NOTICE OF MEETING AND WORKSHOP OF THE BUILDING STANDARDS COMMISSION OF THE CITY OF HARKER HEIGHTS, TEXAS

Notice is hereby given that, beginning at 5:30 p.m. on Wednesday, August 26, 2026, and continuing from day to day thereafter, if necessary, the Building Standards Commission (BSC) of the City of Harker Heights, Texas, will conduct a regular meeting, to be followed by a Workshop in the Kitty Young Council Chamber of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

I. **CALL TO ORDER:**
Convene regular meeting of the Building Standards Commission and establish a quorum.

II. **INVOCATION:**

III. **PLEDGE OF ALLEGIANCE:**
I Pledge Allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Honor the Texas Flag. I pledge allegiance to thee Texas; one State under God, one and indivisible.

IV. **ROLL CALL:**
Roll call for regular meeting of the Building Standards Commission.

V. **PUBLIC COMMENTS:**
At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Building Standards Commission, please clearly state your name and address prior to making a comment. ***No action may be taken by the Building Standards Commission during Public Comments.***

VI. **APPROVAL OF AGENDA:**

1. Discuss and consider approval of the agenda for the regular meeting of the Building Standards Commission for August 26, 2026.

VII. **CONSENT AGENDA:**

1. Discuss and consider approval of the minutes from the regular meeting of the Building Standards Commission held on July 30, 2025.
Building Standards Commission: Meeting - 30 Jul 2025 - Minutes - Pdf

2. Discuss and consider approval of the minutes from the Building Standards Commission training meeting held on January 7, 2026.
Building Standards Commission: Meeting - 07 Jan 2026 - Minutes - Pdf

3. Discuss and consider approval of the minutes from the regular meeting of the Building Standards Commission held on April 29, 2026.
Building Standards Commission: Meeting - 29 Apr 2026 - Minutes - Pdf

VIII. **RECOGNITION OF AFFIDAVITS FOR CONFLICTS OF INTEREST:**

IX. **PUBLIC HEARINGS:**

1. CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL SITE-BUILT STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRAIL, HARKER HEIGHTS, TEXAS, IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).

   1605 Pima Trl. - Staff Report - Pdf

X. **REPORTS FROM COMMISSIONERS:**

XI. **STAFF COMMENTS:**

XII. **ADJOURNMENT:**

I, the undersigned authority, do hereby certify that pursuant to the Texas Open Meetings Act, the above Notice of Meeting of the Building Standards Commission of the City of Harker Heights, Texas, was posted at the Harker Heights Municipal Building bulletin board and the City of Harker Heights website which is readily accessible to the public at all times, by 5:00 P.M. on _____. Please contact the Planning and Development Department at (254) 953-5648 for further information.

Andrea Contreras, Permit Technician

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or FAX 254-953-5605, or email planning@harkerheights.gov for further information.

Minutes of the City of Harker Heights Planning & Zoning Commission Meeting that was called to order on Wednesday, July 30, 2025, at 5:30 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Commissioner Natalie Austin
Chairman Rodney Shine
Commissioner Elizabeth McDaniel
Commissioner Frank Stewart
Alternate Commissioner Trisha Ratliff
Vice Chairman Bary Heidtbrink
Alternate Commissioner Sharan Dockery
Planning Administrator Stephanie Hall
Planning Coordinator Richelle Otero
GIS Analyst/Planner Daniel Phillips
Alternate Commissioner Greg Dow

EXCUSED: Commissioner Joshua McCann
Secretary Geri Schwartzman

CALL TO ORDER:
Convene Regular Meeting of the Building Standards Commission and establish a quorum.

1. Chairman Rodney Shine called to order the regular meeting of the Building Standards Commission at 5:54 p.m.

   Chairman Rodney Shine called upon Alternate Commissioner Trisha Ratliff and Alternate Commissioner Sharan Dockery to act as voting members for this meeting.

PUBLIC COMMENTS:
At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Building Standards Commission, please clearly state your name and address for staff prior to making a comment. ***No action may be taken by the Building Standards Commission during Public Comments.***

APPROVAL OF AGENDA:
Discuss and consider approval of the agenda for the regular meeting of the Building Standards Commission for July 30, 2025.

1. to approve the agenda from the regular meeting of the Building Standards Commission with amendments.

   Amendments: Staff amended agenda to place staff comments prior to meeting adjournment.

Vice-Chairman Bary Heidtbrink made a motion Made a motion to approve the agenda from the regular meeting of the Building Standards Commission with amendments.

Amendments: Staff amended agenda to place staff comments prior to meeting adjournment. Commissioner Natalie Austin seconded the motion. Carried unanimously.

CONSENT AGENDA:

1. Discuss and consider approval of the minutes from the Building Standards Commission meeting held on November 20, 2024.

Vice-Chairman Bary Heidtbrink made a motion Made a motion to approve the minutes of the regular meeting held on November 20, 2024. Commissioner Natalie Austin seconded the motion. Carried unanimously.

RECOGNITION OF AFFIDAVITS FOR CONFLICTS OF INTEREST:

1. None received.

PUBLIC HEARINGS:

1. CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL MANUFACTURED/MOBILE STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS HIDDEN VALLEY RANCHETTES, BLOCK 001, LOT PT 16, (S66’ OF 16), SN1, TX30762501, TITLE # 74723145_AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 4006 QUAIL HOLLOW RD. HARKER HEIGHTS, BELL COUNTY, TEXAS, IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES; (BUILDING OFFICIAL)

Commissioner Trisha Ratliff made a motion to Find by a majority vote, that a manufactured/mobile structure, all accessory structures, and any nuisances located on property at 4006 Quail Hollow Rd. Harker heights, Texas, described as: Hidden Valley Ranchettes, Block 001, Lot Pt 16, (S66' of 16), SN1, TX30762501, Title #74723145_An Addition to the City of Harker Heights in Bell County, Texas, also commonly known as 4006 Quail Hollow Rd. Harker Heights, Bell County, Texas, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.

Natalie Austin made a motion to Order that the owner, mortgagee, lienholder, or trustee Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s), and/or any other nuisance on the property within 30 calendar days from the public hearing, with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order. Elizabeth McDaniel seconded the motion. Carried 8-0 (opposed: 0). Commissioner Natalie Austin seconded the motion. Carried unanimously.

REPORTS FROM COMMISSIONERS:

STAFF COMMENTS:

1. General updates will be presented at the next Building Standards Commission meeting.

ADJOURNMENT BUILDING STANDARDS COMMISSION MEETING

1. Chairman Rodney Shine adjourning the regular meeting of the Building Standards Commission on July 30, 2025 at 6:21 p.m.

_____
Rodney Shine, Chairman

_____
Michael Stegmeyer, Secretary

Minutes of the City of Harker Heights Building Standards Commission Meeting that was called to order on Wednesday, January 7, 2026, at 5:30 PM, , in Room A of the Harker Heights Activities Center located at 400 Indian Trail Drive, Harker Heights, Texas 76548, with the following members present:

ROLL CALL:
Chairman Rodney Shine
Vice Chairman Bary Heidtbrink
Secretary Geri Schwartzman
Commissioner Elizabeth McDaniel
Commissioner Sharan Dockery
Commissioner Natalie Austin
Commissioner Trisha Ratliff
Commissioner Frank Stewart
Alternate Commissioner Angelina Seyler
Alternate Commissioner Claudette Morgan-Scott
Planning Administrator Stephanie Hall
Planning Coordinator Richelle Otero
Director of Planning Michael Beard
Code Enforcement Supervisor Calvin Fleming
Code Enforcement Officer David McCoy
Code Enforcement Officer in Training Trevor Jorgenson
Building Inspector Fabian Brooks
Building & Code Coordinator Eric Moree
Permit Technician Andrea Contreras

EXCUSED:
Commissioner Joshua McCann
Alternate Commissioner Greg Dow

CALL TO ORDER:

1. Convene Regular Meeting of the Planning & Zoning Commission and establish a quorum.

Chairman Rodney Shine called to order the regular meeting of the Building Standards Commission at 5:36 pm.

PUBLIC COMMENTS:

At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Building Standards Commission, please clearly state your name and address prior to making a comment. ***No action may be taken by the Building Standards Commission during Public Comments.***

TRAINING PRESENTATIONS BY STAFF:

1. IT Director: Cybersecurity training and City issued email accounts
2. Introduction of Committee Members & Staff

ELECTIONS OF OFFICERS:

1. Building Standards Commission: Chairperson, Vice Chairperson, and Secretary

Commissioner #4 Frank Stewart made a motion made a motion to elect the following:

Rodney Shine for Chairperson
Bary Heidtbrink for Vice Chairperson
Geri Schwartzman for Secretary

Commissioner #1 Natalie Austin seconded the motion. Carried unanimously.

TRAINING PRESENTATIONS BY STAFF (CONT'D):

1. Planning Administrator: Public Information Act, Open meetings Act, and Roberts Rules of Order.
2. Planning Administrator/Director of Planning: Roles and Responsibilities for each Commission/Committee/Board
3. Planning Administrator: 2025 Meeting Calendars

ADJOURNMENT:

1. Adjournment of Regular Meeting of the Building Standards Commission.

Chairman Rodney Shine adjourned the regular meeting of the Building Standards Commission at 7:03 pm.

_____
Rodney Shine, Chairman

_____
Geri Schwartzman, Secretary

Minutes of the City of Harker Heights Building Standard Commission Meeting that was called to order on Wednesday, April 29, 2026, at 5:30 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Commissioner Elizabeth McDaniel
Vice Chairman Bary Heidtbrink
Commissioner Natalie Austin
Secretary Geri Schwartzman
Commissioner Joshua McCann
Commissioner Frank Stewart
Commissioner Trisha Ratliff
Alternate Commissioner Claudette Morgan-Scott
Chairman Rodney Shine
Alternate Commissioner Angelina Seyler
Planning Administrator Stephanie Hall
Planning Coordinator Richelle Otero
Permit Technician Andrea Contreras

EXCUSED: Commissioner Sharan Dockery
Alternate Commissioner Greg Dow

CALL TO ORDER:
Convene Regular Meeting of the Building Standards Commission and establish a quorum.

1. Chairman Rodney Shine called to order the regular meeting of the Building Standard Commission at 7:54 p.m.

   Chairman Rodney Shine called upon Alternate Commissioner Dr. Claudette Morgan-Scott to act as voting members for this meeting.

PUBLIC COMMENTS:
At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Building Standards Commission, please clearly state your name and address for the staff prior to making a comment. ***No action may be taken by the Building Standards Commission during Public Comments.***

APPROVAL OF AGENDA:
Discuss and consider approval of the agenda for the regular meeting of the Building Standards Commission for April 29, 2026.

1. To approve the agenda from the regular meeting of the Building Standards Commission.

Vice-Chairman Bary Heidtbrink made a motion to approve the agenda from the regular meeting of the Building Standards Commission. Secretary Geri Schwartzman seconded the motion. Carried unanimously.

CONSENT AGENDA:

1. Discuss and consider approval of the minutes from the Building Standards Commission meeting held on July 30, 2025.
2. Discuss and consider approval of the minutes from the Building Standards Commission training meeting held on January 7, 2026

Vice-Chairman Bary Heidtbrink made a motion to approve the consent agenda with amendments. Commissioner Trisha Ratliff seconded the motion. Carried unanimously.

RECOGNITION OF AFFIDAVITS FOR CONFLICTS OF INTEREST:

PUBLIC HEARINGS:

1. CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL MANUFACTURED/MOBILE STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS KERN VALLEY 2ND EXT, BLOCK 00E, LOT 3, 4, AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 339 CLORE ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS, IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).

Vice-Chairman Bary Heidtbrink made a motion to find by a majority vote, that a manufactured/mobile structure, all accessory structures, and any nuisances located on property at 339 Clore Road. Harker Heights, Texas, described as: Kern Valley 2nd Ext., Block 00E, Lot 3, 4. An Addition to the City of Harker Heights in Bell County, Texas, Also Commonly Known as 339 Clore Road. Harker Heights, Bell County, Texas, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.
Commissioner Elizabeth McDaniel seconded the motion. Carried unanimously.

Vice-Chairman Bary Heidtbrink made a motion to order that the owner, mortgagee, lienholder, or trustee Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s), and/or any other nuisance on the property within 30 calendar days from the public hearing, with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order. Commissioner Joshua McCann seconded the motion. Carried unanimously.

NEW BUSINESS:

1. RECEIVE AND DISCUSS A PRESENTATION REGARDING UPDATES ON PREVIOUS BUILDING STANDARDS COMMISSION CASES, CITY ABATEMENTS, AND VOLUNTARY ABATEMENTS. (DIRECTOR OF PLANNING/BUILDING OFFICIAL)

REPORTS FROM COMMISSIONERS:

STAFF COMMENTS:

ADJOURNMENT:
Chairman Rodney Shine adjourning the regular meeting of the Building Standards Commission on April 29, 2026, at 8:23 p.m.

_____
Rodney Shine, Chairman

_____
Geri Schwartzman, Secretary

Memorandum

FROM: The Office of the Planning and Development Director **DATE: August 26, 2026**

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL SITE-BUILT STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRAIL, HARKER HEIGHTS, TEXAS, IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).

EXPLANATION:

BACKGROUND:

Subject Property: Residential site-built Structure, all accessory structures, and any other nuisances,

WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRAIL, HARKER HEIGHTS, TEXAS.

Record Property Owner: JAMES H WALL
1605 PIMA TRL.
HARKER HEIGHTS, TX 76548

JAMES H WALL
7861 FM 2410
BELTON, TX 76513

Record Property Owner: JUDY WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

JUDY WALL
7861 FM 2410
BELTON, TX 76513

GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300

ARLINGTON, TX 76010

FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

On June 5, 2026, a visible inspection was made of this property from the right-of-way by Fabian Brooks, City of Harker Heights Building Inspector. This inspection was to identify the property as a possible substandard structure. An administrative search warrant was obtained and served on July 14, 2026, to inspect the property to determine if the structure met the requirements for a substandard structure set out in §160.04.

Based on the inspection performed by Fabian Brooks, Building Inspector on July 15, 2026, the structure does meet the requirements set in §160.04 as evidenced by the photos (Exhibit #7).

TIMELINE OF EVENTS:

- June 5, 2026 - Identified structure as substandard.
- July 14, 2026 - Administrative Search Warrant obtained (Exhibit #2).
- July 15, 2026 - Administrative Search Warrant served (Exhibit #2).
- July 15, 2026 - Visual Inspection of the property by Mr. Michael Beard, the City of Harker Heights Director of Planning/Building Official.
- July 15, 2026 - Building Inspection Report is compiled, and Mr. Michael Beard, the City of Harker Heights Director of Planning/Building Official, determined the structure to be unsafe, substandard, and a dangerous structure per §160.04 of the City of Harker Heights Code of Ordinances (Exhibit #3).
- July 15, 2026 - City Staff requested title sheet documents to determine all owners associated with 1605 Pima Trail.
- July 22, 2026 - Notice of Public Hearing posted on all structures on the property and mailed via U.S.P.S. certified mail to the owner (Exhibit #4).
- July 22, 2026 - Notice of Public Hearing filed with Bell County (Exhibit #5).
- August 2, 2026 - Notice of Public Hearing published in the Killeen Daily Herald, the newspaper of general circulation (Exhibit 6).
- August 26, 2026 - BSC Public Hearing.

RECOMMENDATION:

Per City of Harker Heights Code of Ordinance and Texas Local Government Code, the Building Standards Commission may consider the following:

1. **ORDER** that the owner, mortgagee, lienholder, or trustee **Repair, Remove, OR Demolish** the structure(s) with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.

Below are additional details on what to consider when determining an **Order**:

- **Repair.** If the owner, lienholder, mortgagee, or trustee demonstrates that the building can be feasibly repaired within the time allowed by this section, it shall be ordered remedied or repaired. Repairs shall be deemed feasible only if less than 50% of the structure of the building must be repaired or replaced, or the value of the structure is reduced by less than 50% because of the violations.
- **Vacate and Secure.** If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.
- **Demolish or Remove**. In any case where the owner, lienholder, mortgagee, or trustee fails to demonstrate that the building can be feasibly repaired within the time allowed by this section, the Commission may order that the building be demolished with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances.

Based upon the inspection performed on July 15, 2026, the Director of Planning/Building Official recommends that the Building and Standards Commission:

1. **FIND** that a site-built structure, all accessory structures, and any nuisances located on property at 1605 Pima Trail. Harker Heights, Texas, described as: Wall Addition, Block 001, Lot 0005 an addition to the city of Harker Heights in Bell County, Texas, also commonly known as 1605 Pima Trail, Harker Heights, Texas, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances, and;
2. **ORDER** that the owner, mortgagee, lienholder, or trustee **Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s) and/or any other nuisance on the property within 30 calendar days from the public hearing** with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.

ACTION BY THE BUILDING AND STANDARDS COMMISSION:

Action #1

1. **FIND**, by a majority vote, that a site-built structure, all accessory structures, and any nuisances located on property at Wall Addition, Block 001, Lot 0005 an addition to the city of Harker Heights in Bell County, Texas, also commonly known as 1605 Pima Trail, Harker Heights, Texas, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.
2. **DO NOT FIND**, by a majority vote, that a site-built structure, all accessory structures, and any nuisances located on property at Wall Addition, Block 001, Lot 0005 an addition to the city of Harker Heights in Bell County, Texas, also commonly known as 1605 Pima Trail, Harker Heights, Texas, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.
3. Any other action desired.

Action #2

1. **ORDER** that the owner, mortgagee, lienholder, or trustee **Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s), and/or any other nuisance on the property within 30 calendar days from the public hearing,** with due process and notifications as set out

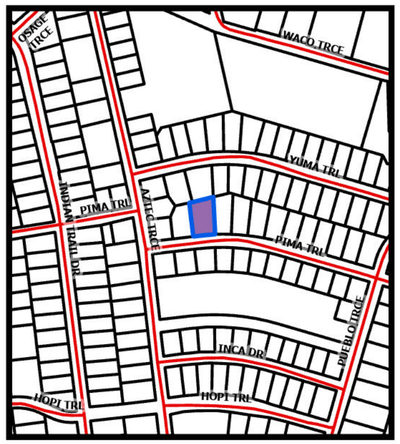
in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.

2. Any other action desired.

ATTACHMENTS:

Exhibit 1 - Location Map - 1605 Pima Trl.
Exhibit 2 - Search Warrant - 1605 Pima Trl.
Exhibit 3 - Building Inspection Report - 1605 Pima Trl.
Exhibit 4 - Notice of Public Hearing - 1605 Pima Trl.
Exhibit 5 - Filed with County - 1605 Pima Trl.
Exhibit 6 - Legal Ad - 1605 Pima Trl.
Exhibit 7 - Photos - 1605 Pima Trl.
Exhibit 8 - Ordinance - 1605 Pima Trl.

August 2026 BSC



1605 Pima Trail

Exhibit 1

1512 1523 1605 1607 1609 1611 1613 1615 1617 1619
1525 1603
YUMA TRL
1518 1606 1608 1610 1612 1614 1616
1602 1604
1601
1518 1520
1603
AZTEC TRCE
1605
PIMA TRL
1607 A 1607 B 1609 A 1609 B 1611 A 1611 B 1613 A 1613 B 1615 A 1615 B 1617 A
1603 1605
1519 1600
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1602 B 1602 A 1604 B 1604 A 1606 B 1606 A 1608 B 1608 A 1610 B 1610 A 1612 B 1612 A 1614 B 1614 A 1616 B 1616 A 1618 B
1604
1606
1608

200 US Feet
100
50
0

City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-5600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2051.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

ADMINISTRATIVE SEARCH WARRANT

STATE OF TEXAS	§	A SINGLE-FAMILY RESIDENCE
	§	LOCATED AT
COUNTY OF BELL	§	1605 Pima Trail, Harker Heights
		BELL COUNTY, TEXAS

TO: Any health officer, fire marshal, or code enforcement officer of the City of Harker Heights, Bell County, Texas:

WHEREAS, **Fabian Brooks** the building official of the City of Harker Heights, Bell County, Texas, and a credible person that has presented a written affidavit to me, which Affidavit was attached to this warrant when it was presented and signed and is by this reference incorporated into this warrant for all purposes;

AND WHEREAS, I find that the verified facts stated by affiant, **Fabian Brooks,** in the Affidavit show that there is probable cause that there is a public nuisance, or a violation of a fire, health, or building regulation, state, statute of the Code of Harker Heights at the premises described and located as follows:

1605 Pima Trail, Harker Heights, Bell County, Texas 76548

AND WHEREAS, the Affidavit presents the necessary evidence establishing the existence of proper grounds for the issuance of this Administrative Search Warrant pursuant to Article 18.05 of the Texas Code of Criminal Procedure;

NOW, THEREFORE, I do hereby ORDER that any health officer, fire marshal, or code enforcement officer of the City of Harker Heights, Texas, execute this Warrant and enter the Premises to inspect and determine if evidence exists that said Premises are substandard or dangerous in violation of the Code. A video and or photographic record of the evidence shall be permitted.

Herein fail not, but have execution with your return thereon, showing how you have executed the same.

ISSUED AT 4 o'clock P M, on this the 14th day of July, 2026, to certify which witness my hand this day.

COURT MAGISTRATE

Exhibit 2

AFFIDAVIT FOR ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS	§	A Residential Structure
	§	**1605 Pima Trail**
COUNTY OF BELL	§	Harker Heights, Bell County, Texas

BEFORE ME, the undersigned authority, on this day, personally appeared **Fabian R Brooks**, who after first being by me duly sworn upon oath, made the following statements and accusations:

1. I am over the age of 18 years. I have personal knowledge of the facts stated herein, I am competent to testify under oath to those facts, and they are all true and correct.

2. I am the primary building inspector for the city of Harker Heights, Bell County, Texas, and have held the position for 1 ½ year. Prior to that, I served as a licensed code enforcement officer for 1 year, during which time I received several hundred hours of training in building and structural integrity as well as ordinances and investigations. Also, committing 7 years to public infrastructure and water quality inspections. I have been involved in public safety regulations and enforcement for over 9 years and have carried out a numerous number of inspections. I have the authority to exercise the powers of the Building Official as set forth in §160.03(A) of the Code of Harker Heights and elsewhere.

3. There is in incorporated city limits of Harker Heights, a building located as follows:

   1605 Pima Trail, Harker Heights, Bell County, Texas 76548

4. The record owner of the Premises is **WALL, JAMES H,**
   1605 PIMA TRL HARKER HEIGHTS, TX 76548;
   WALL ADDITION, BLOCK 001, LOT 0005

5. The building is a residential structure. It is currently unoccupied.

6. On **07/09/2026** I personally conducted physical inspections of the Premises. Because I did not have consent to enter the Building my inspection was limited to the exterior. From the exterior I was able to observe the following violations of Sections 160.04 and 93.02 of the Code: The building is dilapidated and constitutes a danger to the public even though secured from entry.

7. I took photographs of the Premises during my inspection and true and correct copies are attached hereto and incorporated as Exhibit(s) 1 and 2 by reference. Within the limitations of the technology the photographs accurately depict the conditions that existed at that time and place.

8. The substandard conditions described above have not been abated, thus creating a fire or health hazard or unsafe building condition in violation of the minimum building standards set forth in the Code, including without limitation §160.04 thereof. Based on my training and experience, as well as the conditions described above, I have probable cause to believe and do believe and allege that the interior of the building is likely in a similar state of disrepair, and that additional

Exhibit 2

9. WHEREFORE, I request the issuance of an administrative search warrant that will authorize entry into the Premises and Building to conduct a thorough inspection for the presence of unsafe building conditions, and/or violations of any fire, health, or building statutes, regulations or ordinances, and specifically for violations of the minimum standards established by §160.04 of the Code, in order to commence abatement proceedings before the City's Building and Standards Commission.

Affiant

SUBSCRIBED AND SWORN TO before me by the said **Fabian R Brooks**, Affiant, on 07/09/2024.

Notary Public, State of Texas

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 2

Exhibit 1



Exhibit 2

Exhibit 2



Exhibit 2

RETURN

STATE OF TEXAS	§	A SINGLE-FAMILY RESIDENCE
	§	LOCATED AT
COUNTY OF BELL	§	1605 Pima Trail, Harker Heights
		BELL COUNTY, TEXAS

The undersigned Affidavit, being a Code Enforcement Officer of the City of Harker Heights, Texas, and being duly sworn, on oath, certifies that the foregoing Warrant came on hand on the day it was issued and that it was executed on 7/15/26, by making the inspection directed therein.

Affiant

SUBSCRIBED AND SWORN TO before me, authority, by said Affiant on July 15 2026.

Notary Public, State of Texas

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Building Inspection Report

City of Harker Heights
305 Miller's Crossing Harker Heights, Texas 76548
Telephone (Main) 254-953-5600
Fax: 254-953-5614

Date: 2.15.2026

Time: 1pm

Address: 1605 Pima Trl

Legal Description: Wall Addition, Block 001, Lot 005

Property Owner: Wall, James H **Lien Holder(s):**

Property Occupant(s): Vacant

Inspector: Fabian Brooks

Substandard Buildings Declared and Minimum Buildings Standards Contained in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances

(A) *The above reference buildings, regardless of the date of its construction, is deemed and hereby declared to be Substandard and a nuisance because it has the conditions of defects hereinafter described:*

☒ (1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

☒ (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose

☒ (3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

- ☒ (a) The building constitutes a danger to the public even though secured from entry; or
- ☒ (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (A)(2) of this section

☒ (4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence

☒ (5) Whenever any portion of a building remains on a site after the demolition or destruction of the building

☒ (6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

- [x] (a) Lack of, or improper lavatory
- [x] (b) Lack of improper bathtub or shower in a dwelling unit or lodging house
- [x] (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel
- [x] (d) Lack of, or improper kitchen sink in a dwelling unit
- [x] (e) Lack of hot and cold running water to plumbing fixtures
- [x] (f) Lack of, or improper operation of adequate heating facilities
- [x] (g) Lack or, or improper operation of required ventilation equipment
- [x] (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city
- [x] (i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation by the city
- [x] (j) Lack of required electrical lighting
- [x] (k) Excessive dampness or mol din habitable rooms
- [ ] (l) Infestation or insects, vermin, or rodents
- [x] (m) General dilapidation or improper maintenance
- [x] (n) Lack of connection to required sewage disposal system
- [x] (o) Lack of adequate garbage and rubbish storage and removal facilities

[x] (8) Whenever any building contains structural hazards, including but not limited to the following:

- [x] (a) Deteriorated or inadequate foundation
- [x] (b) Defective or deteriorated flooring of floor support
- [x] (c) Flooring or floor supports are insufficient to carry imposed loads with safety
- [x] (d) Members or walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration
- [x] (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety
- [x] (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration
- [x] (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety
- [x] (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration
- [x] (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of building

(B) *The above referenced building, for the purpose of* ***§160.04 of Chapter 160*** *of the City of Harker Heights, Texas , Code of Ordinances shall be deemed and hereby declared to be a dangerous and substandard building, and nuisance, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:*

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base

(11) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location

☑ (14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard

☑ (15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered

☑ (16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the City of Harker Heights, Bell County, Texas

~~Michael Beard, Building Official Administrator~~
Fabian Brooks, Building Inspector

Subscribed and sworn to before my by ~~Michael Beard~~ Fabian Brooks, a credible person, on 07/15/2026.

Notary Public in and for Bell County

My Commission expires 12/23/2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 4

NOTICE OF PUBLIC HEARING

Record Owner: **JAMES H WALL & JUDY WALL**
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

JAMES H WALL & JUDY WALL
7861 FM 2410
BELTON, TX 76513

GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300
ARLINGTON, TX 76010

FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

Property: **1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)**

According to the real property records of Bell County, you own the real property described in this Notice. If you no longer own the Property, you must execute an affidavit stating that you no longer own the Property and stating the name and last known address of the person who acquired the Property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date this Notice is posted. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On July 15, 2026, a physical inspection was made of the structures (manufactured/mobile structure, all accessory structures, and other nuisances) located on the property at 1605 Pima Trl. Based on those inspection(s) Director of Planning/Building Official has found the said building(s) are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held **on August 26, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m.**, in the Kitty Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is violated, the City may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, lienholder, or trustee is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance The resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Beard, by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

Exhibit 4

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

1605 Pima Trl

§160.04(A) Substandard building. For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

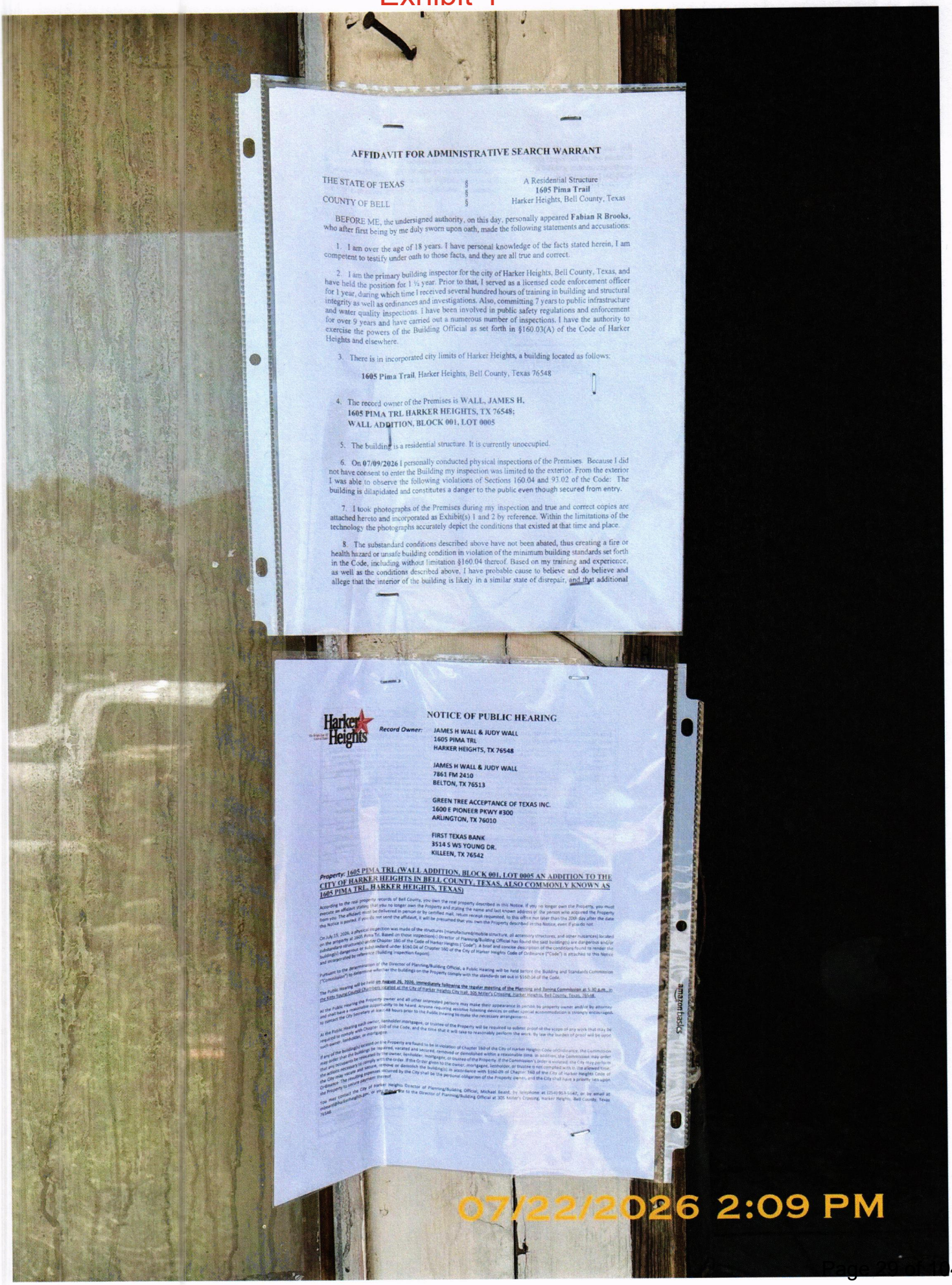
Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.	§160.04(A)(3)
Yes	Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence	§160.04(A)(4)
No	Whenever any portion of a building remains on a site after the demolition or destruction of the building.	§164.04(A)(5)
Yes	Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public	§160.04(A)(6)
Yes	Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following: (a) Lack of, or improper lavatory (b) Lack of or improper bathtub or shower in a dwelling unit or lodging house (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel (d) Lack of, or improper kitchen sink in a dwelling unit (e) Lack of hot and cold running water to plumbing fixtures (f) Lack of or improper operation of, adequate heating facilities (g) Lack of or improper operation of, required ventilating equipment (h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (i) Lack of required electrical lighting (j) Lack of required electrical lighting (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (k) Excessive dampness or mold in habitable rooms (l) Infestation of insects, vermin or rodents (m) General dilapidation or improper maintenance (n) Lack of connection to required sewage disposal system (o) Lack of adequate garbage and rubbish storage and removal facilities.	§160.04(A)(7) (a-o)
Yes	Whenever any building contains structural hazards, including but not limited to the following: (a) Deteriorated or inadequate foundation. (b) Defective or deteriorated flooring or floor supports. (c) Flooring or floor supports are insufficient to carry imposed loads with safety. (d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration. (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety. (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration. (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety. (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration. (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.	§160.04(A)(8) (a-i)
Yes	Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.	§160.07(A)(9)

§160.04(B) Dangerous and substandard building. For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.	§160.7(B)(1)

Exhibit 4

Yes	Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.	§160.07(B)(2)
Yes	Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(3)
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(4)
Yes	Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.	§160.07(B)(5)
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.	§160.07(B)(6)
Yes	Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.	§160.07(B)(7)
Yes	Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.	§160.07(B)(8) (a-e)
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.	§160.07(B)(9)
Yes	Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.	§160.07(B)(10)
Yes	Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.	§160.07(B)(11)
Yes	Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity.	§160.07(B)(12)
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.	§160.07(B)(13) (a-c)
Yes	Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.	§160.07(B)(14)
Yes	Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.	§160.07(B)(15)
Yes	Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.	§160.07(B)(16)



AFFIDAVIT FOR ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS §
§
COUNTY OF BELL §

A Residential Structure
1605 Pima Trail
Harker Heights, Bell County, Texas

BEFORE ME, the undersigned authority, on this day, personally appeared **Fabian R Brooks**, who after first being by me duly sworn upon oath, made the following statements and accusations:

1. I am over the age of 18 years. I have personal knowledge of the facts stated herein, I am competent to testify under oath to those facts, and they are all true and correct.

2. I am the primary building inspector for the city of Harker Heights, Bell County, Texas, and have held the position for 1 ½ year. Prior to that, I served as a licensed code enforcement officer for 1 year, during which time I received several hundred hours of training in building and structural integrity as well as ordinances and investigations. Also, committing 7 years to public infrastructure and water quality inspections. I have been involved in public safety regulations and enforcement for over 9 years and have carried out a numerous number of inspections. I have the authority to exercise the powers of the Building Official as set forth in §160.03(A) of the Code of Harker Heights and elsewhere.

3. There is in incorporated city limits of Harker Heights, a building located as follows:

1605 Pima Trail, Harker Heights, Bell County, Texas 76548

4. The record owner of the Premises is **WALL, JAMES H, 1605 PIMA TRL HARKER HEIGHTS, TX 76548; WALL ADDITION, BLOCK 001, LOT 0005**

5. The building is a residential structure. It is currently unoccupied.

6. On **07/09/2026** I personally conducted physical inspections of the Premises. Because I did not have consent to enter the Building my inspection was limited to the exterior. From the exterior I was able to observe the following violations of Sections 160.04 and 93.02 of the Code: The building is dilapidated and constitutes a danger to the public even though secured from entry.

7. I took photographs of the Premises during my inspection and true and correct copies are attached hereto and incorporated as Exhibit(s) 1 and 2 by reference. Within the limitations of the technology the photographs accurately depict the conditions that existed at that time and place.

8. The substandard conditions described above have not been abated, thus creating a fire or health hazard or unsafe building condition in violation of the minimum building standards set forth in the Code, including without limitation §160.04 thereof. Based on my training and experience, as well as the conditions described above, I have probable cause to believe and do believe and allege that the interior of the building is likely in a similar state of disrepair, and that additional

Harker Heights

NOTICE OF PUBLIC HEARING

Record Owner: JAMES H WALL & JUDY WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

JAMES H WALL & JUDY WALL
7861 FM 2410
BELTON, TX 76513

GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300
ARLINGTON, TX 76010

FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

Property: 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

According to the real property records of Bell County, you own the real property described in this Notice. If you no longer own the Property, you must execute an affidavit stating that you no longer own the Property and stating the name and last known address of the person who acquired the Property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date the Notice is posted. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On July 15, 2026, a physical inspection was made of the structures (manufactured/mobile structure, all accessory structures, and other nuisances) located on the property at 1605 Pima Trl. Based on those inspection(s) Director of Planning/Building Official has found the said building(s) are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on August 26, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m., in the Kate Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the building be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupant or lessee of the Property remain vacate the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance. The resulting expenses incurred by the City shall be the personal obligation of the Property owners, and the City shall have a priority lien upon the Property to ensure payment thereof.

If the action necessary to comply with the Order is not completed within the allowed time, the City may perform the action necessary to comply with the Order. If the Order given to the owner, mortgagee, lienholder, or trustee is not complied with

Exhibit 4

Harker Heights

NOTICE OF WORKSHOP AND SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS

Notice is hereby given that, beginning at 3:00 p.m. on Tuesday, August 4, 2026, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will hold a Workshop and a Special Meeting in the Kitty Young Council Chamber at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

I. **ROLL CALL:**

II. **PRESENTATIONS BY CITIZENS:**

Citizens who desire to address the Council on any matter may do so during this item. Please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda. Please state your name and the city of residence for the record and limit your comments to three minutes.

III. **MATTERS FOR DISCUSSION:**

1. Discussion and review of the Fiscal Year 2026-2027 Budget (City Manager/Finance Director).

CITY OF HARKER HEIGHTS TAXPAYER IMPACT STATEMENT
(As required by House Bill 1522 passed by the Texas Legislature in 2025)

This notice will inform taxpayers of the potential impact of the proposed tax rate for Fiscal Year 2026-2027, comparing what would be paid under the No New Revenue Tax Rate versus the Proposed Tax Rate when they become available.

Rate Scenario	Median Homestead Taxable Value***	Tax Rate (per $100 valuation)	Estimated Property Tax Bill - Harker Heights	Difference from No New Revenue Rate
FY 2025-26 Tax Rate (Current Year)	315,503	0.5300	1,672.17	n/a
FY 2026-27 No New Revenue Rate*	234,268	n/a	n/a	n/a
FY 2026-27 Proposed Tax Rate**	234,268	n/a	n/a	n/a

*A No New Revenue Rate will not be available until the official Truth in Taxation calculation is completed by Bell County Appraisal District.
**City staff will present tax rate options to the City Council at the Tuesday, August 4 meeting based on information gathered during the Budget Workshop Retreat.
Once the above rates are received, the calculations marked as "n/a" can be made.
***For Fiscal Year 2026 and prior, the average homestead taxable value was used. Beginning with the 2027 fiscal year, the median homestead taxable value is required to be used.

Staff Report - Pdf

2. Receive and discuss a review of the City's Governance Policy. (City Manager)

Staff Report - Pdf

IV. **ADJOURNMENT OF WORKSHOP AND CALL TO ORDER SPECIAL MEETING:**

V. **REGULAR BUSINESS:**

1. Discussion and possible action regarding authority to complete the purchase of property described as Cedar Trails, Block 002, Lot Tract C, Acres 3.068, generally located between the northeastern corner of East Knights Way and Cedar Trail, Harker Heights, Bell County, Texas. (City Manager)

Staff Report - Pdf

VI. **ADJOURNMENT:**

I hereby certify that the above notice was posted on the bulletin board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on the 28th of July 2026, by 5:00 p.m., and remained posted for at least three consecutive business days preceding the scheduled date of said meeting.

Julie Holsham
City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or email jholsham@harkerheights.gov for further information. Pursuant to Chapter 551 of the Government Code the City Council reserves the right to go into Closed Meeting on any item listed above if deemed necessary. Note: On occasion the City Council may consider agenda items out of order.

Harker Heights

Record Owner: JAMES H W[illegible]
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

JAMES H W[illegible]
7861 FM 2410
BELTON, TX 76513

GREEN TREE [illegible] OF TEXAS INC.
1600 E PIOR[illegible]300
ARLINGTON, TX 76011

FIRST TEXAS [illegible]
3514 S WS YO[illegible]
KILLEEN, TX 7654[illegible]

Property: 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

Pursuant to the true property records of Bell County you were the real owner and/or lienholder of record in this matter. If you are not the owner as affidavit stating that you no longer own the Property and stating the name and last known address of the person who took title from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the office no later than the 20th day after the date this notice is posted. If you do not and the affidavit, it will be presumed that you own the Property described in this notice, and it will be.

On July 31, 2026, a physical inspection was made of the structures (residential/commercial structures, all accessory structures, and other related structures) on the property at 1605 Pima Trl. Based on those inspections, Director of Planning/Building Official has found the said building(s) are dangerous structure(s) under Chapter 210 of the Code of Harker Heights ("Code"), a kind and concise description of the conditions found to exist on said building(s) dangerous or substandard under §150.04 of Chapter 150 of the City of Harker Heights Code of Ordinances ("Code") is attached hereto and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §150.07 of the Code.

The Public Hearing will be held on August 26, 2026, immediately following the regular meeting of the Planning and Zoning Commission, at 5:30 p.m. in the Kitty Young Council Chambers located at 305 City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person or by properly owned agent, as well as and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodations to participate should contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, mortgagee, or trustee of the Property will be required to submit proof of the extent of any work that has been such owner, lienholder, mortgagee, or trustee of the Property will be required to submit proof of the extent of any work that has been completed to comply with Chapter 150 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof is on each such owner, lienholder, mortgagee, or trustee of the Property.

If any of the building(s) located on the Property are found to be in violation of Chapter 150 of the City of Harker Heights Code of Ordinances (Dangerous Buildings), the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may determine that any documents be relocated to the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is adopted, then by the 31st day after the adoption of such order, if the Order grants to the owner, lienholder, mortgagee, or trustee a time period within which to comply with the order, the City may secure and remove or demolish the building(s) in accordance with §150.09 of Chapter 150 of the City of Harker Heights Code of Ordinances. The resulting expense incurred by the City shall be a personal obligation of the Property owner, and the City may assert such a personal lien against the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Baumgarten, at (254) 953-5607, or by email mbaumgarten@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

*Leave posted until 08-27-2026 *

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

§150.04(A) Substandard building. For the purposes of this chapter: any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, provided that a nuisance:

Condition Exists (Yes or No)	Condition
Yes	Whenever any building or structure, deteriorated, dilapidated or decayed to the extent that it is unfit for human habitation, or is hazard to the public health, safety and welfare.
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessee or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other unlimited persons as a place of harborage, or to children for any purpose.
Yes	Whenever any building is boarded up, closed or otherwise secured in any manner which: (a) The existing condition or closure of any window, door or other opening of such building is in violation of the provisions of the International Property Maintenance Code and/or any and all City ordinances not specifically listed in §150.01 of this code.
Yes	Whenever any building is in such a condition as to make it unsafe, unsecured or unsanitary or dangerous or detrimental to the health, safety or welfare or otherwise violative of the minimum standards provided in the International Property Maintenance Code and/or any and all City ordinances not specifically listed in §150.01 of this code.
Yes	Whenever any portion of a building, remains on a site after the demolition or destruction of the building or whenever any building or structure is abandoned so as to constitute an attractive nuisance or hazard to the public.
Yes	Whenever a building used or intended to be used for human occupancy, building or mobile home occupancy, is in a dilapidated, unsanitary or unsafe condition that the Director of Planning/Building Official finds renders it unfit for human habitancy, or in such a condition that a direct menace exists or danger or hazard existing but not limited to, any of the following: (a) Lack of, or improper sewerage; (b) Lack of, or improper bathtub or shower in a dwelling unit or lodging house; (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel; (d) Lack of, or improper kitchen sink in a dwelling unit; (e) Lack of hot and cold running water to plumbing fixtures; (f) Lack of, or improper connection to a source of heat within a building; (g) Lack of or improper application of required ventilating equipment; (h) Lack of minimum amounts of natural light and ventilation required by this chapter, that standard code, or other ordinance or regulation of the City; (i) Lack of required electrical lighting; (j) Lack of required electrical lighting due to lack of minimum amounts of natural light and ventilation required by this chapter, the standard code, or other ordinance or regulation of the city; (k) Dampness of habitable rooms; (l) Infestation of insects, vermin or rodents; (m) General dilapidation or improper maintenance; (n) Lack of connection to required sewage disposal system; (o) Lack of adequate garbage and rubbish storage and removal facilities.
Yes	Whenever any building, whether structure or mobile, including but not limited to the following: (a) Lack of adequate or proper fire-resistive construction; (b) Deficient or deteriorated flooring or floor supports; (c) Flooring or floor supports are insufficient to carry imposed loads with safety; (d) Members of walls, partitions or other vertical supports that split, bow, list or buckle due to defective material or deterioration; (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety; (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration; (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety; (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration; (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.
Yes	Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by law, or of any order or directive of the City official charged with the enforcement of the law, ordinance or regulation, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

§150.04(B) Dangerous and substandard building. For the purposes of this chapter: any building, regardless of the date of its construction, which has one or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and known to be declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition
Yes	Whenever any door, slide, passageway, stairway or other means of exit is not sufficient width or not in a proper location to provide safe and adequate means of exit in case of fire or panic.
Yes	Whenever the building exhibits or any part, appurtenance, element or other object of and shall indicate, which does not withstand winds or is not securely affixed and constructed in accordance with the standard code.
Yes	Whenever the whole or any material, or member or portion thereof, due to an age and has been, or is likely to become dislodged or collapse and injure persons or damage property.
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the applicable standard code for new buildings of similar structure, purpose or location.
Yes	Whenever any portion of a building, or any appurtenance thereof is likely to, or is more likely than not to, fall or become dislodged or detached, or to collapse and thereby cause personal or damage property.
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the said code for such building.
Yes	Whenever any portion thereof has been wrecked, warped, buckled or settled to such an extent that walls or other vertical members list, lean or buckle to an extent equal to or exceeding one-third of their vertical dimension or to such an extent as to render such portion of the building or structure unsafe.
Yes	Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration or decay; or faulty construction; or the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; or the deterioration, decay or inadequacy of its foundations; or any other cause, is likely to partially or completely collapse before the end of the next succeeding year.
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
Yes	Whenever the building or any part thereof is likely or portends to overpower collapse before the end of the next succeeding year. For the purpose of this section, any building or portion thereof shall be deemed likely to collapse if it is determined by the Director of Planning/Building Official that it is likely to collapse because of: (a) How old the building is; (b) The condition of the walls, floors, roof, foundation, or other structural supports; (c) Extent of termite damage or other insect damage, dry rot, or other cause of deterioration of the building; (d) Fire damage; (e) Any other similar factor.
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has any one or more of the following defects or is in such condition as to make it dangerous and unsafe: (a) Improper connection or attachment of roofing material; (b) Improper construction of exterior wall or other vertical structural members; (c) Any non-supporting part, member or portion less than 50% of the strength, or the fastenings, anchorage, or connection thereof is less than 50% of that required for any adequate support purpose; (d) Any non-supporting member, or portion thereof, or any anchorage or fastening thereof which is likely to fail or become detached or dislodged when subjected to a wind pressure of one-half of that specified in the applicable standard code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the said code for such buildings.
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is likely to fall or become detached or dislodged and injure persons or damage property.
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the said code for such buildings.
Yes	Whenever any portion thereof has been wrecked, warped, buckled or settled to such an extent that walls or other vertical members list, lean or buckle to an extent equal to or exceeding one-third of their vertical dimension or to such an extent as to render such portion of the building or structure unsafe.
Yes	Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration or decay; or faulty construction; or the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; or the deterioration, decay or inadequacy of its foundations; or any other cause, is likely to partially or completely collapse before the end of the next succeeding year.
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
Yes	Whenever the building or any part thereof is likely or portends to overpower collapse before the end of the next succeeding year. For the purpose of this section, any building or portion thereof shall be deemed likely to collapse if it is determined by the Director of Planning/Building Official that it is likely to collapse because of:
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has any one or more of the following defects or is in such condition as to make it dangerous and unsafe:
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the said code for such buildings.
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the applicable standard code for new buildings of similar structure, purpose or location.

Exhibit 4

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JAMES H WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **9589 0710 5270 1306 9468 77**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. If you no longer own the Property, you must execute an affidavit stating that you no longer own the Property and stating the name and last known address of the person who acquired the Property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On June 5, 2026, a physical inspection was made of the site built structure, all accessory structures, and other nuisances located on the property at **1605 Pima Trl.** Based on those inspection(s) the Building Official Administrator has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **August 26, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

Exhibit 4

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance The resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1605 Pima Trl.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 4

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JAMES H WALL
7861 FM 2410
BELTON, TX 76513

Certified mail return receipt requested # **9589 0710 5270 1306 9468 84**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

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At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

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Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

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:

James H. Wall
7861 FM 2410
Belton, TX 76513

9590 9402 9685 5199 2630 27

2. Article Number (Transfer from service label)

9589 0710 5270 1306 9468 84

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) [illegible] Wall

C. Date of Delivery 7-25-26

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
- ☐ Mail
- ☐ Mail Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

Exhibit 4

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JUDY WALL
7861 FM 2410
BELTON, TX 76513

Certified mail return receipt requested # **9589 0710 5270 1306 9468 91**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

To Whom It May Concern:

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Exhibit 4

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

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EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23. 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

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:

Judy Wall
7861 FM 2410
Belton, TX 76573

9590 9402 9685 5[illegible] 2630 10

2. Article Number (Transfer from service label)

9589 0710 5270 1306 9468 91

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Judy Wall

☐ Agent
☐ Addressee

B. Received by (Printed Name)

Judy Wall

C. Date of Delivery

7-25-26

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
- ☐ [illegible] Mail
- ☐ [illegible] Mail Restricted Delivery
- [illegible]00)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Exhibit 4

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JUDY WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **9589 0710 5270 1306 9469 07**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. If you no longer own the Property, you must execute an affidavit stating that you no longer own the Property and stating the name and last known address of the person who acquired the Property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On June 5, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **1605 Pima Trl.** Based on those inspection(s) the Building Official Administrator has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **August 26, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548**:**

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

Exhibit 4

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance The resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1605 Pima Trl.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 4

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300
ARLINGTON, TX 76010

Certified mail return receipt requested # **9589 0710 5270 1306 9469 14**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

To Whom It May Concern:

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Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **August 26, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

Exhibit 4

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance The resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

~~Michael~~ Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

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EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID [illegible]

Exhibit 4

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

Certified mail return receipt requested # **9589 0710 5270 1306 9469 21**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

To Whom It May Concern:

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On June 5, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **1605 Pima Trl.** Based on those inspection(s) the Building Official Administrator has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **August 26, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance The resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1605 Pima Trl.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 4

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:

First Texas Bank
3514 S. US Young Dr.
Killeen, TX 76542

9590 9402 9685 5199 2629 83

2. Article Number (Transfer from service label)

9589 0710 5270 1306 9469 21

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name) Cody Sulak

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
- ☐ Mail
- ☐ Mail Restricted Delivery
- 00)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

FORM E: NOTICE OF THE PUBLIC HEARING

NOTICE OF PUBLIC HEARING TO BE HELD BEFORE THE BUILDING AND STANDARDS COMMISSION ON **AUGUST 26, 2026, IMMEDIATELY FOLLOWING THE REGULAR MEEING OF THE PLANNING AND ZONING COMMISSION AT 5:30 PM** IN THE COUNCIL CHAMBERS LOCATED AT THE CITY OF HARKER HEIGHTS CITY HALL, 305 MILLER'S CROSSING, HARKER HEIGHTS, BELL COUNTY, TEXAS, 76548.

NAME AND ADDRESS OF RECORD OWNER:

2026036893
07/22/2026 02:36PM

JAMES H WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

JAMES H WALL
7861 FM 2410
BELTON, TX 76513

NAME AND ADDRESS OF LIENHOLDERS, MORTGAGEES OR OTHER PERSONS WITH INTEREST:

JUDY WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

JUDY WALL
7861 FM 2410
BELTON, TX 76513

GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300
ARLINGTON, TX 76010

FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

ACCORDING TO THE RECORDS OF BELL COUNTY APPRAISAL DISTRICT, YOU ARE THE OWNER, LIENHOLDER OR MORTGAGEE OF PROPERTY DESCRIBED AS:

1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

According to the real property records of Bell County, you own the real property described in this notice:

1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Please be advised that on **JULY 15, 2026** the Director of Planning/Building Official of the City of Harker Heights has found and determined that the site-built structure, all accessory structure(s), and other nuisances on the above-described property are substandard, and proceedings shall commence to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building. Attached please find a copy of the Substandard Building Inspection Report dated **JULY 15, 2026**, describing the conditions found to render the building substandard or dangerous pursuant to the minimum standards for continued use and occupancy set forth in **§160.04 of Chapter 160** of the City of Harker Heights Code of Ordinance.

A Public Hearing will be held on the date noted above before the Building and Standards Commission to determine whether the building/structure(s) located at the above-described property complies with the standards set out in **§160.04 of Chapter 160** of the City of Harker Heights Code of Ordinance.

According to law, the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the Code, and the time it will take to reasonably perform the work.

If the Building and Standards Commission finds the building(s) to be in violation of the standards set forth in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance, the Building and Standards Commission may order that the building(s) be repaired, vacated, and secured, removed or demolished, or the occupants relocated, by the owner, mortgagee or lienholder within thirty days (30 days).

If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance. The expenses incurred by the City shall be a personal obligation of the property owner in addition to a priority lien being placed upon the property to secure payment.

If you should have any questions regarding this notice, or you are not the owner, mortgagee, or lienholder please call the office of the Director of Planning/Building Official at **(254) 953-5647** or write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Texas 76548.

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 1605 Pima Trl., Harker Heights, TX, 76548
- EXHIBIT B: Harker Heights Code Chapter 160

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816



Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JAMES H WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **9589 0710 5270 1306 9468 77**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)**

To Whom It May Concern:

On July 15, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS).** Based on that inspection it was determined by Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1605 PIMA TRL.** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Director of Planning/Building Official for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **JAMES H WALL or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **JAMES H WALL or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1605 PIMA TRL.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1605 PIMA TRL** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 1605 Pima Trl. Harker Heights, Texas 76548.
- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JAMES H WALL
7861 FM 2410
BELTON, TX 76513

Certified mail return receipt requested # **9589 0710 5270 1306 9468 84**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)**

To Whom It May Concern:

On July 15, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS).** Based on that inspection it was determined by Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1605 PIMA TRL.** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Director of Planning/Building Official for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **JAMES H WALL or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **JAMES H WALL or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1605 PIMA TRL.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1605 PIMA TRL** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JUDY WALL
7861 FM 2410
BELTON, TX 76513

Certified mail return receipt requested # **9589 0710 5270 1306 9468 91**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)**

To Whom It May Concern:

On July 15, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS).** Based on that inspection it was determined by Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1605 PIMA TRL.** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Director of Planning/Building Official for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **JUDY WALL or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **JUDY WALL or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1605 PIMA TRL.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1605 PIMA TRL** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 1605 Pima Trl. Harker Heights, Texas 76548.
- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

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Mayor
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Sam Halabi

July 22, 2026

Record Owner:
JUDY WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **9589 0710 5270 1306 9469 07**

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300
ARLINGTON, TX 76010

Certified mail return receipt requested # **9589 0710 5270 1306 9469 14**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)**

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Based on this determination, the Director of Planning/Building Official for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **GREEN TREE ACCEPTANCE OF TEXAS INC. or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **GREEN TREE ACCEPTANCE OF TEXAS INC. or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1605 PIMA TRL.**

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Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
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Harker Heights
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The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
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Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

Certified mail return receipt requested # **9589 0710 5270 1306 9469 21**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)**

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Based on this determination, the Director of Planning/Building Official for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **FIRST TEXAS BANK or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **FIRST TEXAS BANK or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1605 PIMA TRL.**

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Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

Building Inspection Report

City of Harker Heights
305 Miller's Crossing Harker Heights, Texas 76548
Telephone (Main) 254-953-5600
Fax: 254-953-5614

Date: 7.15.2026

Time: 1pm

Address: 1605 Pima Trl

Legal Description: Wall Addition, Block 001, Lot 005

Property Owner: Wall, James H **Lien Holder(s):**

Property Occupant(s): Vacant

Inspector: Fabian Brooks

Substandard Buildings Declared and Minimum Buildings Standards Contained in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances

(A) *The above reference buildings, regardless of the date of its construction, is deemed and hereby declared to be Substandard and a nuisance because it has the conditions of defects hereinafter described:*

- [x] (1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.
- [x] (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose
- [x] (3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:
  - [x] (a) The building constitutes a danger to the public even though secured from entry; or
  - [x] (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (A)(2) of this section
- [x] (4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence
- [x] (5) Whenever any portion of a building remains on a site after the demolition or destruction of the building
- [x] (6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

- (a) Lack of, or improper lavatory
- (b) Lack of improper bathtub or shower in a dwelling unit or lodging house
- (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel
- (d) Lack of, or improper kitchen sink in a dwelling unit
- (e) Lack of hot and cold running water to plumbing fixtures
- (f) Lack of, or improper operation of adequate heating facilities
- (g) Lack or, or improper operation of required ventilation equipment
- (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city
- (i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation by the city
- (j) Lack of required electrical lighting
- (k) Excessive dampness or mol din habitable rooms
- (l) Infestation or insects, vermin, or rodents
- (m) General dilapidation or improper maintenance
- (n) Lack of connection to required sewage disposal system
- (o) Lack of adequate garbage and rubbish storage and removal facilities

(8) Whenever any building contains structural hazards, including but not limited to the following:

- (a) Deteriorated or inadequate foundation
- (b) Defective or deteriorated flooring of floor support
- (c) Flooring or floor supports are insufficient to carry imposed loads with safety
- (d) Members or walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration
- (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety
- (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration
- (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety
- (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration
- (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety

Exhibit 5

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of building

(B) *The above referenced building, for the purpose of* ***§160.04 of Chapter 160*** *of the City of Harker Heights, Texas , Code of Ordinances shall be deemed and hereby declared to be a dangerous and substandard building, and nuisance, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:*

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base

(11) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location

Exhibit 5

☒ (14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard

☒ (15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered

☒ (16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the City of Harker Heights, Bell County, Texas

~~Michael Beard, Building Official Administrator~~
Fabian Brooks, Building Inspector

Subscribed and sworn to before my by ~~Michael Beard~~ Fabian Brooks, a credible person, on 07/15/2026.

Andrea Contreras
Notary Public in and for Bell County

My Commission expires 12/23/2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

CHAPTER 160: UNSAFE, SUBSTANDARD AND DANGEROUS STRUCTURES

Section

160.01 Findings and purpose
160.02 Definitions
160.03 Generally
160.04 Minimum standards; substandard buildings declared
160.05 Determination by building official
160.06 Public hearing for abatement of substandard buildings
160.07 Order of Commission regarding substandard buildings
160.08 Notice of order of the Commission
160.09 Enforcement of the order of the Commission
160.10 Performance of work by the city
160.11 Recovery of cost of securing, repair, removal or demolition
160.12 Additional authority to secure certain substandard buildings prior to public hearing and secure, demolish, repair or remove certain dangerous buildings
160.13 Violations
160.14 Civil penalty
160.15 Authority not limited
160.16 Authority of City Attorney

§ 160.01 FINDINGS AND PURPOSE.

The facts and recitations contained in the preamble of the ordinance that is the basis for this chapter are found and declared to be true and correct.

(Ord. 2011-07, passed 4-12-11)

§ 160.02 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings as ascribed to them in this section, except where the context clearly indicated a different meaning.

BUILDING. Includes any building, fence, retaining wall, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.

BUILDING OFFICIAL. The person designated by the City Council to enforce this chapter.

COMMISSION. The Building and Standards Commission established pursuant to § 33.80.

STANDARD CODES. The codes adopted and amended by § 150.02.

(Ord. 2011-07, passed 4-12-11)

§ 160.03 GENERALLY.

(A) *Powers of the building official.*

(1) *Administration.* The building official is hereby authorized to enforce the provisions of this chapter. The building official shall have the power to render interpretations of this chapter and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this chapter.

(2) *Inspections.* All buildings within the scope of this chapter and all construction or work for which a permit is required shall be subject to inspection by the building official. The building official, fire marshal and their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

(3) *Right of entry.* When it is necessary to make an inspection to enforce the provisions of this chapter, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this chapter which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform

the duties imposed by this chapter, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(B) *Abatement of dangerous or substandard buildings.* All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this chapter are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this chapter.

(C) *Notice.* When notice is given in accordance with this chapter to a property owner, lienholder, or mortgagee, and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered. On receipt of a notice under this chapter, a manager of the affected property shall notify the owner of the notice within 10 days.

(Ord. 2011-07, passed 4-12-11)

§ 160.04 MINIMUM STANDARDS; SUBSTANDARD BUILDINGS DECLARED.

(A) *Substandard building.* For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

(1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

(2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.

(3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

(a) The building constitutes a danger to the public even though secured from entry; or

(b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.

(4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.

(5) Whenever any portion of a building remains on a site after the demolition or destruction of the building.

(6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public.

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

(a) Lack of, or improper lavatory.

(b) Lack of, or improper bathtub or shower in a dwelling unit or lodging house.

(c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel.

(d) Lack of, or improper kitchen sink in a dwelling unit.

(e) Lack of hot and cold running water to plumbing fixtures.

(f) Lack of, or improper operation of, adequate heating facilities.

(g) Lack of, or improper operation of, required ventilating equipment.

(h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city.

(i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation of the city.

(j) Lack of required electrical lighting.

(k) Excessive dampness or mold in habitable rooms.

(l) Infestation of insects, vermin or rodents.

(m) General dilapidation or improper maintenance.

(n) Lack of connection to required sewage disposal system.

(o) Lack of adequate garbage and rubbish storage and removal facilities.

(8) Whenever any building contains structural hazards, including but not limited to the following:

(a) Deteriorated or inadequate foundation.

(b) Defective or deteriorated flooring or floor supports.

(c) Flooring or floor supports are insufficient to carry imposed loads with safety.

(d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

(e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety.

(f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

(g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.

(h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

(i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(B) *Dangerous and substandard building.* For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(11) Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or

illegal activity.

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.

(16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.05 DETERMINATION BY BUILDING OFFICIAL.

When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:

(A) Issue notice to the record owner that the building is substandard and must be repaired or demolished;

(B) Issue a citation for each violation of this chapter;

(C) Secure the building if permitted by this chapter; or

(D) Commence abatement proceedings before the Commission pursuant to §160.06.

(Ord. 2011-07, passed 4-12-11)

§ 160.06 PUBLIC HEARING FOR ABATEMENT OF SUBSTANDARD BUILDINGS.

(A) *Commencement of proceedings.* When the building official has found and determined that a building is a substandard building, the building official may commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

(B) *Public hearing to be held.* Except when the Commission finds that a building is likely to immediately endanger persons or property, a public hearing shall be held before the Commission to determine whether a building complies with the standards set out in § 160.04. If the Commission determines that the building constitutes an immediate danger, the procedures set forth in § 160.12(B) and following shall be followed.

(C) *Notice.* Not less than ten days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the identity and address of any owner, lienholder or mortgagee of the building through searching the Bell County real property records, the records of the Bell County Tax Appraisal District, records of the Secretary of State, Bell County assumed name records, tax records of the city, and utility records of the city. The notice shall contain:

(1) The name and address of the record owner;

(2) The street address or legal description sufficient for identification of the premises upon which the building is located;

(3) A statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of § 160.04;

(4) A statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the chapter, and the time it will take to reasonably perform the work;

(5) Notice of the time and place of the public hearing; and

(6) A statement that if the building is found to be in violation of this chapter, the Commission may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.

(D) *Additional notice of public hearing.* Prior to the public hearing; the city may file a copy of the notice mailed pursuant to this section in the official public records of real property in Bell County. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Commission at the public hearing, prior to any remedial action by the city. The city shall also post a copy of the notice mailed pursuant to this section on the front door of each improvement situated on the affected property, or as close thereto as practicable, or if there is no front door then at a conspicuous location on the property. In addition, the notice must be published in a newspaper of general circulation in the city on one occasion on or before the tenth day before the date fixed for the hearing.

(E) *Burden of proof.* At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this chapter, and the time it will take to reasonably perform the work.

(F) *Conduct of public hearing.* All cases to be heard by the Commission must be heard by a panel of at least five members and/or alternate members, and a majority vote of the members voting on a matter is necessary to take action thereon. At the public hearing, the owner of the building, and all other interested persons may make their appearance in person or by attorney, and shall have a reasonable opportunity to be heard. Any relevant evidence may be received and considered by the Commission, and for this purpose the chairperson or acting chairperson shall have the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents. The hearing may be adjourned from day to day or continued upon a majority vote of the Commission, in compliance with the Open Meetings Act.

(Ord. 2011-07, passed 4-12-11)

§ 160.07 ORDER OF COMMISSION REGARDING SUBSTANDARD BUILDING.

(A) *Findings and order of the Commission.* If the Commission, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of the standards set out in § 160.04, the Commission may order the owner, mortgagee or lienholder to take action as required by this section.

(1) *Repair.* If the owner, lienholder or mortgagee demonstrates that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, it shall be ordered remedied or repaired to comply with such codes. Repair shall be deemed feasible only if less than 50% of the structure must be repaired or replaced to comply with all applicable codes, or if the value of the structure is reduced by less than 50% because of the violations.

(2) *Vacate and secure.* If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.

(3) *Demolish or remove.* In any case where the owner, lienholder or mortgagee fails to demonstrate that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, the Commission may order that the building be demolished or removed.

(B) *Time allowed to complete work.*

(1) The order must require the owner, lienholder or mortgagee of the building to within 30 days:

(a) Secure the building from unauthorized entry; and/or

(b) Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.

(2) If the Commission allows the owner, lienholder or mortgagee more than 30 days to repair, remove or demolish the building, the Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Commission.

(3) The Commission may not allow the owner, lienholder or mortgagee more than 90 days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:

(a) Submits a detailed plan and time schedule for the work at the hearing; and

(b) Establishes at the hearing that the work cannot be reasonably completed within 90 days because of the scope and complexity of the work.

(4) If the Commission allows the owner, lienholder or mortgagee more than 90 days to complete any part of the work required to repair, remove or demolish the building, the Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Commission or the building official to demonstrate compliance with the time schedules.

(C) *Contents of order.* The order of the Commission must contain at minimum:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located; and

(2) A description of the violation of minimum standards present in the building; and

(3) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

(4) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and

(5) If the Commission has determined that the building will endanger persons or property and that the building is a dwelling with ten or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2017-10, passed 5-23-17)

§ 160.08 NOTICE OF ORDER OF THE COMMISSION.

(A) *Order shall be mailed.* After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.

(B) *Order shall be filed with City Secretary.* Within ten days after the date that the order is issued by the Commission, the building official shall file a copy of the order in the office of the City Secretary.

(C) *Order shall be published.* Within ten days after the date the order is issued by the Commission, the building official shall publish in a newspaper of general circulation within the city a notice containing:

(1) The street address or legal description of the property;

(2) The date the hearing was held;

(3) A brief statement indicating the results of the order; and

(4) Instructions stating where a complete copy of the order may be obtained.

(D) *Filing of order or abstract.* The order may be filed in the official public records of real property in Bell County. An abstract or judgment shall be ordered against all parties found to be the owners of the subject property or in possession of that property.

(Ord. 2011-07, passed 4-12-11)

§ 160.09 ENFORCEMENT OF THE ORDER OF THE COMMISSION.

(A) *Compliance.* If an order of the Commission under this chapter is not complied with, the city may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:

(1) The city may not act to remove or demolish a building until after the Commission has found:

(a) That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

(b) The building is infeasible of repair, or there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.

(2) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:

(a) The Commission has made a determination that the building is likely to endanger person or property; and

(b) The building is a residential dwelling with ten or fewer dwelling units.

(3) In the event there are mortgagors or lienholders, the city may only repair, remove or demolish the building after allowing the lienholder or mortgagee an additional 30 days after the time prescribed in the order has expired to complete the required work.

(4) Unless specifically authorized by a court order or by a written agreement signed by all record owners, mortgagees and lienholders, the city may not act to remove or demolish a building during the pendency of any appeal to a court of competent jurisdiction of the Commission's order.

(B) *Posting of notice to vacate building.* If the order requires vacation or if compliance is not had within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and shall be posted at or upon each entrance to the building. The notice shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is unlawful to occupy this building or to remove or deface this notice.

The Harker Heights Building and Standards Commission has declared this building to be substandard. To obtain a copy of this order, contact the City Secretary at 305 Miller's Crossing, Harker Heights, Texas, (254) 953-5600.

_____

Building Official

City of Harker Heights"

(C) *Remedial action by city.* Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.

(D) *Permit required.* Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the city. All permits issued pursuant to an order of the Commission shall expire upon expiration of the time for compliance set forth in the order.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2012-02, passed 2-14-12)

§ 160.10 PERFORMANCE OF WORK BY THE CITY.

(A) *Procedure*. When any work of repair, removal, demolition or securing is to be performed by the city, the work may be accomplished by city personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.

(B) *Costs.* The cost of such work shall be paid from city funds and shall constitute a special assessment and a lien against such property to secure payment thereof together with 10% interest on such amount from the date on which the work is performed.

(C) *Repair to minimum standards only.* The city may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with the minimum standards set forth in § 160.04.

(Ord. 2011-07, passed 4-12-11)

§ 160.11 RECOVERY OF COST OF SECURING, REPAIR, REMOVAL OR DEMOLITION.

(A) *Itemized account and notice of lien.* The building official shall keep an itemized account of the expenses incurred by the city in the securing, repair, removal or demolition of any building pursuant to this chapter. Upon completion of the work, the building official shall prepare and file with the City Secretary a sworn account and notice of lien containing the following information:

(1) The name and address of the owner if that information can be determined with a reasonable effort;

(2) A legal description of the real property on which the building is or was located;

(3) The type of work performed; and

(4) The amount of expenses incurred by the city in performing the work and the balance due.

(B) *Notice filed in county records.* The City Secretary shall file the notice of lien along with a copy of the order of abatement issued by the Commission in the official public records of Bell County.

(C) *Personal obligation of property owner.* The expenses incurred by the city as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property.

(D) *Lien shall be valid and privileged.* Upon filing of the notice of lien in the official public records of Bell County, Texas, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens and existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.

(E) *Assessment must be paid.* No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the city.

(F) *Release of lien.* After the expenses incurred by the city, as set forth in the sworn account of the building official, have been fully paid with interest of 10% per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the official public records of Bell County.

(Ord. 2011-07, passed 4-12-11)

§ 160.12 ADDITIONAL AUTHORITY TO SECURE CERTAIN SUBSTANDARD BUILDINGS PRIOR TO PUBLIC HEARING AND SECURE, DEMOLISH, REPAIR OR REMOVE CERTAIN DANGEROUS BUILDINGS.

(A) *Securing of unoccupied, substandard building.* Notwithstanding any other provisions of this chapter the city may secure a building if the building official determines that the building:

(1) Violates the minimum standards set forth in §160.04; and

(2) Is unoccupied or is occupied only by persons who do not have the right of possession to the building.

(B) *If building creates immediate danger.* Notwithstanding any other provisions of this chapter, if the Commission finds that a building is likely to immediately endanger persons or property the Commission may:

(1) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure

is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or

(2) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.

(C) *Notice to owner.* Before the eleventh day after the date the building is secured pursuant to division (A) above, or action is ordered pursuant to division (B)(1) above, or the building is repaired, removed or demolished pursuant to division (B)(2) above, the building official shall give notice to the owner by:

(1) Personally serving the owner with written notice;

(2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;

(3) Publishing the notice at least twice within a ten-day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or

(4) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and

(5) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the County Clerk.

(D) *Contents of notice.* The notice must contain:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located;

(2) A description of the violation of the minimum standards present in the building;

(3) A statement that the city will secure or has secured, as the case may be, the building, or that the city has taken or will take the action ordered pursuant to division (B); and

(4) An explanation of the owner's entitlement to request a hearing about any matter relating to the city's securing, removing, demolishing or repairing of the building.

(E) *Hearing.* The Commission shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the city's securing, repairing, removing or demolishing of the building, if, within 30 days after the date the city has taken action pursuant to divisions (B)(1) or (B)(2) of this section, the owner files with the city a written request for the hearing. The hearing shall be conducted within 20 days after the date the request is filed.

(F) *Expenses.* If the city incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by §160.10 and § 160.11.

(Ord. 2011-07, passed 4-12-11)

§ 160.13 VIOLATIONS.

(A) *Generally.* Except with the valid written permission of the building official, it shall be unlawful for any person to:

(1) Erect, construct or maintain any building that is deemed herein to be a nuisance;

(2) Use, occupy, enter, or remain in any building that is posted with a notice to vacate;

(3) Remove, damage or deface a notice to vacate posted under this chapter; or

(4) Cause or permit any act to be done in violation of any provision of this chapter.

(B) *Compliance with order.* It shall be unlawful for any person to whom an order of the Commission is directed to fail to comply with such order.

(C) *Interference prohibited.* It shall be unlawful for any person to obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the city or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this chapter; or with any person to whom such building has been lawfully sold pursuant to the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the city, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this chapter, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this chapter.

(D) *Transfer of ownership.* No person may sell, transfer, mortgage, lease or otherwise dispose of a building or property that is the subject of a notice of substandard building, a citation, or an order of the Commission under this chapter until:

(1) The deficiencies noted in the notice, citation or order have been corrected and a new certificate of occupancy has been issued by the city; or

(2) The building official receives a signed and notarized statement from the grantee, transferee, mortgagee or lessee,

acknowledging the receipt of the notice, citation or order, and unconditionally accepting the responsibility for timely correcting the deficiencies noted therein.

(E) *Separate violations.* Each building or property which is in violation of any part of this chapter is a separate offense. Each violation in any building or property is a separate offense. Each and every day's violation shall constitute a separate and distinct offense.

(F) *Municipal court.* Proceedings under the jurisdiction of the municipal court are not affected by proceedings of the Commission or civil penalties under this chapter.

(Ord. 2011-07, passed 4-12-11)

§ 160.14 CIVIL PENALTY.

(A) *Civil penalty authorized.* In addition to any other enforcement authority provided for by law, and without regard to any criminal prosecution or conviction under this chapter, the Commission may at an administrative hearing assess a civil penalty by order against a property owner for failure to comply with an order issued by the Commission pursuant to this chapter.

(B) *Showing required.* The civil penalty may be assessed if it is shown at the administrative hearing that:

(1) The property owner was notified of the contents of the order issued pursuant to §160.07; and

(2) The property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.

(C) *Amount of penalty.* The civil penalty may be assessed in an amount not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed $10 a day for each violation.

(D) *Notice of administrative hearing.* Not less than ten days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail, return receipt requested. The notice shall contain:

(1) A copy of the order issued by the Commission pursuant to §160.07;

(2) A statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;

(3) A statement that at the administrative hearing the Commission may assess a civil penalty not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed $10 a day for each violation; and

(4) Notice of the time and place of the hearing.

(E) *Copy of order filed with district clerk.*After the civil penalty is assessed, the City Secretary shall file with the Bell County District Clerk a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.

(F) *Enforcement.* The civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this division is final and binding and constitutes prima facie evidence of the penalty in any suit.

(Ord. 2011-07, passed 4-12-11)

§ 160.15 AUTHORITY NOT LIMITED.

Notwithstanding all other provisions of this chapter, nothing herein shall be deemed a limitation on the duty of the city to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.16 AUTHORITY OF CITY ATTORNEY.

The City Attorney may without further authorization of the City Council undertake the enforcement of this chapter by all legal means appropriate or necessary, including but not limited to: enforcement in municipal court; filing a notice of *lis pendens* in the official public records of Bell County; filing of appropriate civil actions in courts of appropriate jurisdiction to seek compliance with an order made under this chapter, to collect a civil penalty, or recover costs as provided by this chapter; to appointment of a receiver as provided by Local Government Code Chapter 214; and to defend the city from suit if suit is taken to appeal any action of the city.

(Ord. 2011-07, passed 4-12-11)

Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JAMES H WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **9589 0710 5270 1306 9468 77**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. If you no longer own the Property, you must execute an affidavit stating that you no longer own the Property and stating the name and last known address of the person who acquired the Property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On June 5, 2026, a physical inspection was made of the site built structure, all accessory structures, and other nuisances located on the property at **1605 Pima Trl.** Based on those inspection(s) the Building Official Administrator has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **August 26, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548**:**

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance The resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1605 Pima Trl.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JAMES H WALL
7861 FM 2410
BELTON, TX 76513

Certified mail return receipt requested # **9589 0710 5270 1306 9468 84**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JUDY WALL
7861 FM 2410
BELTON, TX 76513

Certified mail return receipt requested # **9589 0710 5270 1306 9468 91**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
JUDY WALL
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **9589 0710 5270 1306 9469 07**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

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Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300
ARLINGTON, TX 76010

Certified mail return receipt requested # **9589 0710 5270 1306 9469 14**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

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Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on July 22, 2026

Notary Public Signature Andrea Contreras

My Commission Expires December 23 2029

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NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133600815

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

July 22, 2026

Record Owner:
FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

Certified mail return receipt requested # **9589 0710 5270 1306 9469 21**

Property:
1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

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Notary Public Signature Andrea Contreras

My Commission Expires December 23, 2029

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

NOTICE OF PUBLIC HEARING

Record Owner: **JAMES H WALL & JUDY WALL**
1605 PIMA TRL
HARKER HEIGHTS, TX 76548

JAMES H WALL & JUDY WALL
7861 FM 2410
BELTON, TX 76513

GREEN TREE ACCEPTANCE OF TEXAS INC.
1600 E PIONEER PKWY #300
ARLINGTON, TX 76010

FIRST TEXAS BANK
3514 S WS YOUNG DR.
KILLEEN, TX 76542

Property: **1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS)**

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On July 15, 2026, a physical inspection was made of the structures (manufactured/mobile structure, all accessory structures, and other nuisances) located on the property at 1605 Pima Trl. Based on those inspection(s) Director of Planning/Building Official has found the said building(s) are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held **on August 26, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m.**, in the Kitty Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is violated, the City may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, lienholder, or trustee is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance The resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Beard, by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

1605 Pima Trl

§160.04(A) Substandard building. For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.	§160.04(A)(3)
Yes	Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence	§160.04(A)(4)
No	Whenever any portion of a building remains on a site after the demolition or destruction of the building.	§164.04(A)(5)
Yes	Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public	§160.04(A)(6)
Yes	Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following: (a) Lack of, or improper lavatory (b) Lack of or improper bathtub or shower in a dwelling unit or lodging house (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel (d) Lack of, or improper kitchen sink in a dwelling unit (e) Lack of hot and cold running water to plumbing fixtures (f) Lack of or improper operation of, adequate heating facilities (g) Lack of or improper operation of, required ventilating equipment (h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (i) Lack of required electrical lighting (j) Lack of required electrical lighting (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (k) Excessive dampness or mold in habitable rooms (l) Infestation of insects, vermin or rodents (m) General dilapidation or improper maintenance (n) Lack of connection to required sewage disposal system (o) Lack of adequate garbage and rubbish storage and removal facilities.	§160.04(A)(7) (a-o)
Yes	Whenever any building contains structural hazards, including but not limited to the following: (a) Deteriorated or inadequate foundation. (b) Defective or deteriorated flooring or floor supports. (c) Flooring or floor supports are insufficient to carry imposed loads with safety. (d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration. (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety. (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration. (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety. (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration. (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.	§160.04(A)(8) (a-i)
Yes	Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.	§160.07(A)(9)

§160.04(B) Dangerous and substandard building. For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.	§160.7(B)(1)

Yes	Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.	§160.07(B)(2)
Yes	Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(3)
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(4)
Yes	Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.	§160.07(B)(5)
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.	§160.07(B)(6)
Yes	Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.	§160.07(B)(7)
Yes	Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.	§160.07(B)(8) (a-e)
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.	§160.07(B)(9)
Yes	Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.	§160.07(B)(10)
Yes	Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.	§160.07(B)(11)
Yes	Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity.	§160.07(B)(12)
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.	§160.07(B)(13) (a-c)
Yes	Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.	§160.07(B)(14)
Yes	Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.	§160.07(B)(15)
Yes	Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.	§160.07(B)(16)

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513

Instrument Number: 2026036893
As
NOTICE

Recorded On: July 22, 2026
Parties: CITY OF HARKER HEIGHTS
To WALL JAMES H
Comment:

Billable Pages: 43
Number of Pages: 44

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	$5.00
RECORDING:	$173.00
Total Fees:	$178.00

********** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **********

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.

File Information

Instrument Number: 2026036893
Receipt Number: 540272
Recorded Date/Time: 07/22/2026 2:36:01 PM
User / Station: fosterk - BCCCD0735

Record and Return To:

CITY OF HARKER HEIGHTS
305 MILLER CROSSING
HARKER HEIGHTS, TX 76548

THE STATE OF TEXAS * BELL COUNTY *

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

Shelley Coston

Page	:	1 of 2 07/30/2026 16:23:28
Order Number	:	80999557
PO Number	:	Andrea Contreras
Customer	:	9450 HARKER HEIGHTS-LEGALS, CITY OF
Contact	:	ADMINISTRATION
Address1	:	305 MILLERS CROSSING
Address2	:	
City St Zip	:	HARKER HEIGHTS TX 76548
Phone	:	(254) 953-5600
Fax	:	
Credit Card	:	
Printed By	:	gpeacock
Entered By	:	gpeacock
Keywords	:	Notice is hereby given that immediately following
Notes	:	
Zones	:	

Ad Number	:	81211206
Ad Key	:	
Salesperson	:	02 - 02-Legal Ads
Publication	:	Killeen Daily Herald
Section	:	Classified
Sub Section	:	Notices
Category	:	127 Legal Notices
Dates Run	:	08/02/2026-08/02/2026
Days	:	1
Size	:	1 x 7.96, 96 lines
Words	:	234
Ad Rate	:	legal
Ad Price	:	355.20
Amount Paid	:	0.00
Amount Due	:	355.20

Harker Heights
The Bright Star Of Central Texas

Notice is hereby given that immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m. on August 26, 2026, and continuing day to day thereafter, if necessary, the Building and Standards Commission (BSC) of the City of Harker Heights will hold a public hearing on the items listed below. The hearing will be held in the Kitty Young Council Chambers of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas, 76548. Additional details regarding the property and the associated Building and Standards Commission hearing may be obtained in person Monday through Thursday from 7:00 A.M. to 6:00 P.M. from the Harker Heights Planning and Development Department located at 305 Miller's Crossing, or by contacting the Department at (254) 953-5647. The public hearing item to be discussed is listed below:

Conduct a Public Hearing to discuss and consider whether the site-built structure, all accessory structure(s), and any other nuisances on property described as 1605 PIMA TRL (WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS,

Exhibit 6

Order Number	:	80999557	**Ad Number**	:	81211206
PO Number	:	Andrea Contreras	**Ad Key**	:	
Customer	:	9450 HARKER HEIGHTS-LEGALS, CITY OF	**Salesperson**	:	02 - 02-Legal Ads
Contact	:	ADMINISTRATION	**Publication**	:	Killeen Daily Herald
Address1	:	305 MILLERS CROSSING	**Section**	:	Classified
Address2	:		**Sub Section**	:	Notices
City St Zip	:	HARKER HEIGHTS TX 76548	**Category**	:	127 Legal Notices
Phone	:	(254) 953-5600	**Dates Run**	:	08/02/2026-08/02/2026
Fax	:		**Days**	:	1
Credit Card	:		**Size**	:	1 x 7.96, 96 lines
Printed By	:	gpeacock	**Words**	:	234
Entered By	:	gpeacock	**Ad Rate**	:	legal
			Ad Price	:	355.20
			Amount Paid	:	0.00
			Amount Due	:	355.20
Keywords	:	Notice is hereby given that immediately following			
Notes	:				
Zones	:				

ALSO COMMONLY KNOWN AS 1605 PIMA TRL, HARKER HEIGHTS, TEXAS 76548), is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances and take the appropriate action.

(Legal Notice published in the Killeen Daily Herald on August 2, 2026.)


07/09/2026 9:37 AM


07/09/2026 9:24 AM









CHAPTER 160: UNSAFE, SUBSTANDARD AND DANGEROUS STRUCTURES

Section

160.01 Findings and purpose
160.02 Definitions
160.03 Generally
160.04 Minimum standards; substandard buildings declared
160.05 Determination by building official
160.06 Public hearing for abatement of substandard buildings
160.07 Order of Commission regarding substandard buildings
160.08 Notice of order of the Commission
160.09 Enforcement of the order of the Commission
160.10 Performance of work by the city
160.11 Recovery of cost of securing, repair, removal or demolition
160.12 Additional authority to secure certain substandard buildings prior to public hearing and secure, demolish, repair or remove certain dangerous buildings
160.13 Violations
160.14 Civil penalty
160.15 Authority not limited
160.16 Authority of City Attorney

§ 160.01 FINDINGS AND PURPOSE.

The facts and recitations contained in the preamble of the ordinance that is the basis for this chapter are found and declared to be true and correct.

(Ord. 2011-07, passed 4-12-11)

§ 160.02 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings as ascribed to them in this section, except where the context clearly indicated a different meaning.

BUILDING. Includes any building, fence, retaining wall, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.

BUILDING OFFICIAL. The person designated by the City Council to enforce this chapter.

COMMISSION. The Building and Standards Commission established pursuant to § 33.80.

STANDARD CODES. The codes adopted and amended by § 150.02.

(Ord. 2011-07, passed 4-12-11)

§ 160.03 GENERALLY.

(A) *Powers of the building official.*

(1) *Administration.* The building official is hereby authorized to enforce the provisions of this chapter. The building official shall have the power to render interpretations of this chapter and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this chapter.

(2) *Inspections.* All buildings within the scope of this chapter and all construction or work for which a permit is required shall be subject to inspection by the building official. The building official, fire marshal and their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

(3) *Right of entry.* When it is necessary to make an inspection to enforce the provisions of this chapter, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this chapter which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform

the duties imposed by this chapter, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(B) *Abatement of dangerous or substandard buildings.* All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this chapter are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this chapter.

(C) *Notice.* When notice is given in accordance with this chapter to a property owner, lienholder, or mortgagee, and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered. On receipt of a notice under this chapter, a manager of the affected property shall notify the owner of the notice within 10 days.

(Ord. 2011-07, passed 4-12-11)

§ 160.04 MINIMUM STANDARDS; SUBSTANDARD BUILDINGS DECLARED.

(A) *Substandard building.* For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

(1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

(2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.

(3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

(a) The building constitutes a danger to the public even though secured from entry; or

(b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.

(4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.

(5) Whenever any portion of a building remains on a site after the demolition or destruction of the building.

(6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public.

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

(a) Lack of, or improper lavatory.

(b) Lack of, or improper bathtub or shower in a dwelling unit or lodging house.

(c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel.

(d) Lack of, or improper kitchen sink in a dwelling unit.

(e) Lack of hot and cold running water to plumbing fixtures.

(f) Lack of, or improper operation of, adequate heating facilities.

(g) Lack of, or improper operation of, required ventilating equipment.

(h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city.

(i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation of the city.

(j) Lack of required electrical lighting.

(k) Excessive dampness or mold in habitable rooms.

(l) Infestation of insects, vermin or rodents.

(m) General dilapidation or improper maintenance.

(n) Lack of connection to required sewage disposal system.

(o) Lack of adequate garbage and rubbish storage and removal facilities.

(8) Whenever any building contains structural hazards, including but not limited to the following:

(a) Deteriorated or inadequate foundation.

(b) Defective or deteriorated flooring or floor supports.

(c) Flooring or floor supports are insufficient to carry imposed loads with safety.

(d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

(e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety.

(f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

(g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.

(h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

(i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(B) *Dangerous and substandard building.* For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(11) Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or

illegal activity.

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.

(16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.05 DETERMINATION BY BUILDING OFFICIAL.

When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:

(A) Issue notice to the record owner that the building is substandard and must be repaired or demolished;

(B) Issue a citation for each violation of this chapter;

(C) Secure the building if permitted by this chapter; or

(D) Commence abatement proceedings before the Commission pursuant to §160.06.

(Ord. 2011-07, passed 4-12-11)

§ 160.06 PUBLIC HEARING FOR ABATEMENT OF SUBSTANDARD BUILDINGS.

(A) *Commencement of proceedings.* When the building official has found and determined that a building is a substandard building, the building official may commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

(B) *Public hearing to be held.* Except when the Commission finds that a building is likely to immediately endanger persons or property, a public hearing shall be held before the Commission to determine whether a building complies with the standards set out in § 160.04. If the Commission determines that the building constitutes an immediate danger, the procedures set forth in § 160.12(B) and following shall be followed.

(C) *Notice.* Not less than ten days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the identity and address of any owner, lienholder or mortgagee of the building through searching the Bell County real property records, the records of the Bell County Tax Appraisal District, records of the Secretary of State, Bell County assumed name records, tax records of the city, and utility records of the city. The notice shall contain:

(1) The name and address of the record owner;

(2) The street address or legal description sufficient for identification of the premises upon which the building is located;

(3) A statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of § 160.04;

(4) A statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the chapter, and the time it will take to reasonably perform the work;

(5) Notice of the time and place of the public hearing; and

(6) A statement that if the building is found to be in violation of this chapter, the Commission may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.

(D) *Additional notice of public hearing.* Prior to the public hearing; the city may file a copy of the notice mailed pursuant to this section in the official public records of real property in Bell County. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Commission at the public hearing, prior to any remedial action by the city. The city shall also post a copy of the notice mailed pursuant to this section on the front door of each improvement situated on the affected property, or as close thereto as practicable, or if there is no front door then at a conspicuous location on the property. In addition, the notice must be published in a newspaper of general circulation in the city on one occasion on or before the tenth day before the date fixed for the hearing.

(E) *Burden of proof.* At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this chapter, and the time it will take to reasonably perform the work.

(F) *Conduct of public hearing.* All cases to be heard by the Commission must be heard by a panel of at least five members and/or alternate members, and a majority vote of the members voting on a matter is necessary to take action thereon. At the public hearing, the owner of the building, and all other interested persons may make their appearance in person or by attorney, and shall have a reasonable opportunity to be heard. Any relevant evidence may be received and considered by the Commission, and for this purpose the chairperson or acting chairperson shall have the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents. The hearing may be adjourned from day to day or continued upon a majority vote of the Commission, in compliance with the Open Meetings Act.

(Ord. 2011-07, passed 4-12-11)

§ 160.07 ORDER OF COMMISSION REGARDING SUBSTANDARD BUILDING.

(A) *Findings and order of the Commission.* If the Commission, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of the standards set out in § 160.04, the Commission may order the owner, mortgagee or lienholder to take action as required by this section.

(1) *Repair.* If the owner, lienholder or mortgagee demonstrates that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, it shall be ordered remedied or repaired to comply with such codes. Repair shall be deemed feasible only if less than 50% of the structure must be repaired or replaced to comply with all applicable codes, or if the value of the structure is reduced by less than 50% because of the violations.

(2) *Vacate and secure.* If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.

(3) *Demolish or remove.* In any case where the owner, lienholder or mortgagee fails to demonstrate that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, the Commission may order that the building be demolished or removed.

(B) *Time allowed to complete work.*

(1) The order must require the owner, lienholder or mortgagee of the building to within 30 days:

(a) Secure the building from unauthorized entry; and/or

(b) Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.

(2) If the Commission allows the owner, lienholder or mortgagee more than 30 days to repair, remove or demolish the building, the Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Commission.

(3) The Commission may not allow the owner, lienholder or mortgagee more than 90 days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:

(a) Submits a detailed plan and time schedule for the work at the hearing; and

(b) Establishes at the hearing that the work cannot be reasonably completed within 90 days because of the scope and complexity of the work.

(4) If the Commission allows the owner, lienholder or mortgagee more than 90 days to complete any part of the work required to repair, remove or demolish the building, the Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Commission or the building official to demonstrate compliance with the time schedules.

(C) *Contents of order.* The order of the Commission must contain at minimum:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located; and

(2) A description of the violation of minimum standards present in the building; and

(3) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

(4) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and

(5) If the Commission has determined that the building will endanger persons or property and that the building is a dwelling with ten or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2017-10, passed 5-23-17)

§ 160.08 NOTICE OF ORDER OF THE COMMISSION.

(A) *Order shall be mailed.* After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.

(B) *Order shall be filed with City Secretary.* Within ten days after the date that the order is issued by the Commission, the building official shall file a copy of the order in the office of the City Secretary.

(C) *Order shall be published.* Within ten days after the date the order is issued by the Commission, the building official shall publish in a newspaper of general circulation within the city a notice containing:

(1) The street address or legal description of the property;

(2) The date the hearing was held;

(3) A brief statement indicating the results of the order; and

(4) Instructions stating where a complete copy of the order may be obtained.

(D) *Filing of order or abstract.* The order may be filed in the official public records of real property in Bell County. An abstract or judgment shall be ordered against all parties found to be the owners of the subject property or in possession of that property.

(Ord. 2011-07, passed 4-12-11)

§ 160.09 ENFORCEMENT OF THE ORDER OF THE COMMISSION.

(A) *Compliance.* If an order of the Commission under this chapter is not complied with, the city may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:

(1) The city may not act to remove or demolish a building until after the Commission has found:

(a) That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

(b) The building is infeasible of repair, or there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.

(2) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:

(a) The Commission has made a determination that the building is likely to endanger person or property; and

(b) The building is a residential dwelling with ten or fewer dwelling units.

(3) In the event there are mortgagors or lienholders, the city may only repair, remove or demolish the building after allowing the lienholder or mortgagee an additional 30 days after the time prescribed in the order has expired to complete the required work.

(4) Unless specifically authorized by a court order or by a written agreement signed by all record owners, mortgagees and lienholders, the city may not act to remove or demolish a building during the pendency of any appeal to a court of competent jurisdiction of the Commission's order.

(B) *Posting of notice to vacate building.* If the order requires vacation or if compliance is not had within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and shall be posted at or upon each entrance to the building. The notice shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is unlawful to occupy this building or to remove or deface this notice.

The Harker Heights Building and Standards Commission has declared this building to be substandard. To obtain a copy of this order, contact the City Secretary at 305 Miller's Crossing, Harker Heights, Texas, (254) 953-5600.

_____

Building Official

City of Harker Heights"

(C) *Remedial action by city.* Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.

(D) *Permit required.* Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the city. All permits issued pursuant to an order of the Commission shall expire upon expiration of the time for compliance set forth in the order.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2012-02, passed 2-14-12)

§ 160.10 PERFORMANCE OF WORK BY THE CITY.

(A) *Procedure*. When any work of repair, removal, demolition or securing is to be performed by the city, the work may be accomplished by city personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.

(B) *Costs.* The cost of such work shall be paid from city funds and shall constitute a special assessment and a lien against such property to secure payment thereof together with 10% interest on such amount from the date on which the work is performed.

(C) *Repair to minimum standards only.* The city may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with the minimum standards set forth in § 160.04.

(Ord. 2011-07, passed 4-12-11)

§ 160.11 RECOVERY OF COST OF SECURING, REPAIR, REMOVAL OR DEMOLITION.

(A) *Itemized account and notice of lien.* The building official shall keep an itemized account of the expenses incurred by the city in the securing, repair, removal or demolition of any building pursuant to this chapter. Upon completion of the work, the building official shall prepare and file with the City Secretary a sworn account and notice of lien containing the following information:

(1) The name and address of the owner if that information can be determined with a reasonable effort;

(2) A legal description of the real property on which the building is or was located;

(3) The type of work performed; and

(4) The amount of expenses incurred by the city in performing the work and the balance due.

(B) *Notice filed in county records.* The City Secretary shall file the notice of lien along with a copy of the order of abatement issued by the Commission in the official public records of Bell County.

(C) *Personal obligation of property owner.* The expenses incurred by the city as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property.

(D) *Lien shall be valid and privileged.* Upon filing of the notice of lien in the official public records of Bell County, Texas, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens and existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.

(E) *Assessment must be paid.* No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the city.

(F) *Release of lien.* After the expenses incurred by the city, as set forth in the sworn account of the building official, have been fully paid with interest of 10% per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the official public records of Bell County.

(Ord. 2011-07, passed 4-12-11)

§ 160.12 ADDITIONAL AUTHORITY TO SECURE CERTAIN SUBSTANDARD BUILDINGS PRIOR TO PUBLIC HEARING AND SECURE, DEMOLISH, REPAIR OR REMOVE CERTAIN DANGEROUS BUILDINGS.

(A) *Securing of unoccupied, substandard building.* Notwithstanding any other provisions of this chapter the city may secure a building if the building official determines that the building:

(1) Violates the minimum standards set forth in §160.04; and

(2) Is unoccupied or is occupied only by persons who do not have the right of possession to the building.

(B) *If building creates immediate danger.* Notwithstanding any other provisions of this chapter, if the Commission finds that a building is likely to immediately endanger persons or property the Commission may:

(1) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure

is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or

(2) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.

(C) *Notice to owner.* Before the eleventh day after the date the building is secured pursuant to division (A) above, or action is ordered pursuant to division (B)(1) above, or the building is repaired, removed or demolished pursuant to division (B)(2) above, the building official shall give notice to the owner by:

(1) Personally serving the owner with written notice;

(2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;

(3) Publishing the notice at least twice within a ten-day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or

(4) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and

(5) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the County Clerk.

(D) *Contents of notice.* The notice must contain:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located;

(2) A description of the violation of the minimum standards present in the building;

(3) A statement that the city will secure or has secured, as the case may be, the building, or that the city has taken or will take the action ordered pursuant to division (B); and

(4) An explanation of the owner's entitlement to request a hearing about any matter relating to the city's securing, removing, demolishing or repairing of the building.

(E) *Hearing.* The Commission shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the city's securing, repairing, removing or demolishing of the building, if, within 30 days after the date the city has taken action pursuant to divisions (B)(1) or (B)(2) of this section, the owner files with the city a written request for the hearing. The hearing shall be conducted within 20 days after the date the request is filed.

(F) *Expenses.* If the city incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by §160.10 and § 160.11.

(Ord. 2011-07, passed 4-12-11)

§ 160.13 VIOLATIONS.

(A) *Generally.* Except with the valid written permission of the building official, it shall be unlawful for any person to:

(1) Erect, construct or maintain any building that is deemed herein to be a nuisance;

(2) Use, occupy, enter, or remain in any building that is posted with a notice to vacate;

(3) Remove, damage or deface a notice to vacate posted under this chapter; or

(4) Cause or permit any act to be done in violation of any provision of this chapter.

(B) *Compliance with order.* It shall be unlawful for any person to whom an order of the Commission is directed to fail to comply with such order.

(C) *Interference prohibited.* It shall be unlawful for any person to obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the city or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this chapter; or with any person to whom such building has been lawfully sold pursuant to the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the city, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this chapter, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this chapter.

(D) *Transfer of ownership.* No person may sell, transfer, mortgage, lease or otherwise dispose of a building or property that is the subject of a notice of substandard building, a citation, or an order of the Commission under this chapter until:

(1) The deficiencies noted in the notice, citation or order have been corrected and a new certificate of occupancy has been issued by the city; or

(2) The building official receives a signed and notarized statement from the grantee, transferee, mortgagee or lessee

acknowledging the receipt of the notice, citation or order, and unconditionally accepting the responsibility for timely correcting the deficiencies noted therein.

(E) *Separate violations.* Each building or property which is in violation of any part of this chapter is a separate offense. Each violation in any building or property is a separate offense. Each and every day's violation shall constitute a separate and distinct offense.

(F) *Municipal court.* Proceedings under the jurisdiction of the municipal court are not affected by proceedings of the Commission or civil penalties under this chapter.

(Ord. 2011-07, passed 4-12-11)

§ 160.14 CIVIL PENALTY.

(A) *Civil penalty authorized.* In addition to any other enforcement authority provided for by law, and without regard to any criminal prosecution or conviction under this chapter, the Commission may at an administrative hearing assess a civil penalty by order against a property owner for failure to comply with an order issued by the Commission pursuant to this chapter.

(B) *Showing required.* The civil penalty may be assessed if it is shown at the administrative hearing that:

(1) The property owner was notified of the contents of the order issued pursuant to §160.07; and

(2) The property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.

(C) *Amount of penalty.* The civil penalty may be assessed in an amount not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed $10 a day for each violation.

(D) *Notice of administrative hearing.* Not less than ten days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail, return receipt requested. The notice shall contain:

(1) A copy of the order issued by the Commission pursuant to §160.07;

(2) A statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;

(3) A statement that at the administrative hearing the Commission may assess a civil penalty not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed $10 a day for each violation; and

(4) Notice of the time and place of the hearing.

(E) *Copy of order filed with district clerk.*After the civil penalty is assessed, the City Secretary shall file with the Bell County District Clerk a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.

(F) *Enforcement.* The civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this division is final and binding and constitutes prima facie evidence of the penalty in any suit.

(Ord. 2011-07, passed 4-12-11)

§ 160.15 AUTHORITY NOT LIMITED.

Notwithstanding all other provisions of this chapter, nothing herein shall be deemed a limitation on the duty of the city to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.16 AUTHORITY OF CITY ATTORNEY.

The City Attorney may without further authorization of the City Council undertake the enforcement of this chapter by all legal means appropriate or necessary, including but not limited to: enforcement in municipal court; filing a notice of *lis pendens* in the official public records of Bell County; filing of appropriate civil actions in courts of appropriate jurisdiction to seek compliance with an order made under this chapter, to collect a civil penalty, or recover costs as provided by this chapter; to appointment of a receiver as provided by Local Government Code Chapter 214; and to defend the city from suit if suit is taken to appeal any action of the city.

(Ord. 2011-07, passed 4-12-11)