NOTICE OF LIEN CLAIMED

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CODE ENFORCEMENT LIEN AND AFFIDAVIT FOR A CIVIL PENALTY ON THE PROPERTY LOCATED AT

1120 BIRCH DR

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CLAIMANT

VS.

OSCAR K III REEDER OWNER(S)

ACTION TYPE: **CIVIL PENALTY - NUISANCE**
ACTION DATE: **03/20/2017**
ACTION COST: **$ 100.00**

CASE#: 01851120W14

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"), issued a civil penalty in the amount of the above "ACTION COST", which includes any applicable administrative fee and/or cost of legal advertisement, against the OWNER(s) for the condition of real property located at

1120 BIRCH DR

(the "Property");

2. That: (a) at all relevant times the OWNER(s) was in violation of certain provisions of the Code due to certain 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 or did not otherwise comply with the requirements of the Code such that the issuance of this civil penalty was appropriate; (c) the OWNER(s) either failed to exercise his or her right to an administrative hearing as provided under the Code to contest the violations(s), or appealed said violation(s) to an administrative hearing officer, who entered an order upholding this civil penalty; 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;

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***;

HOLD

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: _____
STEVE GAHAFER
NUISANCE CONTROL OFFICER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me by Steve Gahafer, a Nuisance Control Officer with the Division of Code Enforcement, Lexington-Fayette Urban County Government, for and on behalf of the Government, on this the 19th day of April, 2017.

My commission expires: 2-9-20

_____
Notary Public
Kentucky, State-at-Large

REVIEWED BY:

_____
Kenneth Armstrong, Director of Code Enforcement
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT
101 E. Vine St., Suite 500
Lexington, Kentucky 40507
(859) 425-2255

CASE#: 01851120W14

MAYOR JIM GRAY

LEXINGTON

DIRECTOR KENNETH ARMSTRONG
CODE ENFORCEMENT

ENTERED
MAR 21 2017
YM

POSTED

DIVISION OF CODE ENFORCEMENT

Notice of Nuisance Violation or Issuance of Citation

FINAL ORDER

OSCAR REEDER III
1120 BIRCH DR.
LEXINGTON, KY. 40511

Date & Time of Issuance: 3/20/17 12:40 pm

Compliance Due Date: 4/3/17

Case Number:

Closed Date:

RE: Property: 1120 BIRCH DR, Lexington, KY.

An inspection was made of the above-referenced property on 3/20/17 at 12:40 (am/pm), and, pursuant to Chapter 12-2 of the Lexington-Fayette Urban County Government Code of Ordinances the below indicated nuisance violation was located that must to be corrected/abated before the listed "Compliance Due Date".

- [x] Rubbish, Trash and/or Debris: THROUGH OUT THE PROPERTY
- [ ] Indoor Furniture/Appliances Outside–Must be removed from exterior of property:
- [ ] Weeds/High Grass – Must not exceed 12" in height:
- [x] Inoperable/Junked /Wrecked Vehicle(s): TRUCK WITH FLAT TIRES
- [ ] Other/Notes:

[ ] **Notice of Nuisance Violation:** (Non-appealable): If this violation is not corrected before the date indicated in the "Compliance Due Date" section, a citation ranging from $100.00 to $1,000.00 may be issued.

[x] **Issuance of Citation:** Due to continued non-compliance, a citation in the amount of **$** 100 **.00** has been assessed pursuant to Section 12-5 of the Code of Ordinances. The property owner may file a written appeal of this citation, but must do so within 7 days of the listed "Issuance Date". Appeals may be filed via U.S. Mail or by delivering the request to: Division of Code Enforcement, C/O Secretary of Administrative Hearing Board, 101 East Vine Street, Suite 500, Lexington, KY 40507, or by faxing the appeal request to (859-425-2274)—No emails. Failure to appeal this citation within the indicated time shall result in the determination the property owner has waived their right to appeal, the violations were present on the property, and the issuance of the citation was proper. If a citation, which is not on appeal, and/or invoiced abatement costs are not paid within 14 days following its issuance, a Notice of Lien Claimed may be filed. **All payments related to citations, civil penalties or liens should be made to the Lexington-Fayette Urban County Government and mailed or delivered to the Lexington-Fayette Urban County Government, Division of Revenue, 2nd Floor, 200 East Main Street, Lexington, Kentucky 40507.** Please include a copy of this citation and/or documents clearly identifying the referenced property and this citation with the payment to ensure proper credit occurs.

Continued non-compliance after the above indicated "Compliance Due Date", may result in additional citations being placed until compliance is gained or the violations may be abated/corrected by governmental operations and all abatement costs and related administrative fees will be invoiced to the property owner.

Please contact me if you have any questions or concerns regarding this notice/citation. 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.

STEVE GANAFER	(859) 258-3863	SGANAFER @Lexingtonky.gov
Code Enforcement Officer	**Phone Number**	**Email Address**