

NOTICE OF LIEN

STATE OF TEXAS §
 §
COUNTY OF BURNET §

WHEREAS, Burnet County is a governmental entity within the State of Texas that was created in accordance with provisions found in State statutes and within the Constitution of the State of Texas; and

WHEREAS, Burnet County adheres to the Texas Health & Safety Code Chapter 343 to identify and address public nuisances. The Burnet County Commissioners Court provided notice to all person residing on the identified property (S4050 Deer Springs Lot N ½ of 77; 208 Deer Springs Drive, Burnet, TX 78611) and those claiming ownership of the same. Said notice indicated that various public nuisances were found to exist on the property requiring abatement as they were deemed to be a danger to public health & safety. Said notice outlined a time deadline to conduct said abatement of dangerous conditions as required under Texas Health & Safety Chapter 343. Further, it gave notice, as required by Texas law, indicating that Burnet County had the right to take any and all necessary action to alleviate the public nuisance conditions should the owner(s)/residents of the property failed to abate in a timely manner; and

WHEREAS, a copy of the Burnet County Commissioners Court Orders related to the abatement are attached as Exhibit "A" and Exhibit "B" and are hereby incorporated herein for all purposes as if written verbatim; and

WHEREAS, the owner of the property described herein failed to abate any of the public nuisances found on the property; he was presented with a bill of costs and an opportunity to pay Burnet County for all expenses incurred; and he has consented to and agreed that Burnet County may place a lien upon the property described herein without further notice. Last, he, John Carney, affirms that he is the sole owner of the property described herein. This acknowledgement and granting of authority to place a lien without further notice is attached as Exhibit "C" and is hereby incorporated herein for all purposes as if written verbatim; and

WHEREAS, Burnet did secure, repair, remove, or abate all public nuisance issues on property described as follows:

Address of Property: 208 Deer Springs Drive, Burnet, TX 78611

Lot: S4050 Deer Springs Lot N ½ of 77

Work Done: Abatement of Public Nuisances

Amount of Expenses Incurred by Burnet County: \$28,126.64

Balance Remaining: \$28,126.64

Owner: John Carney

Address of Owner: 208 Deer Springs Drive, Burnet, TX 78611

Interest: 10% per outstanding amount owed per year until paid in full as authorized by Texas H&S Ch. 343

WHEREAS, the owner has failed to pay the charges levied and assessed against the property described.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Burnet County, for the purpose of perfecting its privileged lien against the above-described property,

and in compliance with requirements of law, gives notice to all that the above-described work was done by, or at the direction of Burnet County and the costs described are due and owing to Burnet County. The assessment is due to be paid to Burnet County in full before the lien is released. Said assessment with costs of collection, along with interest accrued is declared to be a first and paramount lien upon said premises (except as to tax liens, existing special assessment liens, and previously recorded bono fide mortgage liens attached to the same property), and a personal liability of the true owner or owners payable to Burnet County, its successors or assigns, as set forth above.

The proceedings with reference to performing such abatement actions have been regularly had in compliance with the law, and the terms of this Notice of Lien and all prerequisites to the fixing of the assessment lien against the property herein described and the personal liability of the owner or owners have been performed.

The property may be sold for the purpose of realizing any amount then due hereon with reasonable attorneys' fees and costs of collection, if incurred, said sale to be made in the manner provided by law for the sale of property for the collection of taxes.

Jim Luther, Burnet County Commissioner Pct. #1

Attest:

Vicinta Stafford, Burnet County Clerk

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This instrument was acknowledged before me on this the _____ day of _____, 2025, by _____.

Notary Public in and for the State of Texas

Print Notary's Name

My Commission Expires:
