

NOTICE OF LIEN CLAIMED

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CODE ENFORCEMENT LIEN AND AFFIDAVIT FOR ABATEMENT ACTION ON THE
PROPERTY LOCATED AT**

472 CURRY AVE

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CLAIMANT

VS.

**PAUL A OLIVER TTEE, PAUL A & LINDA M OLIVER REV LIV TRUST,
LINDA M OLIVER TTEE, PAUL A & LINDA M OLIVER REV LIV TRUST**

OWNER(S)

ACTION TYPE: **ABATEMENT**

ACTION DATE: **12/05/2017**

ACTION COST: **\$ 87.50**

CASE#: 05040472W6

COMES NOW, the undersigned Affiant, who is duly authorized to issue citations on behalf of the Lexington-Fayette Urban County Government's Division of Code Enforcement, and states the following:

1. That on or about the above "ACTION DATE", the Affiant, acting on behalf of the Lexington-Fayette Urban County Government ("LFUCG"), and pursuant to Kentucky Revised Statute (KRS) 65.8838(6) and Chapter 12 of the Code of Ordinances, Lexington-Fayette Urban County Government (the "Code"), caused the OWNER(s)' real property located at

472 CURRY AVE

(the "Property"), to have the nuisance condition(s) in the above "ACTION TYPE" abated at the cost to the LFUCG in the amount of the above "ACTION COST", which includes any applicable administrative fee and/or cost of legal advertisement;

2. That: (a) at all relevant times the OWNER(s) was in violation of certain provisions of the Code due to the existence of a nuisance condition(s) and/or safety condition(s) on the real property; (b) the OWNER(s) was provided the required legal notice of such violation(s) in accordance with the applicable law, but failed to timely and/or satisfactorily abate and/or correct or repair them; (c) if the Code provided for an administrative hearing to contest the violation(s) the OWNER(s) either failed to exercise his or her right to the hearing or was unsuccessful in the appeal; and (d) this lien is consistent with the provisions of any Administrative Hearing Order that may have been issued in this matter;

3. That a lien on the Property in the principal amount of the ACTION COST is hereby noticed, asserted, and confirmed as provided in the aforementioned laws;

HOLD

4. That pursuant to KRS 65.8835(1)(c) and KRS 65.8838(8), ***this lien shall be superior to and have priority over all other liens on the property, except state, county, school board, and city taxes;***

5. That pursuant to KRS 360.010, this lien shall accrue interest at the rate of eight percent (8%) per annum from the date of recordation; and

6. That the OWNER(s) shall also be responsible for any costs or expenses incurred by the LFUCG in recording or releasing this lien plus court costs, if any, for collection until paid.

BY: Lee Steele
LEE STEELE, IV
CODE ENFORCEMENT SUPERVISOR

COMMONWEALTH OF KENTUCKY)
)
 COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me by Lee Steele, IV, a Code Enforcement Supervisor with the Division of Code Enforcement, Lexington-Fayette Urban County Government, for and on behalf of the Government, on this the 27th day of December, 2017.
 My commission expires: 2-9-20

Kayak King
 Notary Public
 Kentucky, State-at-Large

PREPARED BY:

David J. Barberic
David J. Barberic
 Lexington-Fayette Urban County Government
 Department of Law
 200 E. Main Street
 Lexington, Kentucky 40507

CASE#: 05040472W6



DIVISION OF CODE ENFORCEMENT
ASSESSMENT OF ABATEMENT COSTS
(Nuisance Violation)

Invoice Date: 12/05/2017

Case#: 05040472W6

PAUL A & LINDA M OLIVER REV LIV TRUST
PAUL A OLIVER TTEE & LINDA M OLIVER TTEE
3541 COLTNECK LN
LEXINGTON, KY 40502-3069

FINAL ORDER

Referenced Property: 472 CURRY AVE on 07/17/2017

On 07/17/2017, the above 472 CURRY AVE was placed under a Notice of Violation regarding the required abatement/removal of a nuisance violation as outlined in Chapter 12-2 of the Lexington-Fayette Urban County Government Code of Ordinances.

On 08-07-2017 at 9:46AM, I conducted a re-inspection of the property and found that the cited violation had not been abated and/or corrected. The purpose of this document is to formally notify you that due to the continued non-compliance of the property, the Lexington-Fayette Urban County Government has abated this violation. Therefore, per Chapter 12-3 of the Lexington-Fayette Urban County Government Code of Ordinances, you have been assessed the below indicated amounts:

Detailed Cost Invoice:

1. Cost of Mowing and/or Clean-up Work Performed:	\$	50.00
2. Vehicle Towing.*	\$	0.00
3. Administrative Fee:	\$	<u>37.50</u>
4. Total Assessment:	\$	87.50

*If a vehicle has been removed from the above indicated property then the additional storage fees and the tow bill will be collected and invoiced by the contracted towing company.

Payment related to this abatement should be made to the Lexington-Fayette Urban County Government and mailed or delivered to the Lexington-Fayette Urban County Government, Division of Revenue, 218 East Main Street, Lexington, Kentucky 40507. Please include a copy of this invoice and/or documents clearly identifying the referenced property with your payment to ensure proper credit occurs.

If this abatement cost of **\$87.50** is not paid within 14 days of 12/05/2017, a Notice of Lien Claimed may be filed. If a Notice of Lien is filed, then the property owner will be responsible for all fees and administrative costs associated with the lien as well.

Please contact me if you have any questions or concerns regarding this notice. If you do not receive a response from me within 36 hours of calling/emailing, please call our office and ask to speak to my supervisor.

GERRY HAMILTON
NUISANCE CONTROL OFFICER

(859) 576-3845
Phone Number

ghamilto@lexingtonky.gov
Email Address