

Section III. Exemptions

C. GUADALUPE COUNTY EXCEPTIONS TO PLAT REQUIREMENT

1. Conditions Precedent for Application of Guadalupe County Exceptions to Plat Requirement:
 - a. Before any subdivision of property qualifies for an exception under this Paragraph, the property owner shall submit the proper form and sufficient evidence to the Environmental Health Department for review, clarification, and approval.
 - b. The following exceptions shall not apply unless and until the owner has received written approval from the Environmental Health Department.
2. The County shall not require the owner of a tract of land located outside the limits of a municipality to have a plat or revised plat of the subdivision prepared if:
 - a. The tract was created before, January 1, 2025, as evidenced by a document recorded with the County Clerk's Office prior to January 1, 2025, or other legal documentation that establishes the tract was created before January 1, 2025.
 - b. A division of land that occurred before January 1, 2025, may be sold in its entirety without being platted.
 - c. Any division of land occurring after January 1, 2025, shall comply with the Guadalupe County Subdivision Regulations.
 - d. Tracts divided before October 1, 1997, may apply for an On-site Sewage Facility permit and shall comply with the requirements set forth in 30 TAC Chapter 285 and the County On-Site Sewage Facility Order.
 - e. Any tract divided after October 1, 1997, shall have a minimum lot size of one (1) acre to obtain an On-site Sewage Facility permit.

3. The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:
 - a. The owner does not lay out a part of the tract described by Local Government Code section 232.001(a)(3);
 - b. The subdivision results from the owner dividing and conveying the tract to an adjoining property owner who combines the conveyed tract with the adjoining tract; and
 - c. The unconveyed portion of the tract is not less than one (1) acre.

The land conveyed under this Subsection to an adjoining property owner and combined with an adjoining tract shall become an integral part of the adjoining tract and shall not be conveyed separately unless the separate conveyance complies with the Guadalupe County Subdivision Regulations then in effect.

4. The County shall not require the owner of a tract of land located outside the limits of a municipality to have a plat or revised plat of the subdivision prepared if the division of land results from Guadalupe County or the State of Texas acquiring a public right-of-way.
5. The County shall not require the owner of a tract of land located outside the limits of a municipality to have a plat or revised plat of the subdivision prepared if the tract is created by the legitimate foreclosure of a valid lien against a part of the parent tract. This provision does not exempt sham transactions or foreclosures staged to avoid the platting requirement.
6. The County shall not require the owner of a tract of land located outside the limits of a municipality to have a plat or revised plat of the subdivision prepared if the tract has been divided by a final decree of a court of record with competent jurisdiction.
7. The County shall not require the owner of a tract of land located outside the limits of a municipality to have a plat or revised plat of the subdivision prepared if the owner of a tract of land divides the tract into two parts to establish a lien against a portion of the tract in compliance with the requirements of a financial institution to grant a loan, and
 - a. Each part is not less than one (1) acre in size;

- b. No part is conveyed to a third party;
- c. The owner does not lay out a part of the tract described by section 232.001(a)(3), Texas Local Government Code; and
- d. The survey prepared boldly notes that the boundary survey was prepared to establish a lien against a portion of the tract in compliance with a financial institution's requirements to grant a loan, and platting is required to convey the surveyed land.



NO. 05272025 - 5B

**ORDER ADOPTING SUBDIVISION REGULATIONS
OF GUADALUPE COUNTY, TEXAS**

IT IS ORDERED herein that Guadalupe County, Texas, pursuant to Chapter 232 of the Texas Local Government Code, hereby adopts the attached revisions to the Guadalupe County Subdivision Regulations, Section III Exemptions, previously adopted on February 25, 2025; and

IT IS FURTHER ORDERED that Guadalupe County, Texas, pursuant to Chapter 232 of the Texas Local Government Code, adopts rules governing plats and subdivisions of land within the unincorporated area of the county to promote the health, safety, morals, or general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county; and

IT IS FURTHER ORDERED that Guadalupe County, Texas, pursuant to the authority granted by Section 232.0015 (a) of the Texas Local Government Code, may further define and classify specific divisions of land that need not require platting, which are otherwise within the scope of the Texas Local Government Code Chapter 232 and the Guadalupe County Subdivision Regulations.

IT IS FURTHER ORDERED that Guadalupe County, Texas, pursuant to the authority granted by Section 232.0015 (a) of the Texas Local Government Code hereby adopts the amendments to the Guadalupe County Subdivision Regulations, specifically Section III, Exemptions (C) contained in the attached Subdivision Regulations revision adopted May 27, 2025, consistent therewith.

PASSED AND APPROVED by the Commissioners Court of Guadalupe County on the 27th day of May 2025.

A handwritten signature in blue ink, appearing to read "Kyle Kutscher", written over a horizontal line.

Kyle Kutscher
County Judge

Attest:

A handwritten signature in blue ink, appearing to read "Teresa Kiel", written over a horizontal line.

Teresa Kiel
County Clerk

