

City of Cottonwood Shores

ORDINANCE 3015

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, BURNET COUNTY, TEXAS, REPEALING ORDINANCE 041201 (DEMOLITION ORDER), PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES AND OTHER RELATED MATTERS.

WHEREAS, the City of Cottonwood Shores, Texas (the "City"), is a Type A General Law Municipality; and

WHEREAS, the City Council recognizes the need to regulate and control unsafe, dangerous, dilapidated and substandard buildings within the City of Cottonwood Shores (the "City") in order to preserve and protect the public health and safety and to preserve property values; and

WHEREAS, on December 19, 2002 the City of Cottonwood Shores adopted Ordinance 041201 ordering the demolition of structures on City lots, 633, 634 and 636.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF COTTONWOOD SHORES, TEXAS:

Section 1: Ordinance 041201 is hereby repealed as the dangerous structures on lots 633, 634 and 636 have been removed.

Section 2: Findings of Fact: The findings and recitations set out in the preamble of this Ordinance are found to be true and correct and are hereby adopted by the City Council and made part hereof for all purposes.

Section 3: Severability:

1. It is hereby declared to be the intention of the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any phrase, sentence, paragraph, or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance since the same would have been enacted by the without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph, or section.
2. If any provision of this Ordinance shall be adjudged by a Court of Competent Jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given without the invalid provision and to this end, the provisions of this Ordinance are declared to be severable.

Section 4: Open Meeting:

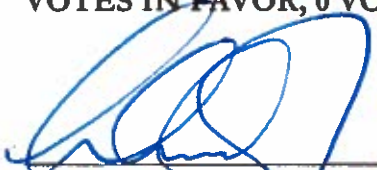
ORIGINAL

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government. Code.

Section 5: Effective Date:

This Ordinance shall become effective upon its passage and adoption as provided by State law.

ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF COTTONWOOD SHORES, TEXAS, AT A MEETING ON THE 22ND DAY OF FEBRUARY, 2018, WITH 3 VOTES IN FAVOR, 0 VOTES AGAINST AND 0 ABSTENTIONS.



Donald Orr, Mayor



Attest: 

Sheila C. Moore
City Administrator/City Secretary

DEMOLITION ORDER

ORDINANCE NO. 041201

DECEMBER 19, 2002

**SUBJECT PROPERTY: LOTS 633, 634 & 636, SCARLET OAKS SECTION,
COTTONWOOD SHORES, BURNET COUNTY, TEXAS**

THE CITY BUILDING OFFICIAL HAS FOUND THE BUILDING LOCATED ON THE SUBJECT PROPERTY TO BE SUBSTANDARD BECAUSE THE BUILDING DOES NOT COMPLY WITH OR MEET THE MINIMUM BUILDING CODES. THE BUILDING IS SO DILAPIDATED, SUBSTANDARD AND UNFIT FOR HUMAN HABITATION THEREBY CREATING A PUBLIC NUISANCE. DAMAGE OR DETERIORATION EXISTS TO THE EXTENT THAT THE BUILDING IS UNSAFE.

ON DECEMBER 16, 2002 AT 3:00 P.M. THE BOARD OF ADJUSTMENTS AND APPEALS FOR THE CITY OF COTTONWOOD SHORES, TEXAS CONSIDERED DEMOLITION OF THE DANGEROUS BUILDING LOCATED ON THE ABOVE DESCRIBED PROPERTY.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT AND APPEALS HAS ORDERED THE DANGEROUS BUILDING LOCATED ON THE SUBJECT PROPERTY TO BE DEMOLISHED.

THE OWNER AND ANY PERSONS HAVING AN INTEREST IN THE SUBJECT PROPERTY ARE HEREBY ORDERED TO DEMOLISH THIS DANGEROUS BUILDING WITHIN THIRTY (30) DAYS FROM THE DATE OF THIS ORDER.

UNLESS YOU OBEY THIS ORDER, THE CITY OF COTTONWOOD SHORES WILL VACATE, SECURE, REMOVE, REPAIR, OR DEMOLISH THE DANGEROUS BUILDING. THE COST OF SUCH REPAIR OR DEMOLITION WILL BE ASSESSED AGAINST THE SUBJECT PROPERTY, THE FEEHOLDER, OR BOTH.

IF THE OWNER OR PERSONS HAVING AN INTEREST IN THE DANGEROUS BUILDING SHALL FAIL TO TIMELY COMPLY WITH THIS DEMOLITION ORDER, THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS MAY BY ORDINANCE ASSESS A CIVIL PENALTY OF UP TO \$1,000 PER DAY AGAINST THE OWNERS AND PERSONS HAVING AN INTEREST IN THE SUBJECT PROPERTY.

CITY OF COTTONWOOD SHORES, TEXAS


**ADRIAN GAWLIK, PRESIDENT
BOARD OF ADJUSTMENT AND APPEALS**

OFFICIAL PUBLIC RECORD
BURNET COUNTY, TEXAS
1126 0128

I, Tena Collier, City Secretary of the City of Cottonwood Shores, Texas do hereby certify that the foregoing is a true and correct copy of the Demolition Order for Lots 633, 634 & 636, Scarlet Oaks Section, Cottonwood Shores, Burnet County, Texas, as ordered by the Board of Adjustments and Appeals for the City of Cottonwood Shores, Texas.

In witness whereof, I hereto set my hand and affix the official seal of the City of Cottonwood Shores, Texas this 13th day of February, 2003.



Tena Collier
Tena Collier, City Secretary
City of Cottonwood Shores, Texas

OFFICIAL PUBLIC RECORD
BURNET COUNTY, TEXAS
1126 0127

STATE OF TEXAS
COUNTY OF BURNET

BEFORE ME, the undersigned authority, on this day personally appeared Tena Collier, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of same.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 13th day of February, 2003.



JoAnne Austin
JoAnne Austin, Notary Public,
State of Texas

UNRECORDED INSTRUMENT

Unofficial Document

STATE OF TEXAS
COUNTY OF BURNET

I hereby certify that this instrument was FILED on this date
and at the time stamped hereon by me and was duly
RECORDED in the OFFICIAL PUBLIC RECORDS
OF BURNET COUNTY, TEXAS in the volume
and Page as shown.



Janet Parker
County Clerk
Burnet County, Texas
By *Stephan Smith*
DEPUTY

Any provision herein which restricts the sale, rental or use
of the described real property because of color or race is
invalid and unenforceable under federal law.

SCANNED

001772

FILED

03 FEB 13 PM 2:24

CLERK
BURNET COUNTY, TEXAS

OFFICIAL PUBLIC RECORD
BURNET COUNTY, TEXAS
1126 0129