

**Appendix 3B: Subdivision Plat Dedication Language**

City of Garland

Subdivision Plat Dedication Language

12/12/2022

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*Dedication form for an **individual** (NO HOA):*

**NOW THEREFORE, KNOW ALL BY THESE PRESENTS:**

That \_\_\_\_\_, the owner of the property described in this plat does hereby adopt this plat, designating the property as \_\_\_\_\_ an addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, any streets and alleys shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated; provided, however, that no public dedication is made or intended as to any private easement, screen wall easement, or wall maintenance easement shown on this plat. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes dedicated. No building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any easement dedicated by this plat in such a manner as to restrict the use or scope of, or interfere with the purpose and intent of the easement. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility; and (2) the right of ingress and egress to or from and upon such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. The maintenance of paving on utility easements and fire lanes is the responsibility of the property owner. Any and all maintenance of screening walls, screen wall easements, retaining walls, and wall maintenance easements is the responsibility of the property owner, their successors, or assigns.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line.

*Dedication form for an **individual** (WITH HOA):*

**NOW THEREFORE, KNOW ALL BY THESE PRESENTS:**

That \_\_\_\_\_, the owner of the property described in this plat, does hereby adopt this plat, designating the property as \_\_\_\_\_ an addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, the streets and alleys shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated; provided, however, that no public dedication is made or intended as to any private easement, screen wall easement, or wall maintenance easement shown on this plat. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes dedicated. No building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any public easement dedicated by this plat in such a manner as to restrict the use or scope of, or interfere with the purpose and intent of the easement. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility within a public easement; and (2) the right of ingress and egress to or from and upon the such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. The maintenance of paving on utility easements and fire lanes is the responsibility of the property owner. Any and all maintenance of Home Owners Association common areas or lots, private easements, screening walls, screen wall easements and wall maintenance easements is the responsibility of the Home Owners Association, its successors, or assigns.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line.

*Dedication form for corporations, partnerships, trusts, and other business entities (NO HOA):*

**NOW THEREFORE, KNOW ALL BY THESE PRESENTS:**

That \_\_\_\_\_, the owner of the property described in this plat, acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as \_\_\_\_\_ an addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, any streets and alleys shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated; provided, however, that no public dedication is made or intended as to any private easement, screen wall easement, or wall maintenance easement shown on this plat. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes dedicated. No building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any easement dedicated by this plat in such a manner as to restrict the use or scope of, or interfere with the purpose and intent of the easement. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility; and (2) the right of ingress and egress to or from and upon such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. The maintenance of paving on utility easements and fire lanes is the responsibility of the property owner. Any and all maintenance of screening walls, screen wall easements, retaining walls, and wall maintenance easements is the responsibility of the property owner, its successors, or assigns.

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*Dedication form for corporations, partnerships, trusts, and other business entities (WITH HOA):*

**NOW THEREFORE, KNOW ALL BY THESE PRESENTS:**

That \_\_\_\_\_, the owner of the property described in this plat, acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as \_\_\_\_\_ an addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, the streets and alleys shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated; provided, however, that no public dedication is made or intended as to any private easement, screen wall easement, or wall maintenance easement shown on this plat. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes dedicated. No building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any public easement dedicated by this plat in such a manner as to restrict the use or scope of, or interfere with the purpose and intent of the easement. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility within a public easement; and (2) the right of ingress and egress to or from and upon the such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. The maintenance of paving on utility easements and fire lanes is the responsibility of the property owner. Any and all maintenance of Home Owners Association common areas or lots, private easements, screening walls, screen wall easements and wall maintenance easements is the responsibility of the Home Owners Association, its successors, or assigns.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line.

*[Additional dedications as required:]*

***[INCLUDE THE FOLLOWING PROVISION IF THE PLAT CONTAINS A DRAINAGE EASEMENT OR FLOODWAY]:***

Each property owner shall keep the drainage channels and/or drainage and floodway easements traversing or adjacent to his property clean and free of debris, silt, and any other substance which may impede the flow of stormwater or result in unsanitary conditions. This includes all necessary establishment of ground cover, slope stabilization, mowing, weeding, litter pick-up, and other normal property owner responsibilities. The City of Garland shall have the right of ingress and egress for the purposes of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur.

No obstruction to the natural flow of stormwater runoff shall be permitted by filling or by construction of any type, including, but not limited to, construction of any dam, building, fence, bridge, walkway, or any other structure within the drainage channels or easements, unless approved by the City of Garland, provided, however, it is understood that in the event it becomes necessary for the City of Garland to erect any type of drainage structure in order to improve the storm drainage that may be occasioned by the streets and alleys in or adjacent to the subdivision, then in such event, the City shall have the right to enter upon the drainage or floodway easements at any point or points to erect, construct, or maintain any drainage facility deemed necessary for drainage purposes.

***[INCLUDE THE FOLLOWING PROVISION IF THE PLAT CONTAINS A DETENTION, RETENTION, OR AMENITY POND AREA]:***

The City of Garland, Texas shall not be responsible for the maintenance or operation of any detention [INSERT RETENTION OR AMENITY POND AS NECESSARY] area designated on this plat or for any damage or injury to property or persons that results from the flow of water along, into or out of those detention areas, or for the control of erosion. The construction, operation, and maintenance of any detention area designated on this plat is controlled by and subject to the applicable provisions of the Code of Ordinances of the City of Garland, as amended, or the Garland Development Code, as amended.

***[INCLUDE THE FOLLOWING PROVISION IF THE PLAT CONTAINS A MINIMUM FINISHED FLOOR ELEVATION FOR ANY LOT]***

The City reserves the right to require minimum finish floor elevations on any lot contained within this addition. The minimum elevations shown are based on the most current information available at the time the plat is filed and are subject to change.

***[INCLUDE THE FOLLOWING PROVISION IF THE PLAT CONTAINS ACCESS EASEMENTS]***

The undersigned does covenant and agree that the access easement(s) dedicated on this plat may be utilized by any person, including the general public, for ingress and egress to other real property,

for both vehicular and pedestrian use and access, in, along, upon and across the premises containing the access easement(s). This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland, Texas.

***[INCLUDE THE FOLLOWING PROVISION IF THE PLAT CONTAINS A STREET EASEMENT]***

The area or areas shown on the plat as “Street Easement” are hereby given and granted to the City of Garland (“City”), its successors and assigns, as an easement to construct, reconstruct, operate, repair, re-build, replace, relocate, alter, remove and perpetually maintain street and highway facilities, together with all appurtenances and incidental improvements, in, upon and across certain real property owned by Grantor. Appurtenances and incidental improvements include, but are not limited to, curbs, gutters, inlets, aprons, traffic signs with or without attached flashing lights, guard rails, sidewalks, buried conduits, buried City utilities, and underground franchise utilities. Street Easements shall remain accessible at all times and shall be maintained by the Owners of the lot or lots that are traversed by, or adjacent to the Street Easement. After doing any work in connection with the construction, operation or repair of the street and highway facilities, the City shall restore the surface of the Street Easement as close to the condition in which it was found before such work was undertaken as is reasonably practicable, except for trees, shrubs and structures within the Street Easement that were removed as a result of such work.

***[INCLUDE THE FOLLOWING PROVISION IF THE PLAT CONTAINS A VISIBILITY, ACCESS AND MAINTENANCE EASEMENT (VAM)]***

The area or areas shown on the plat as “VAM” (Visibility, Access and Maintenance) Easement(s) are hereby given and granted to the City of Garland (“City”), its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM Easement. Property owners of corner lots shall maintain the VAM Easement(s) in accordance with Chapter Eight of the Technical Standards Manual of the City of Garland, Texas. The City shall have the right, but not the obligation, to maintain all landscaping within the VAM Easement. Should the City exercise this maintenance right it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover, structure and/or fixtures. The City in its sole discretion may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the property owner(s). No building, fence, wall, screen, berm, sign, parking stall, drive aisle, driveway, hedge, shrub, tree, or other improvements or growths, which in any way endanger or interfere with the visibility, shall be constructed in, on, over, or across the VAM Easement. The City shall also have the right, but not the obligation, to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement, and to remove any obstruction thereon. The City, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

***[INCLUDE THE FOLLOWING PROVISION IF THE PLAT CONTAINS RECREATIONAL TRAIL EASEMENTS]***

The Recreational Trail Easement is hereby dedicated for pedestrian, passive recreational trail purposes, such as walking, hiking, jogging, bicycling, and other similar recreational purposes. The City of Garland shall have the right to occupy, maintain, re-grade, modify, and expand trail improvements and use the surface of the Easement. However, the property owner shall retain title to all improvements and is responsible for designing, constructing, and maintaining all improvements to the minimum standards set by applicable city, state, and federal laws and regulations. Notwithstanding any other language contained herein to the contrary, the City is not required to maintain the Easement or any improvements therein. In the event the City elects to conduct maintenance, modification, or expansion activities to any improvements within the Easement, the City shall obtain prior written authorization from the property owner, which shall not be unreasonably withheld, before making substantive modifications to, or conducting maintenance activities on, trail improvements. The property owner shall not erect a fence, barricade, or other types of barriers that would prevent, impair, or obstruct the passage of pedestrian travel within or across the access way or the access points.



***[Owner's Signature block and Notary Acknowledgement]***

This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland, Texas.

WITNESS, my hand at Garland, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
AUTHORIZED SIGNATURE

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration and under the authority therein expressed.

GIVEN under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public for and in the State of Texas

My commission expires: \_\_\_\_\_

*Dedication form for Vacation Plats:*

- ❑ The word "VACATED" shall be stamped across the platted area and above title block.
- ❑ The vacated plat and the new final plat submitted on a property shall be considered at the same time and filed for record at the same time.

**Every plat of a subdivision which is being vacated shall contain the following inscription:**

WHEREAS, \_\_\_\_\_ presented to the City Plan Commission of the City of Garland, Texas, this plat for approval; and

WHEREAS, at its' meeting on \_\_\_\_\_, the City Plan Commission of the City of Garland, approved this plat;

WHEREAS, this plat was filed for record in the Official Public Records of Dallas County, Texas, on the \_\_\_\_\_ and recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, **[OR INSTRUMENT NUMBER IF FILED AFTER MID-2005]** of the Official Public Records of Dallas County, Texas; and

WHEREAS, it is the desire of the owner of the property to vacate this plat.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

THAT, \_\_\_\_\_, owner of the property described in this plat, does hereby vacate the said plat so that it shall no longer have any force or effect for any purpose.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

{NOTARY SEAL}

CERTIFICATION OF VACATION

I, \_\_\_\_\_, Chairman of the City Plan Commission of the City of Garland, Texas, do hereby certify that this plat originally approved by the City Plan Commission on the \_\_\_\_\_, and recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, **[OR INSTRUMENT NUMBER IF FILED AFTER MID-2005]** of the Official Public Records of Dallas County, Texas, has been presented to the City Plan Commission of the City of Garland, Texas, for vacation and that the City Plan Commission on the \_\_\_\_\_, did hereby vacate this plat, so that it shall no longer have any force or affect.

\_\_\_\_\_  
City Secretary  
City of Garland, Texas

\_\_\_\_\_  
Chairman, City Plan Commission