

ORDER NO. 2009-3

STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF BOSQUE

ORDER TO ABATE NUISANCE AT 451 CR 1409

WHEREAS, the Bosque County Commissioners Court desires to abate nuisances in accordance with Bosque County Public Nuisance Abatement Order #1-6 and the laws of the State of Texas in the interest of the health, safety and welfare of the citizens of Bosque County, Texas;

WHEREAS, Texas Health and Safety Code §343.11(c)(3) states that a public nuisance is "maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodent vermin, or disease-carrying pests";

WHEREAS, Texas Health and Safety Code §343.11(c)(5) states that a public nuisance is "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";

WHEREAS, Texas Health and Safety Code §343.021 states that a County may abate a public nuisance under Chapter 343 by demolition or removal;

WHEREAS, written notice by certified mail, return receipt requested, was given to the owner, lessee, occupant, agent or person in charge of the premises in accordance with Texas Health and Safety Code §343.022 and Bosque County Public Nuisance Abatement Order #1-6;

WHEREAS, notice was posted on the premises on which the nuisance exists and published in the Bosque County News, a newspaper with general circulation in Bosque County, two times within 10 days on April 8, 2009 and April 15, 2009, in accordance with Texas Health and Safety Code §343.022(d)(2);

WHEREAS, a public hearing on this matter was held in Commissioners Court on April 27, 2009;

WHEREAS, the Bosque County Commissioners Court finds that 451 CR 1409, Lot 54, Pop Sample's Steele Creek Acres, Bosque County, Texas, is a premises that is maintained in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodent, vermin, or disease-carrying pests;

WHEREAS, the Bosque County Commissioners Court finds that 451 CR 1409, Lot 54, Pop Sample's Steele Creek Acres, Bosque County, Texas, is a building that is maintained in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of

inadequate, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT FOR BOSQUE COUNTY THAT upon proper notice and announcement as required by law, and upon motion duly made and seconded, and passed by a unanimous vote, as indicated by the signatures of the commissioners below, that 451 CR 1409, Lot 54, Pop Sample's Steele Creek Acres, Bosque County, Texas, is hereby declared a public nuisance.

BE IT FURTHER RESOLVED THAT the Court hereby orders that the public nuisance located at 451 CR 1409, Lot 54, Pop Sample's Steele Creek Acres, Bosque County, Texas, be abated, and the Bosque County Purchasing Agent and the Bosque County Engineer are authorized to take action to abate such public nuisance.

EFFECTIVE THIS 27 DAY OF Apr, 2009.



COLE WORD, COUNTY JUDGE



COUNTY COMMISSIONER
PRCT 1



COUNTY COMMISSIONER
PRCT 2



COUNTY COMMISSIONER
PRCT 3



COUNTY COMMISSIONER
PRCT 4