

**ORDER PURSUANT TO DECLARATION OF LOCAL STATE OF DISASTER  
UNDER TEXAS DISASTER ACT**

FILED FOR RECORD  
POTTER COUNTY, TEXAS  
AT 2:25 P.M.

MAY 31 2023

JULIE SMITH  
COUNTY CLERK, POTTER CO.  
BY AH DEPUTY

STATE OF TEXAS       §  
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COUNTY OF POTTER   §

WHEREAS, on May 31, 2023, the County Judge of Potter County, Texas issued a Declaration of Local State of Disaster for northern and northwestern Potter County, Texas in response to an ongoing flood emergency in that area; and

WHEREAS, the area subject to the Declaration of Local State of Disaster is experiencing serious and ongoing flooding which has resulted in significant property loss and which presents an imminent threat of damage, injury, and loss of life and property; and

WHEREAS, upon advice from officials with training and expertise in response to and rescue from threats such as those which prompted the Declaration of Local State of Disaster, the County Judge of Potter County, Texas considers it necessary for the preservation of life and for the mitigation of, response to, and recovery from the flood disaster to prevent persons from entering or remaining in the Canadian River Basin for recreational or other purposes during the flooding;

IT IS, THEREFORE, ORDERED that:

- (A) In accordance with section 418.108(f) of the Texas Government Code that all persons be evacuated from the portions of the Canadian River basin located in Potter County, Texas that are affected by the ongoing flood emergency. As authorized by sections 418.108(f) and 418.185(b) of the Texas Government Code, the evacuation ordered herein is MANDATORY, and peace officers are authorized to use reasonable force to remove persons from the affected area.
- (B) As provided by section 418.108(g) of the Texas Government Code, that no person shall enter the Canadian River basin located within Potter County, Texas during the effective period of the Declaration of Local State of Disaster. This provision shall not apply to first responders who are enforcing this order or engaging in rescue and recovery operations.

UNDER SECTION 418.185(d) OF THE TEXAS GOVERNMENT CODE, ANY PERSON WHO KNOWINGLY IGNORES THIS EVACUATION ORDER, ENTERS THE CANADIAN RIVER BASIN, AND REQUIRES RESCUE SERVICES FROM

ANY GOVERNMENTAL ENTITY OR ANY NONPROFIT AGENCY COOPERATING WITH A GOVERNMENTAL ENTITY, MAY BE CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT.

(C) This Order shall be given prompt and general publicity and shall be filed promptly with the County Clerk of Potter County, Texas.

(D) This Order shall be effective immediately and shall continue in effect until the end of the day on June 7, 2023, unless rescinded or vacated earlier by separate order of the County Judge of Potter County, Texas.

SO ORDERED this 31 day of May, 2023, at 2:03 o'clock p.m.

  
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HONORABLE NANCY TANNER  
POTTER COUNTY JUDGE