

**SWORN ACCOUNT AND NOTICE OF ABATEMENT EXPENSES INCURRED BY
BURNET COUNTY AT 208 DEER SPRINGS DRIVE, BURNET, TEXAS 78611, S4050
DEER SPRINGS LOT N ½ OF 77, BCAD PROPERTY ID 116184**

PROPERTY DESCRIPTION: S4050 Deer Springs Lot N ½ of 77
STREET ADDRESS: 208 Deer Springs Drive, Burnet, TX 78611
OWNER: Mr. John Carney
DATES OF ABATEMENT: 10/26/24 to 11/12/24

•JBar Dumpster Service: Delivery, Pick-up, removal of dumpsters filled	\$9,790.20
•Pct #1 & #4 Work Crews for 2 days including benefits	\$10,833.40
•Use of County Backhoe, Skid Steer x2, Mini Excavator x2, and Front End Loader (calculated by FEMA Use expenses)	\$7,403.04
•Administrative Fee (TX H&S Code 343.022)	\$ 100.00

Total Due to Burnet County	\$28,126.64
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Please See Attached Billing for Further Reference

On 10/10/23 the Burnet County Commissioners Court entered Orders identifying Texas Health & Safety Code Ch 343.011 public nuisances. Said Order required removal/abatement of all conditions outlined (see attached Order 10/10/23) within 31 days.

On 5/14/24 the Burnet County Commissioners Court entered further Orders under Texas Health & Safety Code Ch 343.011 public nuisances (see attached Order 5/14/24). The Court found that no action was taken to remove/abate all of the conditions outlined. Said Orders were entered at least 31 days after the 10/10/23 Orders were made and served upon the owner of the property. As per Texas Health & Safety Code Ch 343.021, the Court granted the County the authority to abate the nuisances and to monitor the property to control access to the premises for a period of 5 years after abatement was completed.

Procedure outlined by Texas Health & Safety Code 343.022 were followed with the owner being personally served notice of the intent to abate. This document is the statement of costs and notice that shall be served upon the owner, Mr. John Carney, and filed with the Burnet County Clerk.

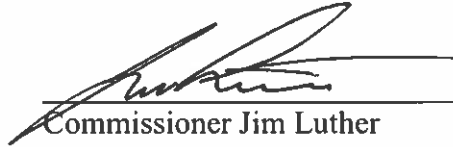
I Certify that the above is a true and correct itemization of expenses and costs incurred by Burnet County for the abatement of all public nuisances at the above-described property. Once served with this notice, the owner shall be granted at least 31 days to make full payment of the expenses. Thereafter, Burnet County shall be authorized by Texas Health & Safety Code


Served by Rep. Kowalik #190

7/21/25

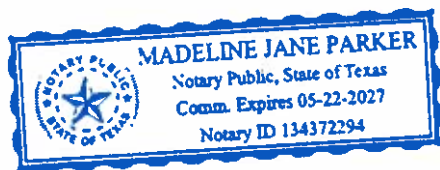
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343.023 to place a lien upon the property for said expenses plus accrued interest to begin 31 days after the filing of the lien at a rate of 10 percent a year.


Commissioner Jim Luther

Subscribed and sworn to on this 30th day of June, 2025, by the above-named person, to certify which witness my hand and official seal.


Notary Public, State of Texas




Printed Name

My Commission Expires: 5-22-27

Je

EXHIBIT C

ACKNOWLEDGMENT AND AGREEMENT TO PLACE LIEN UPON PROPERTY LOCATED AT 208 DEER SPRINGS ROAD, S4050 DEER SPRINGS LOT N ½ OF 77, BURNET COUNTY, BURNET, TEXAS 78611, BCAD PROPERTY ID 116184

PROPERTY DESCRIPTION: S4050 Deer Springs Lot N ½ of 77

STREET ADDRESS: 208 Deer Springs Drive, Burnet, TX 78611

OWNER: Mr. John Carney

Date:

7/21/25

I, Mr. John Carney, am the sole owner of 208 Deer Springs Drive, S4050 Deer Springs Lot N ½ of 77, Burnet County, Burnet, Texas 78611. I recognize that current BCAD records list Michael L. McCurry and Amanda Lynn McCurry as the owners of this property. However, I represent that I subsequently purchased this property from Mr. and Mrs. McCurry in October 2019. All payments due for the property have been paid in full and there is no mortgage on the property. I am the sole owner of this property.

I acknowledge that Burnet County served me with a copy of a Burnet County Commissioners Court Order dated October 10, 2023 providing me notice of public nuisance violations on the property. The following were the conditions noted:

1. 343.011(c)(1)- Keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;
2. 343.011(c)(2)- Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;
3. 343.011(c)(3)- Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests;
4. 343.011(c)(5)- Maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;
5. 343.011(c)(12)- Discarding refuse on property that is not authorized for that activity;

I acknowledge and agree that all of these public nuisance issues existed on my property in October 2023 and continued until May 2024 and thereafter. I agree that I received all notices properly and was provided adequate time to address all issues.

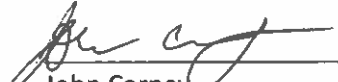
I acknowledge and agree that Burnet County served me with a copy of a second Burnet County Commissioners Court Order dated May 14, 2024 that authorized Burnet County to enter upon my property and remove/abate all of the nuisances on my property. I was thereafter provided adequate notice of at least 31 days as to when Burnet County would perform its work on my property.

I have been served with a sworn account and notice of all the abatement expenses incurred by Burnet County on my property. I do not wish to contest any of the listed expenses and agree the amount indicated is owed as \$28,126.64. I do not have funds to pay this amount within the next 31 days. I hereby waive any time that is granted to me by Texas law to pay this expense. I agree and acknowledge that Burnet County may immediately place a lien upon my property without any further notice to me. I

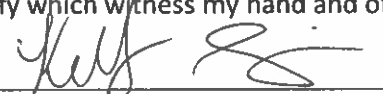
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understand that the lien and any others filed, if any, will need to be paid in full upon any further transfer of ownership to the property.

Last, I acknowledge and agree that the Burnet County has the authority to enter upon my property for a period of 5 years from the date of 11/12/24 to gage compliance of all public nuisance laws and ensure no further public nuisances arise.


John Carney

Subscribed and sworn to on this 21 day of July, 2025, by the above-named person, to certify which witness my hand and official seal.


Notary Public, State of Texas

Kelly Skinner
Printed Name



My Commission Expires: 2/7/2028

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EXHIBIT A

BURNET COUNTY COMMISSIONER COURT AUTHORIZATION ABATE PUBLIC NUISANCES/HEALTH HAZARDS AND SEEK RECOVERY OF EXPENSES AT 208 DEER SPRINGS DR.

On October 10, 2023 and in open session, the Burnet County Commissioners Court found that the following violations of the Texas Health & Safety Code Chapter 343.011 existed at 208 Deer Springs Dr., BCAD Property ID# 116184, Burnet, Texas 78611, a property located within the confines of Burnet County:

1. 343.011(c)(1)- Keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

The property is located at the Deer Springs Subdivision. The property has extensive rubbish in the form of abandoned vehicles, various appliances, furniture, tires, and other refuse located thereon and not within a closed receptacle.

2. 343.011(c)(2)- Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

Rubbish in the form of abandoned vehicles, various appliances, furniture, numerous tires, and other refuse can be found on the property which is visible from a public street and not contained in a building. This condition is within 300 feet of a public street and has existed for 10 days or more. Further, the following were also specifically found to be located at the site:

- a. 1995 Chevy PK Green Vin#2GCEC19H8S1251951 R/O: Henry Pete Bartoli
- b. 2002 Nissan PK Gray Vin#1N6ED29X22C323017 R/O: Kevin Vandivier

3. 343.011(c)(3)- Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests;

On the property there are multiple piles of trash and other detritus, open containers, barrels, and buckets without lids that collect water, piles of tires that collect water. This and other items create an unsanitary condition and that is likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests. A foul odor has been noticed at the property after rainstorms.

4. 343.011(c)(5)- Maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

The property contains two recreation vehicle trailers meeting the definition of 'building' as defined under Texas Health & Safety Code 343.002(2) that are in a structurally unsafe condition that further constitutes a hazard to safety, health, and public welfare due to inadequate maintenance, unsanitary conditions, dilapidation, damage, and abandonment. Each building constitutes a fire hazard. No reasonable number of repairs to each building is possible to make it fit for human habitation. NOTE: The two recreation vehicle trailers are also considered to be rubbish as defined by Texas Health & Safety code 343.002(10) as placement of these items on the property are deemed to be an act of desugaring non-decayable waste.

5. 343.011(c)(12)- Discarding refuse on property that is not authorized for that activity;

The property has a large accumulation of refuse, rubbish, and trash. The property is not authorized as a trash disposal collection point. A permit by a State agency does not exist nor is the property licensed or permitted under Texas Health & Safety Code Chapter 361 (Solid Waste Disposal Act) for such activity.

On October 10, 2023, the Burnet County Commissioners Court further Found and Ordered:

1. All of the identified nuisances were to be fully abated by the owner, lessee, occupant(s), and persons in charge of the premises within 31 days of notice.
2. The following were identified to be the owner(s), lessee(s), occupant(s), or person(s) in charge of the premises:
 - a. John Carney W/M – 06/25/1972
 - b. Martie Hill W/F – 11/29/1970
 - c. Jo Hill W/F – 04/27/1989
 - d. Brandon Dehart W/M – 07/20/1997
 - e. Shianna Sinton W/F – 09/29/1997
 - f. Bobby Cordell W/F – 11/30/1971
 - g. Cory Simpson W/M – 08/02/1971
 - h. Riley (Georgia) W/F - Unknown
3. The Texas Health & Safety Code Chapter 343 allows a County to take action to address the health hazards and the public nuisance conditions.
4. The Texas Health & Safety Code Section 343.022 authorizes a County to remove or demolish items or structures in order to abate public nuisances.

On the 14th day of May 2024, the Burnet County Commissioners Court received an update from Burnet County law enforcement officials as to the progress in abating all of the public nuisances/health hazards at 208 Deer Springs Dr., BCAD Property ID# 116184, Burnet, Texas 78611. After review of the update presented, the Commissioners Court now makes the following findings:

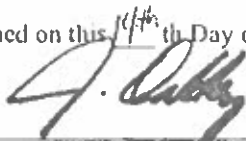
1. The Court finds that all of the owner(s), lessee(s), occupant(s), and/or person(s) in charge of the premises received notice and a copy of the Burnet County Commissioner's Court Order dated October 10, 2023 regarding this property. Service was provided in person to:
 - a. John Carney W/M – 06/25/1972
 - b. Martie Hill W/F – 11/29/1970
 - c. Jo Hill W/F – 04/27/1989
 - d. Brandon Dehart W/M – 07/20/1997
 - e. Shianna Sinton W/F – 09/29/1997
 - f. Bobby Cordell W/F – 11/30/1971
 - g. Cory Simpson W/M – 08/02/1971
2. A copy of the Burnet County Commissioner's Court Order dated October 10, 2023 regarding this property was posted at the property. The Commissioners Court finds the following was provided notice via posting at the property:
 - a. Riley (Georgia) W/F- Unknown
 - b. Any and all other persons who may have an interest on the property or in regards to any personal property, items, or rubbish found on said property

3. At least 31 days has passed after service was provided to all of the owner(s), lessee(s), occupant(s), and/or person(s) in charge of the premises and after the posting of the Order at the property.
4. No significant action to abate any of the identified public nuisances/health hazards has been taken by the owner(s), lessee(s), occupant(s), and/or person(s) in charge of the premises. All of the identified violations of Texas Health & Safety Code Chapter 343.011 continue to exist. Said nuisances are a public health hazard.

The Commissioners Court hereby issues the following Orders:

1. The Burnet County Commissioners Court hereby authorizes Burnet County to take action necessary to abate each nuisance found to exist at 208 Deer Springs Dr., BCAD Property ID# 116184, Burnet, Texas 78611. Such action includes the authorization of any Burnet County officials, employees, and/or agents the authority to enter upon the property and remove, demolish, destroy, and/or address all of the nuisances. Burnet County Commissioner Jim Luther is granted authority on behalf of the Burnet County Commissioners Court to organize the actions necessary to abate the nuisances found at this property.
2. Upon completion of all abatement action by Burnet County, then the costs shall be assessed as outlined by the Texas Health & Safety Code 343.023. Costs shall include the expenses associated with the management, remediation, storage, transportation, and disposal; any damages incurred by Burnet County; any other expenses incurred by Burnet County, including the costs of legal notification by publication; as well as, an administrative fee. Said costs shall be provided to the owner(s), lessee(s), occupant(s), and/or person(s) in charge of the premises for payment. The Non-payment of these costs may result in a lien being place upon the property. Beginning 31 days after the assessment of the lien against the property interest will accrue at a rate of 10% per year.
3. The Court authorizes Burnet County officials, employees, and/or agents, including but not limited to law enforcement agents, to continue to enter upon the property as needed to ensure all removed and demolished/destroyed items causing a public nuisance do not return and/or to ensue no further public nuisance issues arise upon the property. Said authority shall expend for a period of five years from the date in which clean up actions are completed on the property and noted in the billing to be provided to the owner/lessee/person in control of the property. Should any owner/lessee/or person in control of the property wish to challenge said authority granted anytime during this five-year time period, such person may request an audience before the Burnet County Commissioners Court for consideration.

Signed on this 14th Day of May, 2024.



James Oakley, Burnet County Judge
On Behalf of the Burnet County
Commissioners Court

**BURNET COUNTY COMMISSIONER COURT ORDER TO REMOVE PUBLIC NUISANCES
AND AUTHORIZATION TO TAKE ACTION SHOULD OWNERS FAIL TO ALLEVIATE
PUBLIC NUISANCES AND HEALTH HAZARDS**

On 09/06/2023, Burnet County Sheriff Environmental Deputy Paul Kowalik followed up on a public nuisance matter located at 208 Deer Springs Dr., BCAD Property ID# 116184 which is within the confines of Burnet County, Texas. At said location are multiple violations of Texas Health & Safety Code Chapter 343.011 were to described to exist:

Texas Health & Safety Code 343.011 nuisances reported at 208 Deer Springs Dr., BCAD Property ID# 116184:

1. 343.011(c)(1)- Keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

The property is located at the Deer Springs Subdivision. The property has extensive rubbish in the form of abandoned vehicles, various appliances, furniture, tires, and other refuse located thereon and not within a closed receptacle.

2. 343.011(c)(2)- Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

Rubbish in the form of abandoned vehicles, various appliances, furniture, numerous tires, and other refuse can be found on the property which is visible from a public street and not contained in a building. This condition is within 300 feet of a public street and has existed for 10 days or more. Further, the following were also specifically found to be located at the site:

- a. 1995 Chevy PK. Green Vin#2GCEC19H8S1251951 R/O: Henry Pete Bartoli
- b. 2002 Nissan PK. Gray Vin#1N6ED29X22C323017 R/O: Kevin Vandivier

3. 343.011(c)(3)- Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests;

On the property there are multiple piles of trash and other detritus, open containers, barrels, and buckets without lids that collect water, piles of tires that collect water. This and other items create an unsanitary condition and that is likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests. A foul odor has been noticed at the property after rainstorms.

4. 343.011(c)(5)- Maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

The property contains two recreation vehicle trailers meeting the definition of 'building' as defined under Texas Health & Safety Code 343.002(2) that are in a structurally unsafe condition that further constitutes a hazard to safety, health, and public welfare due to inadequate maintenance, unsanitary conditions, dilapidation, damage, and abandonment. Each building constitutes a fire hazard. No reasonable number of repairs to each building is possible to make it fit for human habitation. NOTE: The two recreation vehicle trailers are also considered to be

rubbish as defined by Texas Health & Safety code 343.002(10) as placement of these items on the property are deemed to be an act of desugaring non-decayable waste.

5. 343.011(c)(12)- Discarding refuse on property that is not authorized for that activity;

The property has a large accumulation of refuse, rubbish, and trash. The property is not authorized as a trash disposal collection point. A permit by a State agency does not exist nor is the property licensed or permitted under Texas Health & Safety Code Chapter 361 (Solid Waste Disposal Act) for such activity.

The Burnet County Commissioners Court Makes the following Findings and Issues the following Orders:

1. All of the public nuisance conditions described above are hereby affirmed to exist on the property by the Burnet County Commissioners Court. All such nuisances shall be abated by the owner, lessee, occupant(s), and persons in charge of the premises.
2. Texas Health & Safety Code Chapter 343 allows Burnet County to take-action to address the health hazards and the public nuisance conditions found inside of Burnet County.
3. Texas Health & Safety Code Section 343.022 provides authorization to Burnet County to remove or demolish items or structures in order to abate a public nuisance.
4. This Order is notice to the owner, lessee, occupants, agents, and/or person in charge of the premises:
 - A. All specified conditions noted above exist and constitute a nuisance.
 - B. Upon service received, said individuals shall abate each nuisance on the property within 31 days.
 - C. This Order shall be served upon each owner, lessee, occupant, or person in charge of the premises. Service shall occur by personal service or registered mail or certified mail, return receipt requested or if personal service cannot be obtained or mailing address is unknown, then by posting a copy of this Order on the premises in addition to publishing it in a newspaper with general circulation inside of Burnet County twice within 10 consecutive days.
 - D. Each person cited may, until the 31st day after receiving service, make a written request for a hearing before the Burnet County Commissioners Court to challenge any findings or orders. Written request may be made at the Burnet County Judge's Office located at 220 South Pierce Street, Burnet Texas 78611. Such written request should address the Burnet County Judge and/or the Burnet County Commissioners Court.
5. The following persons are owner(s), lessee(s), occupant(s), or person(s) in charge of the premises:
 - a. John Carney W/M – 06/25/1972
 - b. Martie Hill W/F – 11/29/1970
 - c. Jo Hill W/F – 04/27/1989
 - d. Brandon Dehart W/M – 07/20/1997
 - e. Shianna Sinton W/F – 09/29/1997
 - f. Bobby Cordell W/F – 11/30/1971
 - g. Cory Simpson W/M – 08/02/1971

h. Riley (Georgia) W/F - Unknown

6. Should the owner, lessee, occupants, or person in charge of the premises fail to take-action within the 31 days prescribed above, the Burnet County Commissioners Court shall then conduct a public hearing to authorize action to abate each nuisance still existing. Such action may include granting Burnet County officials, employees, and/or agents the authority to enter upon the property and remove, demolish, destroy, and/or take any necessary actions to address all nuisances.
7. Should Burnet County need to take-action to abate the nuisances, then the costs, shall be assessed according to Texas Health & Safety Code 343.023. Those costs may include the costs of management, remediation, storage, transportation, and disposal; any damages incurred by Burnet County; any other expenses incurred by Burnet County, including the costs of legal notification by publication; as well as, an administrative fee. Non-payment of these costs may result in a lien being place upon the property. Beginning 31 days after the assessment of the lien against the property interest will accrue at a rate of 10% per year.
8. Should Burnet County need to take-action to abate the nuisances a nuisance listed in Texas Health & Safety Code 343.011(c) (1), (6), (9), or (10), then the county may prohibit or control access to the premises to prevent a continued or future nuisance related to said sections cited.

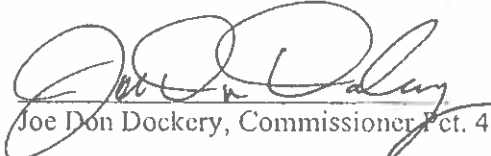
Signed on this 10th day of October, 2023.


James Oakley, Burnet County Judge

Jim Luther, Commissioner Pct. 1


Damon Beierle, Commissionher Pct. 2


Billy Wall, Commissioner Pct. 3


Joe Don Dockery, Commissioner Pct. 4