

NOTICE

ORIGINAL

STATE OF TEXAS- BURNET COUNTY

GREETINGS:

WHEREAS, the Commissioners Court, of the County of Burnet, State of Texas, did on the 30th day of June, 2022 APPROVED AN ORDER TO REMOVE PUBLIC NUISANCES AND AUTHORIZATION TO TAKE ACTION SHOULD OWNERS FAIL TO ALLEVIATE PUBLIC NUISANCES AND HEALTH HAZARDS.

The Burnet County Commissioners Court issued Order and found the following violations of the Texas Health and Safety Code Ch. 343.01(c)(2)(3)(5)(12) at 5030 W. SH 29, Burnet, Texas 78611 in Burnet County. The following persons are ordered to fully alleviate all of the listed violations within 46 days:

Bobby L. Robertson, BX 31/#1 Jay Road, Hudspeth, Texas 79839

Cara L. Scofield, 118 Hillview Lane, Burnet, Texas 78611

Christopher D. Sledge, 940 Preston Rd., Buchanan Dam, Texas 78609

And any other persons who occupy the property or who may claim to have any ownership interest.

(SEE ATTACHED ORDER)

Given under my hand and seal of said Court, at office in Burnet, Texas this the 30th day of June, 2022.

JANET PARKER
COUNTY CLERK AND EX-OFFICIO CLERK OF THE BURNET COUNTY COMMISSIONERS COURT
BURNET COUNTY, TEXAS

SHERIFF'S RETURN

Came to hand the 7 day of July, 2022 at 10:05 o'clock

A.M. and executed the 7 day of July, 2022 by
Bobby L. Robertson

delivering to Via Certified Mail. the within

#7016 0600 0000 75272274

named Respondant, each in person, a true copy of this Order and Notice.

C. Boyd

Sheriff

Burnet

County, Texas

By:

P. Kowalik

Deputy

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bobby L. Robertson
Box 31 / #1 Jay Road
Hudspeth, Tx. 79839



9590 9402 1610 6053 2047 50

BC22-0564

2. Article Number (Transfer from service label)

7016 0600 0000 7572 2276

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
- ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

Certified Mail

- A receipt (this portion or signature) that is retained for a specified period.
- A unique identifier for your delivery.
- Electronic verification of delivery.
- A record of delivery (no signature) that is retained for a specified period.

Important Reminders:

- You may purchase Certified Mail® First-Class Mail® or Priority Mail® service.
- Certified Mail service is international mail.
- Insurance coverage is provided with Certified Mail service.
- Certified Mail service of Certified Mail service insurance coverage out certain Priority Mail item endorsement on the mail.
- For an additional fee, the following services:
- Return receipt service of delivery (including electronic version). For complete PS Form 38 Receipt, attach PS Form 3800, April 2011

CERTIFIED MAIL



7016 0600 0000 7572 2276

7016 0600 0000 7572 2276

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
- ☐ Return Receipt (electronic) \$
- ☐ Certified Mail Restricted Delivery \$
- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent to

Bobby L. Robertson (BC22-0564)

Street and Apt. No., or PO Box No.

Box 31 / #1 Jay Rd.

City, State, ZIP+4®

Hudspeth, Tx. 79839

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

BOYD
RUFF
COUNTY
X 1249
TX 78611

0564

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Christopher D. Sledge, 940 Preston Rd., Buchanan Dam, Texas 78609

And any other persons who occupy the property or who may claim to have any ownership interest.

(SEE ATTACHED ORDER)

Given under my hand and seal of said Court, at office in Burnet, Texas this the 30th day of June, 2022.

JANET PARKER
COUNTY CLERK AND EX-OFFICIO CLERK OF THE BURNET COUNTY COMMISSIONERS COURT
BURNET COUNTY, TEXAS

SHERIFF'S RETURN

Came to hand the 7 day of July, 2022, at 9:11 AM o'clock
A.M. and executed the 7 day of July, 2022, by
delivering to Cara Scofield the within
named Respondant, each in person, a true copy of this Order and Notice.

C. Boyd

Sheriff
Burnet _____, County, Texas
By: P. Kowalski

Deputy

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Christopher D. Sledge, 940 Preston Rd., Buchanan Dam, Texas 78609

And any other persons who occupy the property or who may claim to have any ownership interest.

(SEE ATTACHED ORDER)

Given under my hand and seal of said Court, at office in Burnet, Texas this the 30th day of June, 2022.

JANET PARKER
COUNTY CLERK AND EX-OFFICIO CLERK OF THE BURNET COUNTY COMMISSIONERS COURT
BURNET COUNTY, TEXAS

SHERIFF'S RETURN

Came to hand the 7 day of July, 2022, at 9:43 o'clock
4.M. and executed the 7 day of July, 2022 by
delivering to [Signature] the within
named Respondant, each in person, a true copy of this Order and Notice.

C. Boyd
Sheriff

Burnet, County, Texas

By: [Signature]
Deputy

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Christopher D. Sledge, 940 Preston Rd., Buchanan Dam, Texas 78609

And any other persons who occupy the property or who may claim to have any ownership interest.

(SEE ATTACHED ORDER)

Given under my hand and seal of said Court, at office in Burnet, Texas this the 30th day of June, 2022.

JANET PARKER
COUNTY CLERK AND EX-OFFICIO CLERK OF THE BURNET COUNTY COMMISSIONERS COURT
BURNET COUNTY, TEXAS



THE COUNTY OF BURNET
Burnet, Texas 78611

CERTIFIED EXTRACT COPY

The State of Texas
County of Burnet

I, Janet Parker, County Clerk & EX Officio Clerk of the Burnet County Commissioner's Court of Burnet County, Texas, do hereby certify that the foregoing contains a full, true and correct copy of the Commissioner's Court Minutes.

On this 30th day of June, 2022, the Commissioner's Court met in regular session with the following members of the court present: County Judge, James Oakley, Commissioner Precinct 2, Damon Beierle, and Commissioner Precinct 3, Billy Wall. The following members of the court were absent: Commissioner Precinct 1, Jim Luther Jr. and Commissioner Precinct 4, Joe Don Dockery

Item #6:
Nuisance Abatement

The Court discussed potential finds and orders to be issued by the Burnet Commissioners Court regarding nuisances as defined by Texas Health & Safety Code Chapter 343 existing at 5330 W. SH 29 Burnet, Texas (aka 29 Tire & Auto) which is within the confines of Burnet County. Eddie Arredondo, Burnet County Attorney informed the correct address was 5030 W. SH 29 Burnet, Texas.

Motion is made by: Commissioner Precinct 2 Damon Beierle, Seconded by: Commissioner Precinct 3 Billy Wall to adopt the Order to Remove Public Nuisances and Authorization to Take Action on the 46th day should owners fail to alleviate public nuisances and health hazards.

Vote: 3 - 0 Passed - Unanimously

Witness my hand and seal this 30th of June, 2022.




Janet Parker
County Clerk & EX Officio Clerk of the
Burnet County Commissioner's 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 05/10/2022, Burnet County Sheriff Environmental Deputy Paul Kowalik followed up on a public nuisance matter located at 5030 W. SH 29, Burnet, Texas 78611 which is within the confines of Burnet County, Texas. At said location are multiple violations of Texas Health & Safety Code Chapter 343.011.

The Burnet County Commissioners Court makes the following findings regarding the existence of the nuisances found at 5030 W. SH 29, Burnet, Texas 78611:

1. 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 multiple inoperable/abandoned and/or unregistered 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. Said items have been on premises for 10 days or more and within 300 feet of a public street.

2. 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.

3. 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 a number of mobile homes/RVs that are damaged and/or changed to such an extent that their purpose as housing or temporary housing cannot be met. At least one of the mobile homes/RVs no longer has any exterior siding, is missing windows or doors; much of the floor is gone so the structure is open to the ground below; the interior is full of abandoned appliances, furniture, trash and other detritus, it is 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. These buildings constitute a fire hazard. No reasonable number of repairs to the building are possible to make it fit for human habitation.

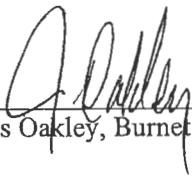
4. 343.011(c)(12)- Discarding refuse on property that is not authorized for that activity;

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 Issues further 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.
5. The following persons are owner(s), lessee(s), occupant(s), or person(s) in charge of the premises:
 - A. Bobby L. Robertson, BX 31/#1 Jay Road, Hudspeth, Texas 79839 – Property Owner
 - B. Cara L. Scofield, 118 Hillview Lane, Burnet, Texas 78611
 - C. Christopher D. Sledge, 940 Preston Rd. Buchanan Dam, Texas 78609
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.

Signed on this 30TH day of June, 20 .


James Oakley, Burnet County Judge

Jim Luther, Commissioner Pct. 1


Damon Beierle, Commissioner Pct. 2


Billy Wall, Commissioner Pct. 3

Joe Don Dockery, Commissioner Pct. 4