

NOTICE OF LIEN CLAIMED

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

347 CHESTNUT ST

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CLAIMANT

VS.

MT MELROSE LLC DBA MT MELROSE II LLC

OWNER(S)

ACTION TYPE: **Housing Notice**

ACTION DATE: **April 30, 2019**

ACTION COST: **\$200.00**

CASE#: 324551

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

347 CHESTNUT ST

(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;

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:



 Jody Whitaker
 Code Enforcement Officer

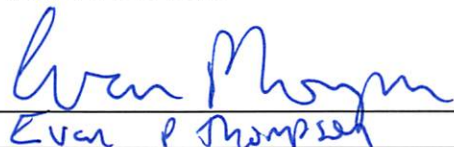
COMMONWEALTH OF KENTUCKY)
)
 COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me by Jody Whitaker, a Code Enforcement Officer with the Division of Code Enforcement, Lexington-Fayette Urban County Government, for and on behalf of the Government, on this the 30 day of May, 2019.
 My commission expires: 02/09/2020



 Notary Public
 Kentucky, State-at-Large

PREPARED BY:



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



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

FINAL ORDER

Invoice Date: April 30, 2019

MT MELROSE LLC DBA MT MELROSE II; LLC
1890 STAR SHOOT PKWY STE 170-154
LEXINGTON, KY 40509

Abatement Date: April 24, 2019
Invoice Number: I-007386
Case Number: 324551

Re: 347 CHESTNUT ST, Lexington, KY 40508

On **April 16, 2019 at 4:26 PM**, you were issued a notice regarding the above referenced property. The notice required you to **board and secure** the property as required on Chapter 12 of the Lexington-Fayette Urban County Government Code of Ordinances.

Upon re-inspection of the property I determined that the property was still not in compliance and continued to present a risk to public safety. Therefore, the Lexington-Fayette Urban County Government has contracted for the **boarding and securing** of the structure by a certified/licensed contractor.

The purpose of this letter is to formally notify you of the above indicated actions and that, as prescribed in Chapter 12 of the LFUCG Code of Ordinances, all abatement costs and related administrative fees are being billed to the owner. This document also serves as the official bill/invoice related to these actions.

Detailed Cost Invoice		
1	Boarded Up	\$125.00
2	Administration Fee	\$75.00
Total Assessment		\$200.00

*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.

The **\$200.00** is based on the cost of **boarding and securing** of the property by the contractor and the placement of an administrative fee in the amount of **\$75.00**

Payment related to this invoice 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 insure proper credit occurs.

If this invoice is not paid within **14** days following its date of issuance, 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 regarding this matter. 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.



Jody Whitaker Code Enforcement Officer	Phone (859) 576-3849	E-Mail Address jwhitaker@lexingtonky.gov
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