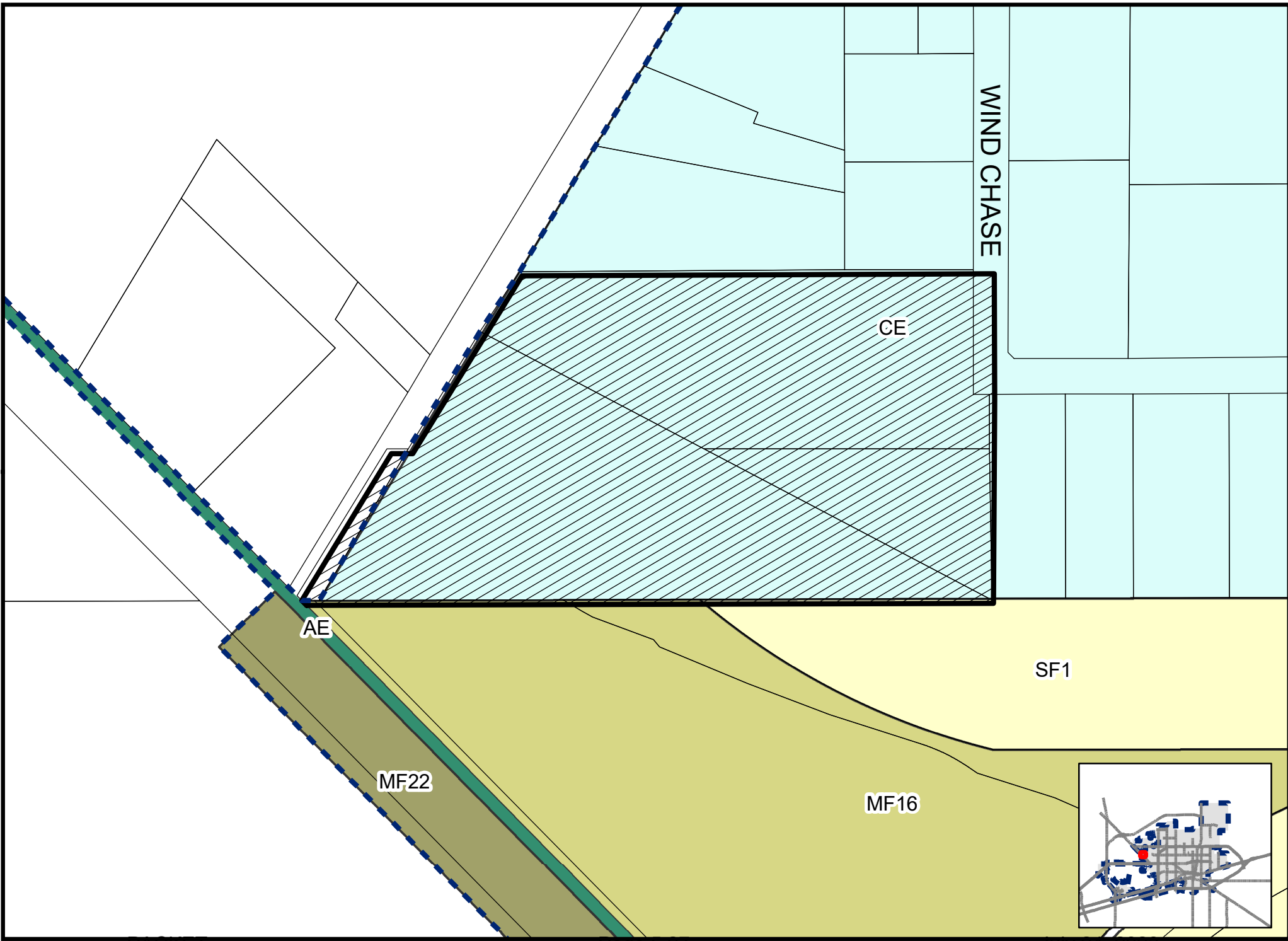
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: July 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions the reinstatement of a proposed Preliminary Plat of Westridge Park Addition, Section 49, being a Plat of a 30.80-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. - Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Newton Engineering, PC, is requesting to plat a 30.80-acre tract of land out of Section 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas into three lots for future development. The original Preliminary Plat was approved by the Planning and Zoning Commission on December 6, 2021, and City Council on December 14, 2021. However, the Final Plat was not submitted and approved within one year of the Preliminary Plat's approval time. Pursuant to Chapter 2 of Title XI of the Midland City Code, the applicant may request to reinstate the Preliminary Plat with a lapsed approval and The Planning and Zoning Commission may approve the reinstatement at its discretion.

Current Zoning:

RR, Regional Retail District.

This request has been routed to all respective departments for internal review. The comments are below.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Surveyor: (Approved)

No comments.

Engineering: (Approved with Conditions)

IMPACT FEES: Impact Fee statement okay as shown.

ROW: TxDOT review requested

PAVING: Deauville Blvd. okay as is. State Highway 191 Frontage Road is TxDOT facility, built and maintained by TxDOT, no improvements required. Extend pavement of Arlington Rd north to City standards along entire platted frontage. Midland Code 11-2-3(C)3(b).

WATER: 16" water main exists in Deauville Blvd. south of tract, okay as is. Extend 12" water main north within Arlington Rd to City standards along entire platted frontage, serving all lots with looped system. Midland Code 11-2-5(G)

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test.

PRO RATA: None

SEWER: 12" sewer main exists in Deauville Blvd. south of tract, okay as is. Extend 12" sewer main north within Arlington Rd. to City standards along entire platted frontage. Midland Code 11-2-5(G)

DRAINAGE: Preliminary drainage study has been submitted and is currently being reviewed by TxDOT.

EASEMENTS: The proposed 15' Public Water Utility Easement that runs through the platted property needs to be revised to state that this is a Private Easement rather than a Public Easement. The City will not maintain the water line within the platted lots.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: TxDOT comments, "Any additional access to SH 191 south frontage road will need to be coordinated and permitted with TxDOT and should current Access Management Standards. Minimum spacing between access points for one-way frontage roads is 425', and any access points should not interfere with the current exit ramp location and operation in accordance with the Roadway Design Manual (RDW). From the RDW, the minimum distance from the intersection of the ramp and frontage road should be a minimum of 460' and is dependent upon the total volume of the frontage road/ramp and driveway volume. There is an existing drainage easement the flows north across SH 191. Any work in the drainage easement will require a hydraulic analysis to show no negative impacts to the operation of the drainage easements or impacts to the State System. Post-development drainage/runoff should not exceed pre-existing conditions."

Driveway permitting within city limits on I-20, LP 250, SH 191, and FM 1788 is under the jurisdiction of TxDOT. A copy of an approved TxDOT driveway permit must be provided to the City with the building permit application before a City building permit can be issued. The TxDOT Driveway Permit Coordinator is Rachael Ramirez (Rachael.Ramirez@txdot.gov, 432-498-4789). [For the Applicant's information only.]

Transportation: (Approved)

TxDOT comments, "Any additional access to SH 191 south frontage road will need to be coordinated and permitted with TxDOT and should current Access Management Standards. Minimum spacing between access points for one-way frontage roads is 425', and any access points should not interfere with the current exit ramp location and operation in accordance with the Roadway Design Manual (RDW). From the RDW, the minimum distance from the intersection of the ramp and frontage road should be a minimum of 460' and is dependent upon the total volume of the frontage road/ramp and driveway volume. There is an existing drainage easement the flows north across SH 191. Any work in the drainage easement will require a hydraulic analysis to show no negative impacts to the operation of the drainage easements or impacts to the State System. Post-development drainage/runoff should not exceed pre-existing conditions."

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No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review.

Fire: (Approved)

Future development must meet the requirements of IFC 2015 ed.

Code Compliance: (Approved)

Not in the City limits- no oil or gas jurisdiction. If being annexed Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left of plat, this could prevent receiving city permits for structures.

Planning: (Approved with Conditions)

Under the Certificate of Approval, add the current chairman's name, Lucy Sisniega and secretary, Jeff Fisher. [Informational]

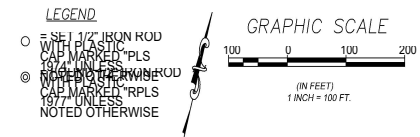
Staff recommends approval of the Preliminary Plat of Westridge Park, Section 49, subject to condition A.

Conditions:

- A. Approval of this Preliminary Plat is subject to the Final Plat, including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County of Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Maps
Application



STATE OF TEXAS
COUNTY OF MIDLAND

Now, therefore, know oil men by these present:

That I, Collin Sewell, do hereby adopt this plat designating the herein above described property as

WITNESS our hands at Midland, Texas, this the _____ day of _____, 2021

LUSSO REAL ESTATE, LLC
COLLIN SEWELL, MANAGING MEMBER

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

This plot was acknowledged before me on _____, 2021 by Collin Sewell.

Notary Public, State of Texas

Parcel Line			Parcel Line			Parcel Line		
Line	Length		Line	Length		Line	Length	
L1	310	N45°14'15"E	L21	218	N75°14'15"E	L41	511	S33°00'00"W
L2	144	L1 N75°14'15"E	L22	100	N45°14'15"E	L42	257	S55°00'00"W
L3	220.18	N22°32'28"E	L23	218	N75°14'15"E	L43	233.27	N60°20'28"E
L4	234.18	N22°32'28"E	L24	234	N45°14'15"E	L44	406	N67°30'00"W
L5	160	N45°14'15"E	L25	218	N75°14'15"E	L45	100	N22°32'28"E
L6	100	S33°00'00"W	L26	218	N75°14'15"E	L46	100	N22°32'28"E
L7	100	S55°00'00"W	L27	100	N45°14'15"E	L47	163	S55°00'00"W
L8	0	S20°14'15"E	L28	0	N75°14'15"E	L48	142.78	S60°20'28"E
L9	0	N45°14'15"E	L29	200	S33°00'00"W	L49	380.00	N75°14'15"E
L10	158	N22°32'28"E	L30	277.94	N74°48'21"E			N75°14'15"E
L11	400	N45°14'15"E	L31	397	N74°48'21"E			21°23"E
L12	277.94	N74°48'21"E	L32	500	N45°14'15"E			
L13	215.57	S72°32'28"E	L33	100	N75°14'15"E			
L14	234.18	N22°32'28"E	L34	500	S20°14'15"E			
L15	0	S20°14'15"E	L35	813	N45°14'15"E			
L16	816.48	0°00'00"E	L36	0	N75°14'15"E			
L17	255.38	N60°20'28"E	L37	100	S33°00'00"W			
L18	0	N22°32'28"E	L38	54.92	N22°32'28"E			
L19	0	N45°14'15"E	L39	54.92	N22°32'28"E			
L20	200	S55°00'00"W	L40	500	S71°27'57"W			
	55.94	N75°14'15"E		140	S71°27'57"W			

Curve Table			S172°31'15"E	
Curve#	Radius	Chord	Chord	Chord
		Length	Length	Length
C1	151.84	121.74	121.74	121.74
C2	563.32	515.51	515.51	515.51
C3	211.44	265.00	214.74	236.90
C4	167.00	205.00	18.39	35.63
C5	286.26	316.00	18.39	55.6
C6	588.26	316.00	18.39	55.6
C7	203.39	280.00	15.96	20.27

OWNED BY:
RUSSO REAL
ESTATE, LLC
1400 PARKS
LEGADO RD.
ODESSA, TEXAS
79705
RECORD FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

WESTRIDGE PARK ADDITION, SECTION 49

SCALE: 1" = 100'	DRAWN BY: CBO
DATE: AUG 2021	FILE NAME:

 NEWTON

ENGINEERING, P.C.
F-13856
4501-A Santa Rosa Dr.
Modesto, CA 95205

Midland, Texas 79707
(432)770-0499

PRELIMINARY PLAT PROJECT NUMBER
21-MED43

NOTE: BY SETTING A PORTION OF THIS ADDITION BY
BEYOND JURISDICTION OF ORDINANCE AND
STATE LAW AND SUBJECT
TO THE RULES AND REGULATIONS OF THE
COMMISSION, THE FOLLOWING ADDITION
REQUIRED BEFORE THE DEVELOPMENT OF
BUTLER PERMITS MAY BE OBTAINED:
STATE-LEVEL COORDINATE SYSTEM, TEXAS
COORDINATE ZONE
AFTER READING OF THIS PLAT IS IN
TO REBUILT NUMBER 483920C0200 DATED
OCTOBER 1997 BY THE ASSOCIATION
PLANNING AND IMPLEMENTATION
BUTLER PERMIT FORCE DURING THE
BUILDING PERIOD. FEES OR INCREASES
INCREASED DUE TO

CERTIFICATE OF APPROVAL:
For approval by the Commission:

This is to certify that the above and foregoing plat of WESTRIDGE PARK ADDITION, SECTION 49 was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 2021.

Signed: _____
Rennie Lawrence, Chairman

Signed: _____
Elizabeth Shughart, Secretary

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That I, Thais Watson Ahlstrand, a Registered Professional Land Surveyor, do hereby certify that I prepared this plot from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

Thom Watson, Abilene, TX 79601
Cross Textile and Services Inc.
2930 Westlake Oaks, Austin, TX 78748
432-661-2202
Tx Firm Reg. #100248-00

UTILITY COMPANY CERTIFICATE:
This plat has been checked for accessibility of utilities.

Signed: _____
Oncor Electric Delivery Company

Signed: _____
Suddenlink

Signed: _____
A. T. & T.

Signed: _____
Grande Communications

Signed: _____
Algonquin

PACKET





Preliminary Plat Application

Project Number: SUB-21-0453
Case Number: P-21-1234

Proposed Subdivision Plat Name: Westridge Park Addition, Section 49

Legal Description (attached sealed Metes and Bounds): See attached.

Property Owner Printed Name: <u>Lusso Real Estate, LLC</u>		Phone (432) 247-8198 Email	
Address <u>4400 Parks Legado Rd.</u>	City <u>Odessa</u>	State <u>Texas</u>	Zip <u>79765</u>

Developer (if different than Owner) Printed Name: <u>Same as Owner</u>		Phone () Email	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Newton Engineering, PC</u> Printed Name: <u>John M. Newton</u>		Phone (432) 770-0499 Email	
Address <u>4501-A Santa Rosa Dr.</u>	City <u>Midland</u>	State <u>Texas</u>	Zip <u>79707</u>

Current Zoning: RR SUD Sale of Motor vehicles

Reason for Platting: To construct a dealership

Plat Information	Total Acreage:	<u>30.80 Acres</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)		
Number of Lots: <u>3</u>	Number of Multi-family Dwelling Units: <u>0</u>	

Submittal and Fees

Items to be submitted with this application form:

- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

Request for a Development Agreement

Do you expect to request a development agreement with the City? ☐ Yes ☐ No

If yes, contact the City Engineer at (432) 685-7286

Provisions

A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and ***all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved***, or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date: 10/29/2021

Property Owner (printed): Colton Seaver

The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by _____ the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this _____ day of _____, 20 __, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- ☒ Property Owner Authorization ☒ 1 Copy of Dimensioned Plat ☒ Plat in Digital Format (PDF/JPEG)
☐ Application Fee ☒ 1 Copy of Plat (11x17)

Check # _____

Received By: KM

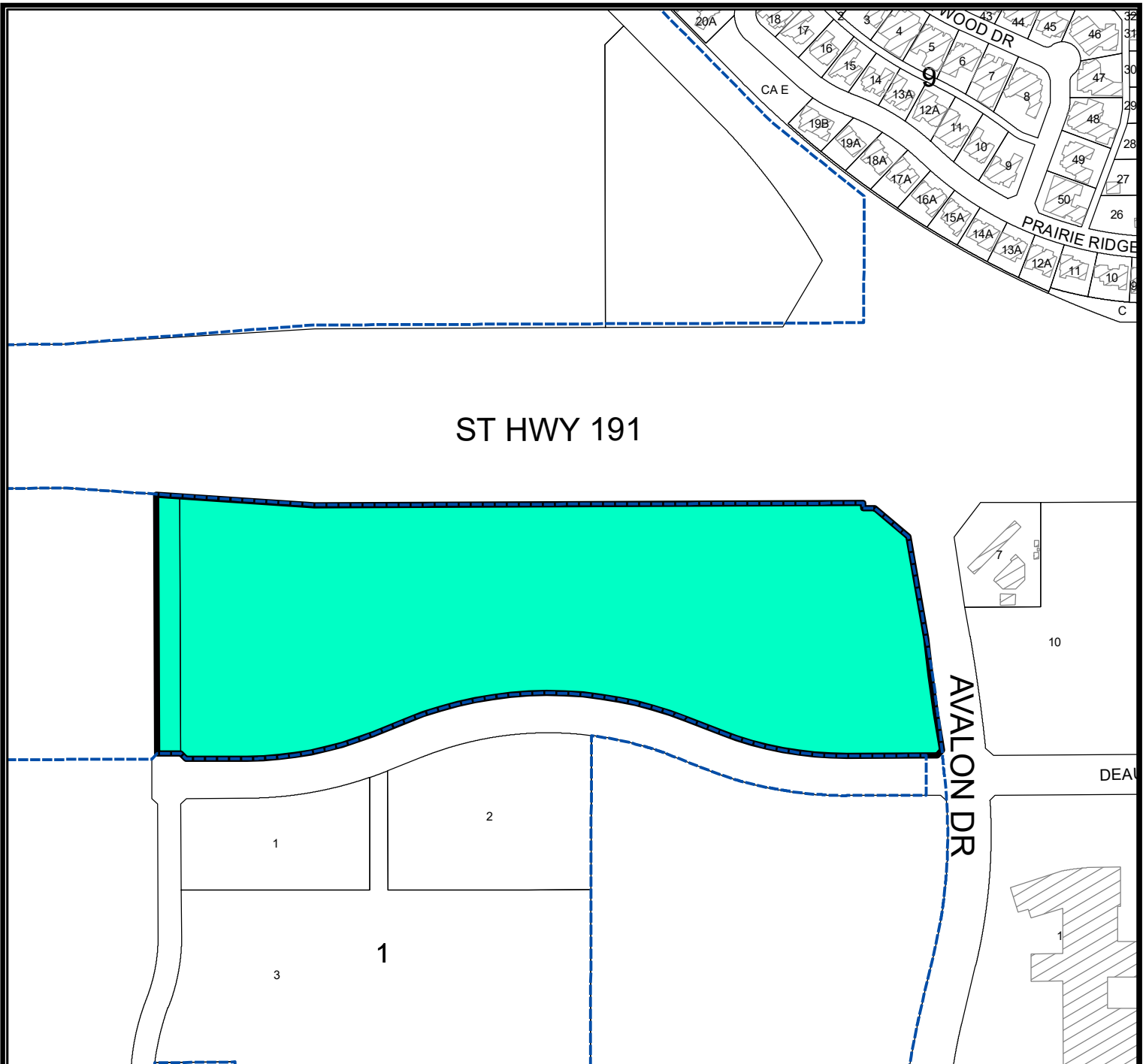
Date: 11/10/21

****Application will not be considered for scheduling until reviewed by a planner.****

Preliminary Plat Application

2

Revised 07/01/19



LOCATION MAP

SUB-21-0453

Scale: 1" = 400'

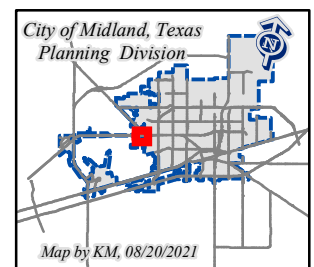
Proposed plat of Westridge Park Addition, Section 49 being a 30.80-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive.

(Council District 4)

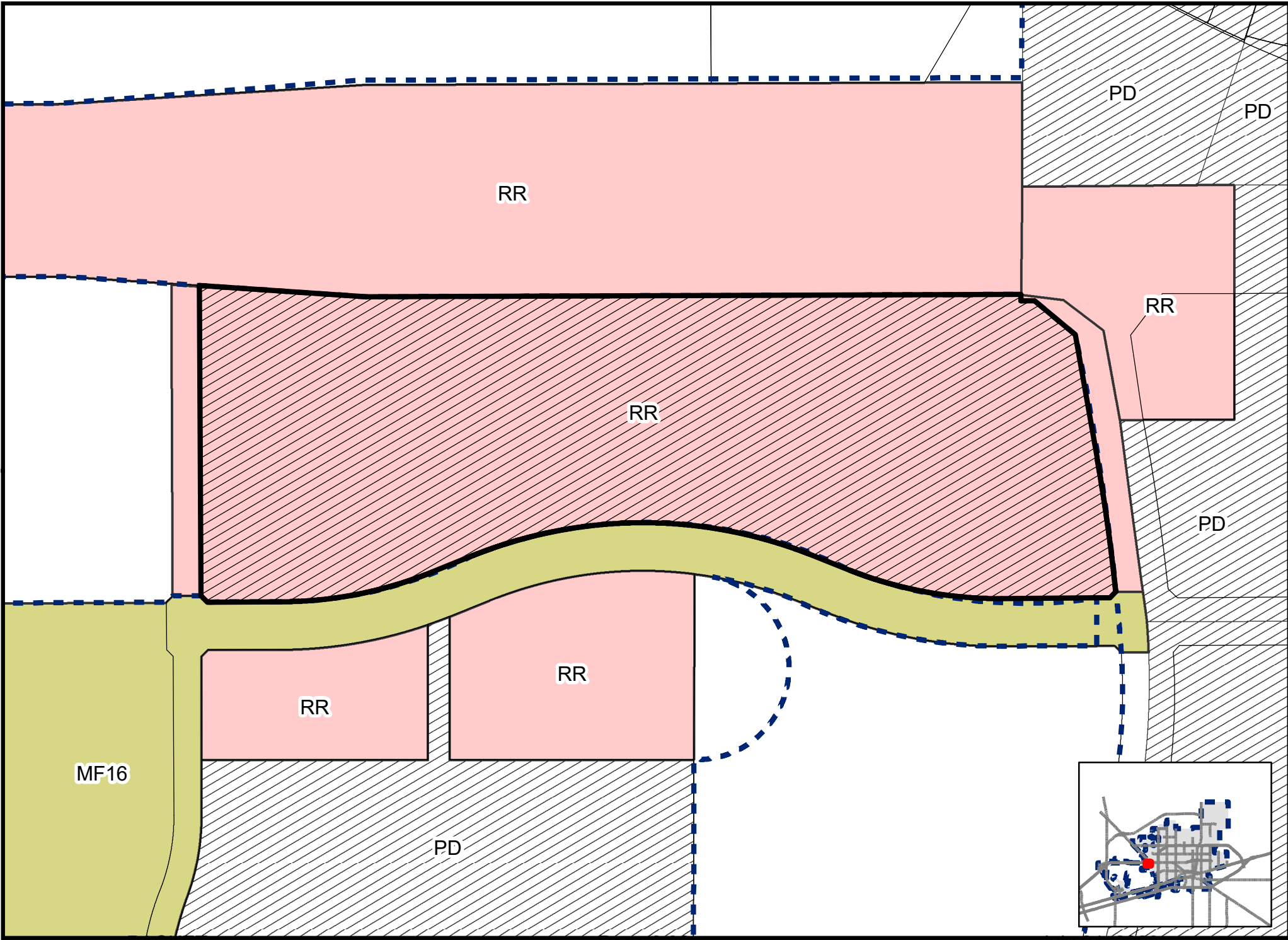
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: July 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of Westridge Park Addition, Section 49, being a Plat of a 24.48-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. - Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The original Preliminary Plat was approved by the Planning and Zoning Commission on December 6, 2021, and subsequently by City Council on December 14, 2021. The preliminary plat is being reinstated at this meeting to allow the Final Plat to be approved. The final plat combines Lots 1 and 2 on the Preliminary Plat into one lot, and does not include Lot 3 which will be part of a future phase and require a new Final Plat. The Final Plat substantially conforms to the Preliminary Plat as required by Section 11-2-3(5)(a) of the Midland City Code.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved)

IMPACT FEES: Impact Fee statement okay as shown. [For Applicant's Information Only.]

ROW: Okay as shown. [For Applicant's Information Only.]

PAVING: Deauville Blvd. okay as is. State Highway 191 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required.

WATER: 16" water main exists in Deauville Blvd. south of tract, okay as is. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 – Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test.

PRO RATA: None.

SEWER: 12" sewer main exists in Deauville Blvd. south of tract, okay as is. [For Applicant's Information Only.]

DRAINAGE: Preliminary drainage study has been submitted and is currently being reviewed by TxDOT. The TxDOT drainage study will be confirmed at time of building permit. [For Applicant's Information Only.]

EASEMENTS: Okay as shown. [For Applicant's Information Only.]

SIDEWALKS: Required with building permit. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: Driveway permitting within city limits on I-20, LP 250, SH 191, and FM 1788 is under the jurisdiction of TxDOT. A copy of an approved TxDOT driveway permit must be provided to the City with the building permit application before a City building permit can be issued. The TxDOT Driveway Permit Coordinator is Rachael Ramirez (Rachael.Ramirez@txdot.gov, 432-498-4789). [For the Applicant's information only.]

Transportation: (Approved)

Driveway permitting within city limits on I-20, LP 250, SH 191, and FM 1788 is under the jurisdiction of TxDOT. A copy of an approved TxDOT driveway permit must be provided to the City with the building permit application before a City building permit can be issued. The TxDOT Driveway Permit Coordinator is Rachael Ramirez (Rachael.Ramirez@txdot.gov, 432-498-4789). [For the Applicant's information only.]

Fire: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances.

Code Compliance: (Approved)

No Oil & Gas well concerns. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

Planning: (Approved)

No comments.

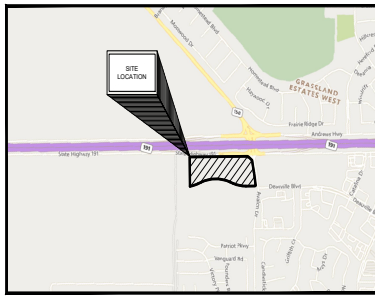
Staff recommends approval of the Final Plat of Westridge Park, Section 49, subject to condition A.

Conditions:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Maps
Application



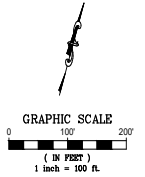
LOCATION MAP
N.T.S.

WESTRIDGE PARK ADDITION, SECTION 49

BEING A PLAT OF A 24.48 ACRE TRACT OF LAND
LOCATED IN SECTIONS 37 AND 38, BLOCK 40, T-1-S, T&P RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

LEGEND

- 1/2" IRON ROD FOUND WITH CAP
- TXDOT ROW MONUMENT
- 1/2" IRON ROD SET WITH CAP
- BOUNDARY LINE
- - - ADJACENT PROPERTY



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, LUSSO REAL ESTATE, LLC, IS THE RECORD OWNER OF ALL OF THAT CERTAIN LAND SHOWN ON THIS
PLAT AND DESIGNATED AS WESTRIDGE PARK ADDITION, SECTION 49, BEING A PLAT OF A 24.48 ACRE TRACT
OF LAND LOCATED IN SECTIONS 37 AND 38, BLOCK 40, T-1-S, T&P RR. CO. SURVEY, CITY AND COUNTY OF
MIDLAND, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, COLIN SEMELL, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY
AS WESTRIDGE PARK ADDITION, SECTION 49 AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER OF THE
STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HANDS AT MIDLAND, TEXAS, THIS ____ DAY OF ____, 2023.

LUSSO REAL ESTATE, LLC
COLIN SEMELL, MANAGING MEMBER

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON ____, 2023 BY COLIN SEMELL.

NOTARY PUBLIC, STATE OF TEXAS

NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY
BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT
TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE
REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A
BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES REFERENCED TO THE TEXAS
STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH
AMERICAN DATUM OF 1983, WITH A COMBINED GRID FACTOR OF
0.999974 AND A TIE ANGLE OF 40°18'00".
- THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING
TO FIRM MAP NUMBER 48329C0200P DATED SEPTEMBER 16, 2005.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL
PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT
FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS.
ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE
ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE
UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

OWNER:

LUSSO REAL ESTATE, LLC,
4400 PARKS LEGADO ROAD
ODESSA, TEXAS 79765

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____

CERTIFICATE OF APPROVAL: FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WESTRIDGE
PARK ADDITION, SECTION 49, WAS APPROVED BY PROPER ACTION OF THE
PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, ON THIS
____ DAY OF ____, 2023.

SURVEYOR'S CERTIFICATE:

THAT I, DOW E KELLY, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY
CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY
OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN WERE FOUND PROPERLY
PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION
REGULATIONS OF THE CITY OF MIDLAND, TEXAS.



Page 7.40

REGISTERED PROFESSIONAL SURVEYOR

Signed: _____
Onor Electric Delivery Company

Signed: _____
Optimum

Signed: _____
A. T. & T.

Signed: _____
Astound Broadband

Signed: _____
Almas Energy

PACKET

Signed: _____
Lucy Staniga, Chairman

Signed: _____
Jeff Fisher, Secretary



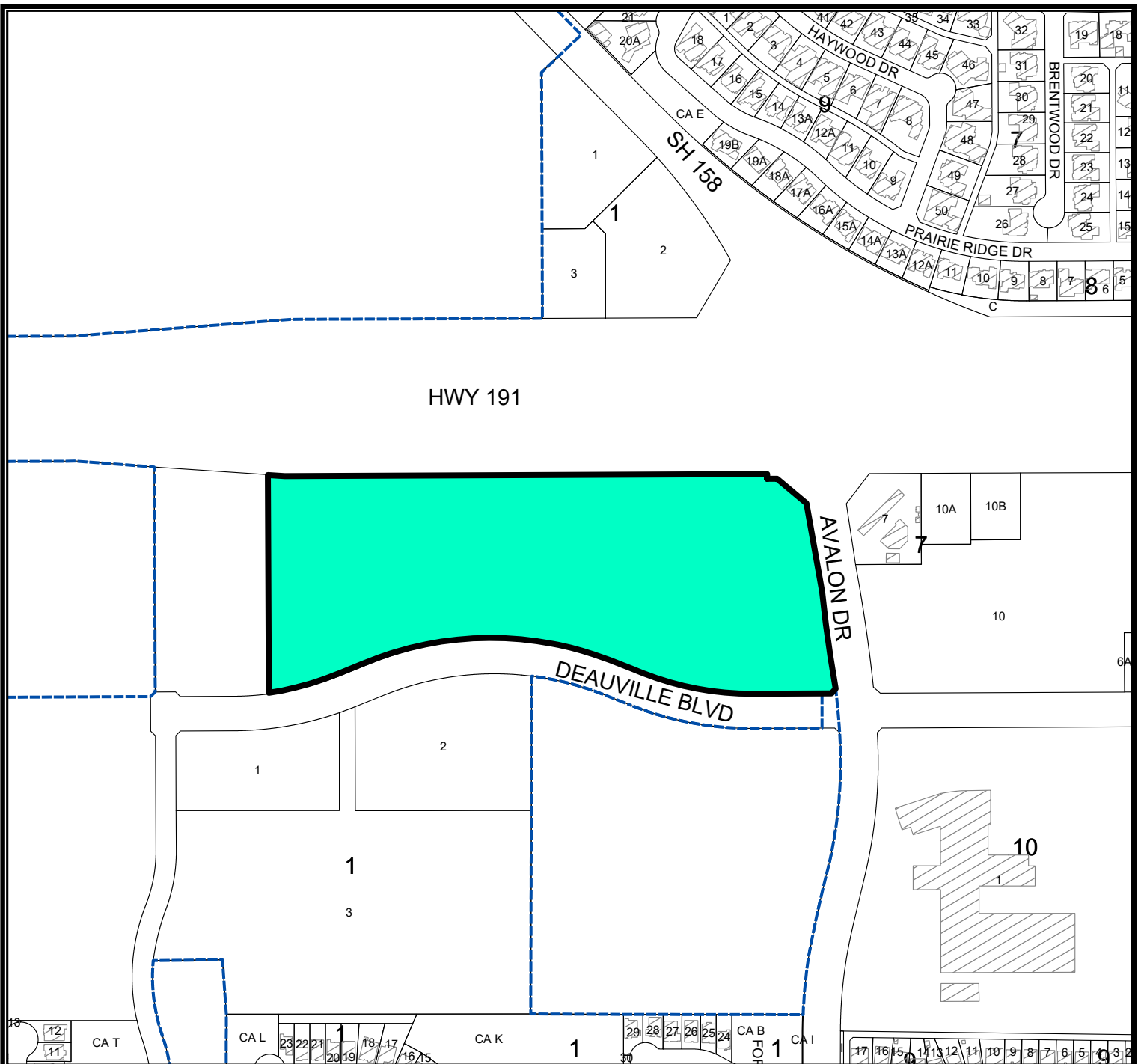
NEWTON ENGINEERING, PC
4501A Santa Rosa Dr. P-13855 2481 E. 2nd St.
Midland, Texas 79707 F-10194509 Odessa, Texas 79761
(409) 726-0000 (409) 933-0707

July 24, 2023
DATE: JUNE 2023

FINAL PLAT

SCALE: 1"=100'

PROJECT NUMBER
21-ME04037



LOCATION MAP

SUB-21-0453

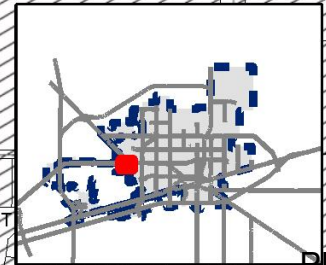
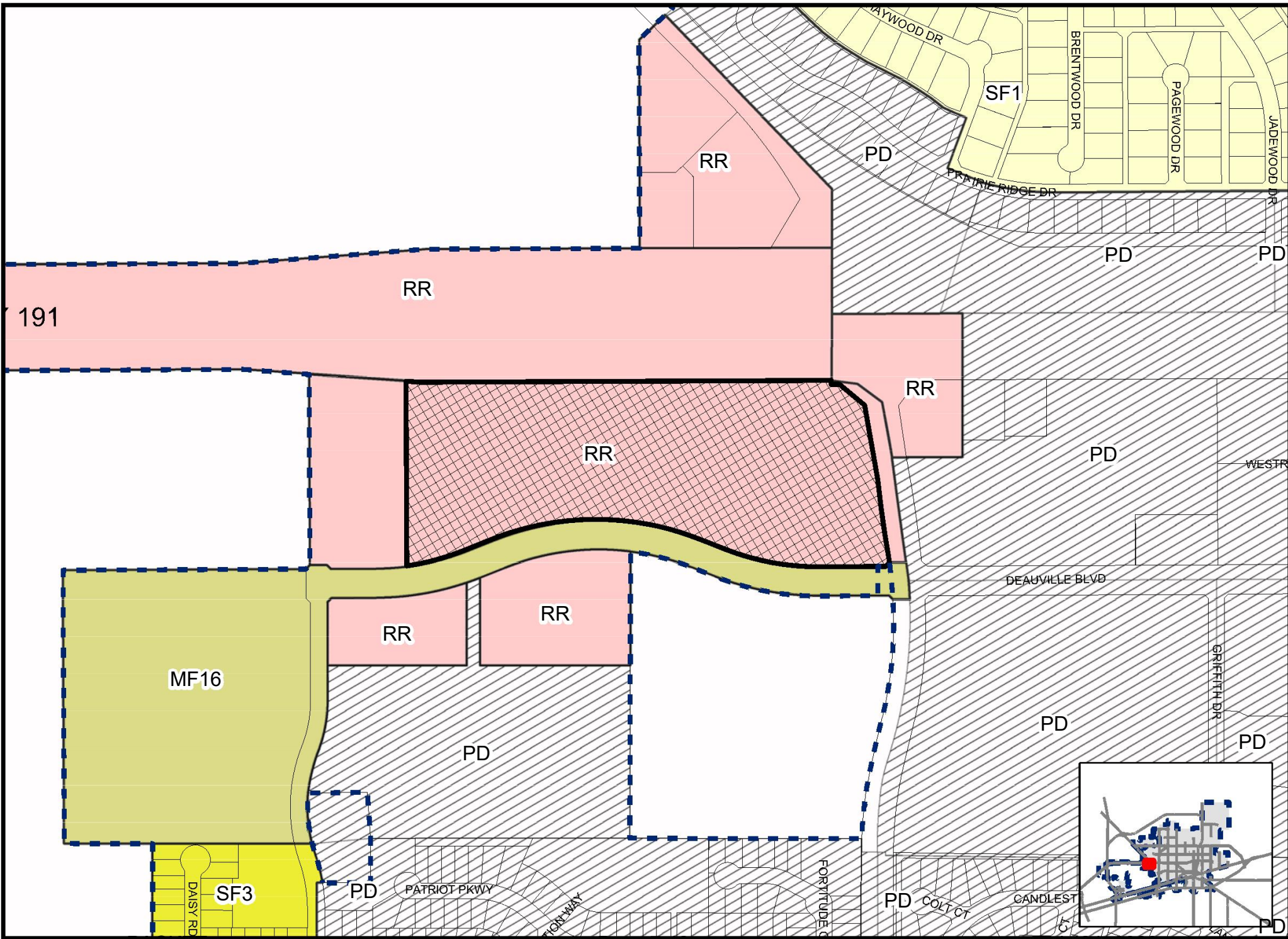
Scale: 1" = 200'

Final Plat of Westridge Park Addition, Section 49, being a plat of a 24.48-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. - (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Final Plat Application

Project Number: SUB-21-0453Case Number: P-23-1672Proposed Subdivision Plat Name: Westridge Park Addition, Section 49

Legal Description (attached sealed Metes and Bounds): _____

Property OwnerPrinted Name: Lusso Real Estate, LLC

Phone ()

Email

Address

4400 Parks Legado Rd

City

Odessa

State

TX

Zip

79765**Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Newton EngineeringPrinted Name: Kyle Newton, P.E.Phone (432) 935-0707

Email

Kyle@newtoncivil.com

Address

4501A Santa Rosa Dr.

City

Midland

State

TX

Zip

79707Current Zoning: RRReason for Platting: Create single lot for development purposes**Plat Information**Total Acreage: 24.48 ACType: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & CADD File
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date: 6/26/2023

Property Owner (printed):

Collin Sewell

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this _____ day of _____, 20 ____, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☒ CADD File

☒ Application Fee

☒ Title Opinion

☒ Public Improvement

Check # Card

☒ Tax Certificates

☒ Recording Fee

Check # Card

Received By: AW

Date: June 26, 23

****Application will not be considered for scheduling until reviewed by a planner****
PACKET Page 7.44 July 24, 2023