NOTICE OF LIEN CLAIMED

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

3031 OLD TODDS RD

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CLAIMANT

VS.

ROBERT MORTON
MATTIE MORTON
EMMA HOWARD
UNKNOWN HEIRS OF D W MORTON
UNKNOWN HEIRS OF SCOTT MORTON
UNKNOWN HEIRS OF PAUL MORTON
UNKNOWN HEIRS OF CHARLES MORTON
UNKNOWN HEIRS OF EDWARD MORTON
LERONN MORTON SR
MICHELLE MORTON HUTCHINSON

OWNER(S)

ACTION TYPE: **Nuisance Abatement**
ACTION DATE: **March 23, 2020**
ACTION COST: **$1,094.31**

CASE#: 424760

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

3031 OLD TODDS RD

(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***;

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:

Thad Scott
Code Enforcement Supervisor

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me by Thad Scott, 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 14th day of May, 2020.

My commission expires: 6-13-2020

Angel Clark
Notary Public 558712
Kentucky, State-at-Large

PREPARED BY:

Evan P. Thompson
Lexington-Fayette Urban County Government
Department of Law
200 E. Main Street
Lexington, Kentucky 40507

MAYOR LINDA GORTON

LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

COPY

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

Invoice Date: March 23, 2020

MORTON ROBERT; C/O MICHELLE MORTON HUTCHINSON
583 BENTON RD
LEXINGTON, KY 40505

Abatement Date: March 20, 2020
Invoice Number: I-009775
Case Number: 424760

Re: 3031 OLD TODDS RD, Lexington, KY 40509

On **February 13, 2020 at 8:18 PM**, the above address 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 **March 16, 2020 at 1:58 PM**, 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	Mowing/ Cleaning	**$1,019.31**
2	Administration Fee	**$75.00**
	Total Assessment	**$1,094.31**

*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 **$1,094.31** is not paid within 14 days of **March 23, 2020**, 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.

MAYOR LINDA GORTON

LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

Thad Scott

Thad Scott **Code Enforcement Supervisor**	**Phone** (859) 576-3852	**E-Mail Address** tscott@lexingtonky.gov