

November 9, 2022

Charles "Buck" Hudson, Commissioner Pct. 4
Tyler County Courthouse
100 West Bluff St.
Woodville, Texas 75979

RE: Joslin Development Group, LLC – Clarification regarding Chapter 3 – Minimum Standards for Roads and Streets of the Subdivision Regulations approved and accepted by Tyler County Commissioners Court on July 20, 2021

To Commissioner Charles "Buck" Hudson:

I represent Joslin Development Group, LLC ("Joslin"), which purchased approximately 387.165 acres out of the Jose Falcon Survey, Abstract No. 15 in Tyler County, as shown on the attached survey plat. County Road 4300 runs through Joslin's property. Joslin intends to develop this tract into approximately 20 rural homesite tracts, each being approximately 20 acres but ranging from approximately 14 acres to approximately 25 acres. The single exception will be a tract that is approximately 5 acres, which will have direct access to County Road 4300. An approximate depiction of the divided property, along with a proposed roadway, is attached.

Joslin's planned subdivision of this property falls under the Subdivision Regulations approved and accepted by Tyler County Commissioners Court on July 20, 2021 (the "Subdivision Regulations") because Joslin is dividing the tract into two or more parts to lay out a subdivision of the tract as well as a street. See Subdivision Regulations at Section 1.1. None of the exemptions under the Subdivision Regulations at Section 1.3 apply. Accordingly, Joslin is mandated to comply with the Minimum Standards for Roads and Streets as set forth in Chapter 3 of the Subdivision Regulations.

In building the proposed roadway, Joslin will gladly comply with the Minimum Standards for Roads and Streets as set forth in Chapter 3 of the Subdivision Regulations, subject to certain clarification. Based on Section 3.5 of the Subdivision Regulations, "[a]ll roads and streets must be constructed with a stabilized subgrade [and]...have a flexible base." Accordingly, Joslin intends to build the proposed roadway to comport with the standards set forth in Section 3.5. Joslin, however, seeks clarification regarding the applicability of Section 3.6 entitled "Surface materials." The "Surface materials" of Section 3.6 require certain construction standards to apply when building three types of roads: (1) paved roads, (2) asphalt roads, and (3) concrete roads. In reviewing the entirety of the Subdivision Regulations, we have not found an affirmative statement that requires roads and streets to be finished off with any of these three surface materials set forth in Section 3.6. So Joslin's interpretation is that Section 3.6 applies *only* when building a paved road, asphalt road, or concrete road—and Section 3.6 *does not apply* to other roads merely composed of the stabilized subgrade and flexible base. This interpretation seems consistent with the County Commissioners current practices regarding roads built and maintained by the County given that many such roads are not finished with any of these three surface materials set forth in Section 3.6. Before presuming upon this interpretation, however, Joslin seeks clarification from the Commissioners Court as to whether compliance with Section 3.6 is considered mandatory for all roads and streets or

whether compliance with Section 3.6 is only mandatory when a road or street is paved roadway, asphalt roadway, or concrete roadway.

I will attend the Commissioners Meeting on Monday, November 14, 2022 to explain this request to the Commissioners Court at large and hopefully receive an answer back from the Court. And as such, I would ask that you add this topic to the agenda for the meeting. Thank you so much.

Regards,



THOMAS D. FORTENBERRY

2901 Caballo Ranch Blvd.

Cedar Park, Texas 78641

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P.O. Box 1567

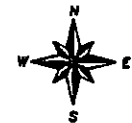
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ATTORNEY AT LAW

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413 N. PINE
WOODVILLE, TEXAS 75079
(409) 253-8187 OFFICE
FORM LICENSE NO. 101128-00



Scale 1" = 1000'

~ LEGEND ~

- = Fnd Conc. Monument
- ◇ = Fnd 2" Iron Pipe
- △ = Fnd 1/2" Iron Pipe
- ⊙ = Fnd 5/8" Iron Rod
- = Set 1/2" Iron Rod

JOHN J. HOOPER SURVEY
A-350

FS San Augustine LLC
1076.00 Acre Tract
Vol. 1211, Pg. 478
Vol. 1209, Pg. 01

FS San Augustine LLC
170.00 Acre Tract
Vol. 1211, Pg. 478
Vol. 1209, Pg. 01

Stephen Boons
191.01 Acre Tract
Vol. 1267, Pg. 565

Ricardo McCall
148.625 Acre Tract
Vol. 1049, Pg. 517

ISAAC ALLISON SURVEY
A-43

387.165 ACRES

JOSE FALCON SURVEY
A-15

FS San Augustine LLC
381.36 Acre Tract
Vol. 1211, Pg. 478
Vol. 1209, Pg. 01

Anthony Ciancimino
3.795 Acre Tract
Vol. 1202, Pg. 609

THOMAS J. ALLISON SURVEY
A-44

SAMUEL WILLIAMS SURVEY
A-675

Lula & Englesaw
Woodworth Estate
2.05 Acre Tract
Vol. 121, Pg. 61

B & K Pfluger, LP
191.338 Acre Tract
Vol. 908, Pg. 564

FS San Augustine LLC
1179.70 Acre Tract
Vol. 1211, Pg. 478
Vol. 1201, Pg. 01

ADJOINER TABLE

(A)	Spring Hill Missionary Baptist Church 3,272 Acre Tract Vol. 1182, Pg. 573
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LINE TABLE - 3.272 ACRES

LINE	BEARING	DISTANCE
L1	S 84°07'05" W	240.03'
L2	S 84°45'28" W	488.66'
L3	N 03°59'10" E	213.27'
L4	S 89°29'47" E	218.09'
L5	N 86°37'39" E	329.54'
L6	S 43°16'55" E	262.72'

NOTE: ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD 83

SURVEY FLAT SHOWING

A 387.165 ACRE TRACT OF LAND AS SITUATED IN THE JOSE FALCON SURVEY, A-15, TYLER COUNTY, TEXAS AND BEING THE RESIDUE OF THAT SAME CALLED 390.75 ACRES, MORE OR LESS, DESIGNATED AS TRACT 4, CONVEYED TO CHARLES W. TUBB AND GMT INVESTMENTS BY DEED AS RECORDED IN VOLUME 1102, PAGE 190 OF THE OFFICIAL PUBLIC RECORDS.

I, LYLE RAINY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THIS SURVEY, OF THE PROPERTY LEGALLY SHOWN HEREON, IS CORRECT AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, SHORTAGES OF AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

SURVEYED SEPTEMBER 8, 2022

Lyle Rainy
LYLE RAINY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



