

PUBLIC NOTICE OF HEARING REGARDING INTENTION OF MONTAGUE COUNTY TO CONSIDER ADOPTION OF PROPOSED REGULATION OF SUBDIVISIONS, INCLUDING MANUFACTURED HOME RENTAL COMMUNITIES

Pursuant to §232 of the Texas Local Government Code, and §2007 of the Texas Government Code, notice is hereby given regarding the intention of Montague County, Texas, acting by and through its Commissioners Court to conduct a public hearing on July 8, 2019, at 10:00 AM in the Commissioners' Courtroom located at the Montague County Annex, Montague, Texas. The purpose of the hearing is to consider the proposed actions of the Montague County Commissioners Court concerning the adoption of subdivision regulations, including provisions regarding the licensing and regulation of Manufactured Home Rental Communities (MHRC) in unincorporated areas in Montague County, Texas, and to receive public comment on said proposed actions.

The proposed actions will include new regulations concerning the following general areas:

- Requirement for surveys and development of plans and specifications for any Subdivision of Land, as defined by Chapter 232 of the Local Government Code, including MHRC.
- Requirement for minimal standards for the provision of water, wastewater and drainage of such subdivisions of land, including MHRC.
- Requirement for minimal access roads, streets, and infrastructure for emergency vehicles to such subdivisions, including MHRC.

As required by Section 2007.043 of the Texas Government Code, a Takings Impact Assessment of the proposed regulations was completed. The Assessment, using the analysis outlined by the Texas Attorney General, has determined that the adoption of these regulations does not constitute an unconstitutional taking of real property, as defined by Section 2007.002 of the Texas Government Code. The proposed actions were determined to be exempted from the Texas Private Real Property Rights Preservation Act ("Act"), in accordance with TGC §2007.003(b)(13) due to the County's intent to protect public health and safety by establishing minimum requirements for the subdivision of land, including regulation of Manufactured Home Rental Communities. Further, the proposed actions pose a minimal burden on real property owners and present a substantial benefit to society. The County is permitted to adopt regulations that address the public health, welfare and safety of its citizenry. Lawfully subdividing land, or operating a Manufactured Home Rental Communities that may be affected by the regulations may be permitted to continue operations in their current locations so long as such locations are not enlarged or expanded. The adoption of the proposed actions does not result in the physical taking of private real property. The adoption of the proposed actions does not deprive the owner of all economically viable uses of the property, have a significant impact on the property owner's economic interest, or deny a fundamental attribute of ownership.

Copies of the proposed regulations and the Takings Impact Assessment are available for inspection in the County Clerk's office, 11339 State Hwy. 59 N., Montague, Texas 76251 during normal

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business hours. Copies of the proposed regulations may be obtained, at a cost of \$1.00 per page. Copies of the Taking Impact Assessment may be obtained, at a cost of \$1.00 per page. The Taking Impact Assessment and the proposed regulations will also be available online at <http://www.montague.tx.us>.

Any persons interested in expressing their views on the takings impact assessment are encouraged to attend the public hearing.

Published in The Bowie News on June 5, 2019 and July 3, 2019 and in The Nocona News on June 6, 2019 and July 4, 2019, newspapers of general circulation published in Montague County, Texas, beginning at least 30 days prior to the public hearing, to be held on July 8, 2019 at 10:00 a.m.