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Road Assessments

Acceptance of Privately Maintained Subdivision Streets into the County Road System

Pursuant to Chapter 253, Transportation Code, Brazoria County offers a road assessment procedure by which one or more privately maintained roads in a subdivision may be accepted into the County Road System for maintenance. This includes subdivisions in which road rights of way were dedicated to the public, but the roads have deteriorated due to lack of maintenance or were never constructed.

Roads may be accepted into the County Road System only if:
1. They meet the specifications contained in the Brazoria County Subdivision Regulations;
2. The property owners of a subdivision vote to be assessed to upgrade the roads to meet specifications contained in the Subdivision Regulations; or
3. The property owners requesting acceptance of roads into the County Road System contribute funds sufficient to upgrade the roads to meet specifications in the Subdivision Regulations, with such funds to be in an amount determined by the County Engineer.

In order for a road assessment to be considered, a 60-foot road right-of-way dedicated to the public must be existing or be provided by the property owners. Also, any pipelines or other utilities in the road rights-of-way must be deep enough to allow construction of roadside ditches adequate for draining the roads, with a clearance of approximately two feet. The utility owner(s) must enter into a joint use agreement with the County to permit a public roadway over their preexisting utility.

The amount of an assessment is based on an estimate of the cost to upgrade roads in a subdivision to County specifications, which is prepared by the County Engineer and prorated over the properties in the subdivision. The proposed assessment, if approved, will result in liens placed against each property which can typically be paid out over a certain period of time, usually three to five years. In accordance with State law, a road improved through assessment becomes a County road, subject to County maintenance from that point on, and improvements to the roads may be constructed in phases over a period of time, contingent upon receipt of funds from the assessment. Roads awaiting upgrade would receive routine maintenance such as grading, patching, etc. in the interim.

If voters in the subdivision disapprove the proposed assessment, State law decrees that the issue may not be proposed again for a period of four years.

The considerations discussed above are general in nature. Other factors may be involved, and the actual procedures must be determined independently for every situation.

To begin the assessment process, the property owners in the subdivision must prepare a petition requesting that Brazoria County Commissioners Court improve the roads in the subdivision so that they may be accepted into the County Road System and assess the cost of repairs against the property owners. The petition should be signed by at least one-fourth of the property owners on the road or roads proposed to be improved. When the petition is received, Brazoria County will add the subject roads to a waiting list for a possible assessment.

When the subject roads are reached on the waiting list, Brazoria County Commissioners Court will schedule a public hearing on the question. Following the public hearing, at its discretion, the Court may order the County Engineer's office to mail ballots to affected property owners. When the ballots are returned and counted, if a majority votes in favor of the assessment, the roads will be accepted into the County Road System, and the actual roadway improvements can be scheduled.

If you have additional questions, please feel free to contact this office.

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