

MELANIE SPRATT-ANDERSON
Upton County Attorney

RQ-0015-GA

PO Box 890
Rankin, TX 79778

(915) 693-2222
(915) 693-2243 Fax

February 3, 2003

Certified Mail No. 70011940000503462224

RECEIVED

FEB 05 2003

OPINION COMMITTEE

Hon. Greg Abbott
Attorney General of Texas
C/o Lauren Laux, Chair of Opinion Div.
PO Box 12548
Austin, TX 78711

FILE # ML-42966-03
I.D. # 042966

Dear Ms. Laux:

I am writing to request the Attorney General's opinion on the following matters:

Whether or not the Upton County Commissioners may maintain or work on private property, that is not a road, if it imposes a reasonable fee for the work.

Whether or not the Upton County Commissioners may sell County owned dirt to private individuals for a reasonable fee.

These questions have arisen in our county because Texas Constitution Art. 3 § 52f does allow for some use of taxpayer equipment on private property in counties with population of 5000 or less. Upton County does have a population of less than 5000.

Please send your reply to the address above or contact me if you need more information.

Sincerely,


Melanie Spratt-Anderson
Upton County Attorney