

**VOLUNTARY AGREEMENT TO REMOVE OR DEMOLISH MOBILE HOME AND  
PERFORM CLEAN UP TO ALIEVIATE PUBLIC NUISANCES AND HEALTH HAZARD**

The persons listed below are the owners of the land and buildings located at 212 Vera, Spicewood Beach Subdivision, Burnet County, Texas. By signature below, they acknowledge that they have read the entire statement; all statements therein are true and correct; that they have been given opportunity to ask questions and to consult with their own legal counsel; that they agree to allow for the destruction of a mobile home on their property plus a clean-up of the property; that they understand that a lien shall be placed upon their property in order to repay Burnet County for the expenses involved in this action; that their signature below is voluntary undertaken.

1. Michael L. Hamilton & Latricia K. Hamilton are the sole owners of property and buildings located at 212 Vera, Spicewood Beach Subdivision, Burnet County, Texas (i.e. 212 Vera). This property consists of two lots identified as 375 & 376. The Burnet County Tax Appraisal Office property identification for this address is 42052, S7930 Spicewood Beach Lot 375 & 376. This agreement concerns conditions found on both lots and inside of the mobile home located thereon. The identification number of the mobile home is HOTX09910014AB (i.e. mobile home).
2. Michael L. Hamilton & Latricia K. Hamilton represent that no other mortgage company, lien holder, or interested party for the property or for the mobile home found on the property exists. They are the only persons entitled to notice for actions to be taken by Burnet County under Ch 343 Texas Health & Safety Code and should a civil suit be filed under Ch 125 Texas Practice & Remedies Code.
3. Michael L. Hamilton & Latricia K. Hamilton acknowledge and agree that conditions found at 212 Vera are to such a degree that health hazard conditions and public nuisances exists. These conditions are violations of Ch 343 Texas Health & Safety Code.
4. Michael L. Hamilton & Latricia K. Hamilton understand that criminal cases may be filed against them or others regarding the conditions found at 212 Vera. This statement has no bearing as to whether or not criminal charges are filed against them or any other persons. This statement has no bearing on any outcome of a potential criminal case against them or any other persons that arise out of the conditions and events on this property.
5. Michael L. Hamilton & Latricia K. Hamilton acknowledge that Texas Health & Safety Code Ch 343 allows for Burnet County to take action to address the health hazards and the public nuisance conditions found on their property. Prior to taking such action, Burnet County must provide adequate notice and time to address all of the issues as per Ch 343.022(c) Texas Health & Safety Code. Michael L. Hamilton & Latricia K. Hamilton hereby waive the need to receive any

notice from Burnet County and adequate time to address the health hazards and public nuisances found on their property and the mobile home located thereon.

- A. All specific conditions constituting a public nuisance and health hazard at 212 Vera are known, acknowledged, and understood.
- B. Any time granted by law to abate the public nuisances and health hazards after notice (31 days) are hereby waived.
- C. It is understood that the owner's failure to abate the issues may result in action being taken on the property by Burnet County.
- D. It is understood by the owners that upon their failure to abate and upon action taken to abate the public nuisances and health hazards at 212 Vera and in the mobile home located thereon, they shall be subject to the assessment of costs undertaken by Burnet County to abate the issues.
- E. It is understood by the owners that should Burnet County abate the issues at 212 Vera, a lien can be placed on the property that allows for the accrual of interest.
- F. It is understood by the owners that should Burnet County abate the issues at 212 Vera, the county may prohibit or control their access to the property while the abatement process occurs.
- G. It is understood that the owners have a right after receiving notice to request a hearing before the 31<sup>st</sup> day after it receipt before the Burnet County Commissioners Court should they wish to contest any of conditions listed below that would normally be outlined in a notice. This right is waived as there is no disagreement as to the public nuisance and health hazard conditions at the property.

6. Michael L. Hamilton & Latricia K. Hamilton acknowledge the following violations of Ch 343 Texas Health & Safety Code exist on the property and within the mobile home located at this property:

- A. 343.011(c)(1)- The keeping, storing, or accumulation of refuse on the premises in a neighborhood not contained in a closed receptacle.

NOTE: The property has an accumulation of trash/debris/refuse on the property. Further, the interior of the mobile home has the same, including the accumulation of animal feces throughout.

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

NOTE: The property has an accumulation of trash/debris/refuse on the property that attracts and/or harbors rodents. Further, the interior of the mobile home has the same, including the accumulation of animal feces throughout. Rodents have been noted inside of the mobile home.

- C. 343.011(c)(5)- The maintaining of 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.

NOTE: The mobile home is covered in animal feces throughout. Holes in the flooring of the mobile home constitute a safety hazard. Structural deficiencies throughout the mobile home exist due to dilapidation and inadequate maintenance. The mobile home is infested by rodents.

- D. 343.011(c)(5)- The discarding of refuse on the property that is not authorized for that activity.

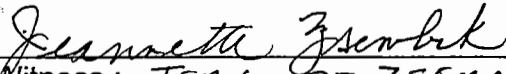
NOTE: The property has an accumulation of trash/debris/refuse on the property. Further, the interior of the mobile home has the same, including the accumulation of animal feces throughout. The property and the mobile home located thereon are not designated as a location by TCEQ for the dumping of trash/debris/refuse.

7. Michael L. Hamilton & Latricia K. Hamilton agree that the public nuisances and health hazards found in the mobile home are to such a degree that the mobile home is a health hazard and that it is unfit for human habitation. No reasonable number of repairs to the mobile home is possible to make it fit for human habitation. Michael L. Hamilton & Latricia K. Hamilton agree that the mobile home must be destroyed/demolished/removed in order to alleviate all of the health hazards and public nuisances therein.
8. Upon seeking approval from the Burnet County Commissioners Court in open court to take abatement action, then Burnet County is granted authority and/or permission by Michael L. Hamilton & Latricia K. Hamilton to immediately remove all of the public nuisance conditions and health hazards found at 212 Vera, including the destructions/demolition/removal of the mobile home located on the property. Michael L. Hamilton & Latricia K. Hamilton represent that they do not have the financial ability to correct any of the public nuisances and/or the health hazard conditions at this property, including those found inside of the mobile home located thereon. Michael L. Hamilton & Latricia K. Hamilton waive any and all notice and time deadlines outlined by Ch 343 Texas Health & Safety Code.
9. Michael L. Hamilton & Latricia K. Hamilton, agree to allow Burnet County, its officials, employees, agents, representatives, or others contracted by the same to enter upon the property (212 Vera) to permanently remove, destroy, and dispose of the mobile home building and to conduct a general clean-up of the property so that all of the public nuisance violations and hazardous conditions to human health cited are alleviated.

10. Michael L. Hamilton & Latricia K. Hamilton agree that all costs incurred by Burnet County to correct all of the health hazards and public nuisance conditions shall be fully reimbursed and repaid via a lien that shall be placed upon the property by Burnet County as authorized by Ch 343 Texas Health & Safety Code. The lien shall include both lots that comprise 212 Vera. The lien shall be repaid in full, along with any and all legally authorized interest, to Burnet County in payments or by the proceeds resulting in the sale of the property. Further, should the property be transferred without sale to another, then the lien amount must be paid in full at the time of said transfer. The lien shall be binding upon all subsequent grantees, lien holders, or other transfers of an interest in the property who acquires such interest thereafter until fully paid. The lien shall be filed in the property records of Burnet County and subject to interest accrual as provided for by 343.021 Texas Health & Safety Code.

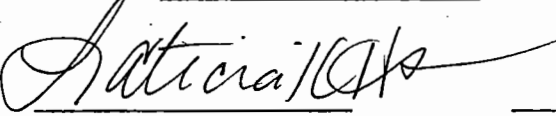
  
Michael K. Hamilton

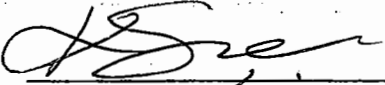
2-9-21  
Date

  
Witness: JEANNETTE ZSEMBIK

Address: 217 CREST DR SPICEWOOD, TX 78669

Phone #: 512 539-9258

 2/9/21  
Latricia K. Hamilton Date

  
Witness: KIMBERLY BARNERA  
Address: 705 COTTONWOOD DR  
Phone #: 830-385-6708