



## Application for County Road Maintenance Through Balloting & Cost Assessment

To be completed by property owners requesting county road maintenance for roads and right of ways in substandard or illegal subdivisions and developments

To:

**Smith County Road & Bridge Department**  
135 SSE Loop 323, Tyler, TX 75702;  
(903)-590-4801

From:

Name:  
Address:

Phone:

Name of Development:

Date:

Name of Developer (*if known*):

Date 2nd lot sold: (*by deed or contract, if known*):

Number of homes in Development:

Location of Development (*directions*):

Plat filed with Commissioners Court? \_\_\_\_\_ If so, when (year): \_\_\_\_\_

Plat filed with City? \_\_\_\_\_ If so, when (year): \_\_\_\_\_ What City? \_\_\_\_\_

Dedicated right of way? \_\_\_\_\_ If so, what width? \_\_\_\_\_ ft. Recorded? \_\_\_\_\_

If less than 60 ft wide, will owners dedicate a total of 60 ft.?

Road(s) built to County specs? \_\_\_\_\_ Road(s) built to City specs? \_\_\_\_\_

Distance to closest residence from the center of the road: \_\_\_\_\_ ft.

Attach any drawings/maps you may have of the development.

**Notes:**

1. Acceptance of roads and right of ways into the County Road System does not obligate Smith County to upgrade road surfaces, routes, profiles, or curvature other than that required for normal maintenance. *The Smith County Commissioners Court reserves the right to accept roads in part or in whole, or not at all.*
2. Road construction required to meet minimum County Subdivision Regulations shall be at the applicant(s) expense.
3. Dedication of a right of way will require an amended plat be filed.
4. Any surveying required of dedicated right of ways will be done at the applicant(s) expense.

Any exception to the above must be approved by the Commissioners Court.



# Application for County Road Maintenance

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(Only recommended for roads with 25 or fewer property owners)

## County Improvements Of Subdivision Roads

(This outline is based on Chapter 253 of the Texas Transportation Code)

**Step 1:** The Commissioners Court has to *determine* that improvements to a road in a subdivision is *necessary for the public health safety and welfare* of the residents of the county.

**Step 2:** Next, the Commissioners Court may *propose* that the improvements are made, and that the costs are assessed to either: the record owners of the subdivision; or the record owners of a part of the subdivision.

**Step 3:** Next, the Commissioners Court must post *notice* of a public hearing and of the proposed improvements and assessments.

**Step 4:** The Commissioners Court must *hold the public hearing*.

**Step 5:** Next, the Commissioners Court must *mail a ballot* to either: the record owners of the subdivision to be assessed; or the record owners of a part of the subdivision to be assessed.

**Step 6:** Next, the *County Clerk shall tally the ballots*, if a majority of the returned ballots are in favor of the improvements and the assessment of costs, then the Commissioners Court shall order the improvements to the road(s) and the assessment of costs.

**Step 7:** The Commissioners Court may provide the *time, terms and conditions of payment and default of an assessment*.

**Step 8:** An *assessment is secured by a lien* against the real property of the assessed property owner.

**Step 9:** The *County shall maintain the road* according to county road standards. Based on Smith County Subdivision Regulation, right of way width shall be at least 60 feet (30 feet either side of centerline).