

INSTRUCTIONS FOR SHARED ACCESS AREA EASEMENTS (12/06)

1. The shared access area easement (SAA easement) is recorded as a separate instrument prior to the final plat. The final plat (prior to recordation) must be attached to the SAA easement, so do not record the easement until the final plat is in the form it will be when it is recorded (other than the recording information for the SAA easement). Provide a metes and bounds description of the shared access area as part of Exhibit A to the SAA easement (it can be a separate sheet or can be placed on the plat itself as long as the typeface is large enough to be legible). Be sure to label the shared access area as “Shared Access Area” on the plat, please do not call it anything else. Under the addition name in the lower right hand corner, please add the description “A Shared Access Development.” The owner's dedication section of the plat must use the form that includes the shared access area statement. The attached plat must be large enough to be legible, a half-sized plat is suggested. Make a note on the plat that all lots are restricted to single family use.
2. Required guest parking must be shown on the final plat that is attached to the SAA easement; guest parking may be located in the shared access area in an area where no water/wastewater easement is located, or in common area, or at another location by parking agreement. If a parking agreement will be used to provide parking, the parking agreement must be recorded prior to the SAA easement, with the address of the parking provided in a note on the plat with the recording information for the parking agreement. If guest parking is permitted to be on the street by a planned development district provision, make a note of the section of the PD that permits on street parking for required guest parking.
3. On the SAA easement and the final plat, make sure that signature blocks are executed by all owners and lienholders, and that these signatures are acknowledged correctly. Sample signature blocks and forms of acknowledgment are attached. If any owner is a corporation, the agreement must be accompanied by proof of authority of the signatory to encumber corporate property, such as a copy of a corporate resolution or corporate bylaws. Provide proof of property ownership-usually with a copy of the warranty deed for each parcel within the area being platted.
4. There is no separate fee for the city's review of the shared access area easement agreement, and the standard final plat fee applies to review of the final plat.
5. Any changes to the standard form for the shared access easement agreement or the owner's dedication must be approved by the city attorney, located at City Hall, 1500 Marilla St Room 7DN, 214-670-3519.
6. After the SAA easement is signed by the subdivision administrator (Paul Nelson), take it to city hall for signature by the City Attorney, then take the agreement to be recorded at the county deed records office for the county where the property

being developed is located. If the property to be developed straddles more than one county, the form must be recorded in each county before it is effective. For property in Dallas County, go to 509 Main Street, Records Building, 2nd Floor, open M-F 8 a.m. to 4:30 p.m. and the recording fee is \$16 for the first page and \$4/page thereafter for each document filed; they accept personal checks but not credit cards. The recording information of the instrument must be indicated on the final plat with the volume and page or document number set forth on the instrument as provided by the county clerk at the time you submit the agreement for recording. Note that in Dallas county the document is scanned, recorded, given a document number, and posted to the internet while you wait, in other counties without this service, ask the clerk for a certified copy (there is an extra charge) and the clerk will hand-write the volume and page where the document will be recorded.) Be sure to indicate the name and address of the person to whom the recorded agreement should be sent on the last page of the agreement that is given to the county clerk for recording in cases where the original document is not recorded and immediately handed back to you with a volume and page indicating where it is recorded.

7. After the SAA easement is recorded, put the recording information for the SAA easement on the final plat, and record the final plat. In order for the final plat to become effective, the final plat must be signed (with signatures acknowledged) by each owner and the surveyor, and signed by the chief engineer for the city of Dallas and the chair of the city plan commission, and the applicant must file it in the county deed records office of the county where the property is located. If the property is in more than one county, the plat is not effective until it has been filed in all appropriate counties.
8. After recording the plat, there are a few other things unique to shared access developments that you should be aware of. Developer must identify the shared access drives with signs in accordance with private street signs, i.e. black on yellow, diamond shape, a minimum of 24 by 24 inches, and installed per City Traffic Standards. It is the responsibility of the Homeowners Association to provide adequate access for the City Sanitation Services Department, collection division. If unmanned gates are used, the gates must remain open to allow access. Please coordinate with the City Sanitation Services department. The Homeowners Association will be required to sign an indemnity agreement with the City Sanitation Services department, in a form approved by the City Attorney's office, regarding any potential damage to the shared access drives. If the development contains areas requiring City of Dallas access to drainage structures or if the subdivision poses a restriction to the drainage of storm water, provisions for immediate access by City Forces must be provided at all times.

Sample Signature Blocks and Acknowledgments

Form of acknowledgment if the owner is a person.

State of Texas*
County of Dallas*

This instrument was acknowledged before me on _____(date of acknowledgment) by _____(name of person who signed the agreement).

(Notary’s stamp here) _____(Notary’s signature)
Notary Public in and for the State of Texas*

Signature block if the owner is a corporation.

Smith’s Motor Parts, Inc.
By: _____
Bob Smith, President

Form of acknowledgment if the owner is a corporation.

State of Texas*
County of Dallas*

This instrument was acknowledged before me on _____(date of acknowledgment) by _____(name of person who signed the agreement), as _____(title of officer-usually president, or secretary), of _____(name of corporation), a _____(state of incorporation) corporation, on behalf of said corporation.

(Notary’s stamp here) _____(Notary’s signature)
Notary Public in and for the State of Texas*

Signature block if the owner is a partnership.

Smith’s Motor Parts
By: _____
Bob Smith, Partner

Form of acknowledgment if the owner is a partnership

State of Texas*
County of Dallas*

This instrument was acknowledged before me on _____(date of acknowledgment) by _____(name of person who signed the agreement),partner, on behalf of _____(name of partnership), a partnership.

(Notary's stamp here) _____(Notary's signature)
Notary Public in and for the State of Texas

Signature block if the owner is a limited partnership with a corporate general partner.

Smith's Motor Parts, L.P.

By: Motors, Inc., Its general partner

By: _____
Bob Smith, President

Form of acknowledgment if the owner is a limited partnership with a corporation as general partner.

State of Texas*

County of Dallas*

This instrument was acknowledged before me on _____(date of acknowledgment) by _____(name of person who signed the agreement), as _____(title of officer-usually president, or secretary), of _____(name of corporation that is the general partner), a _____(state of incorporation) corporation, on behalf of said corporation, and the corporation executed this instrument as partner on behalf of _____(name of limited partnership), a limited partnership.

(Notary's stamp here) _____(Notary's signature)
Notary Public in and for the State of Texas

If the owner is not an individual, a corporation, a partnership, or a limited partnership, please check with the city attorney's office personnel in charge of platting related agreements before signing the agreement to check on the appropriate form of signature block and acknowledgment.

*Dallas County and State of Texas used as examples only. Use the state and county name of the place where the document or plat was acknowledged by that signatory.