

CRAWFORD & BAXTER, P.S.C.

ATTORNEYS AT LAW
523 Highland Avenue
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RECEIVED

MAR 12 2021

City Treasurer

March 8, 2021

Sharon & Lilly, LLC
7085 Hwy. 355
Owenton, Kentucky 40359

**RE: Nuisance Lien for Abatement Costs on Property located at:
602 Fifth Street, Carrollton, Kentucky**

Dear Patrick Lilly:

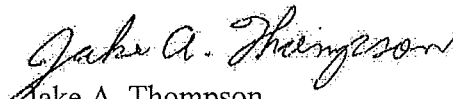
Please find the enclosed Notice of Lien which has been filed against the property located at 602 Fifth Street, Carrollton, Kentucky 41008. The total amount of the lien is \$425.00. This can be paid at the Carrollton City Hall located at 750 Clay Street, between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, or payment may be mailed to P.O. Box 156, Carrollton, Kentucky 41008.

If you dispute the validity of this debt, or any portion thereof, contact me within thirty (30) days of receipt of this letter, then I will obtain verification of the amount owed and forward it to you. If I do not hear from you within thirty (30) days of receipt of this letter, then I will assume that the debt is valid.

If you have any questions about this letter, then please contact the City of Carrollton Code Enforcement Officer at 502-732-7060.

Sincerely,

CRAWFORD & BAXTER, P.S.C.


Jake A. Thompson
Carrollton City Attorney

JAT/dmp

Enclosure

cc: Ricky Watts, Code Enforcement

NOTICE OF LIEN

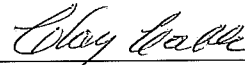
OWNER: SHARON & LILLY, LLC
PROPERTY ADDRESS: 602 Fifth Street, Carrollton, Kentucky
TAX ID #: C1-46-11

Comes now the affiant, and after being duly sworn, states as follows:

Pursuant to KRS 65.8801 to 65.8839, Carrollton Ordinance § 35.151, and the attached Final Order of the City of Carrollton's Code Enforcement and Nuisance Board, the City of Carrollton has a lien on all the real estate located at 602 Fifth Street, Carrollton, Kentucky 41008, for the fines, penalties, charges and fees, and abatement costs imposed in the amount of four hundred twenty five dollars (\$425.00), which amount will continue to increase until the citation has been complied with, which is superior to and has priority over all other liens on the property, except state, county, school board and city taxes.

By law, the City Attorney may foreclose on this lien in the same manner as mortgage liens are foreclosed.

Further the affiant sayeth naught.

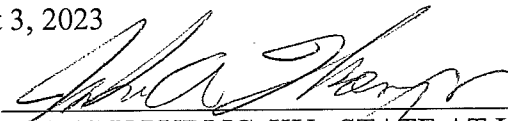


Clay Cable, Chairman
Code Enforcement Board

STATE OF KENTUCKY)
COUNTY OF CARROLL)

Subscribed and sworn to before me by Clay Cable, Chairman, Code Enforcement Board, on this the 8th day of March, 2021.

My commission expires: August 3, 2023



NOTARY PUBLIC, KY., STATE AT LARGE
Notary ID #: 625866

THIS INSTRUMENT PREPARED BY:
CRAWFORD & BAXTER, P.S.C.
ATTORNEYS AT LAW
P.O. Box 353
Carrollton, Kentucky 41008
Phone: (502) 732-6688

BY: 

Jake A. Thompson

**CITY OF CARROLLTON, KY
CODE ENFORCEMENT BOARD**

FINAL ORDER

ISSUANCE DATE: 01/28/2021

WARNING #: CEB CC-FO-011221

ISSUED TO: SHARON & LILLY LLC

PRINT NAME

7085 HWY 355

ADDRESS

PHYSICAL ADDRESS OF VIOLATION: FIFTH ST 602

Upon receiving the attached citation the alleged violator has 7 days to remedy the violation, if the violation is not resolved per the citation within the prescribed timeframe a final order will be issued to the alleged violator making those findings and associated fines final.

Pursuant to Carrollton Ordinance 35.147 and KRS 65.8801 through KRS 65.8840, due to the alleged violator's failure to:

- Resolve the violation within the prescribed timeframe as described within the citation
- Contest the Citation within seven (7) days after receipt by submitting the attached Request for Hearing form or
- To appear at the time and place set for the hearing, if requested, the citation, as issued on pages 1 and 2 of this Citation shall be and is hereby final and nonappealable.

The civil fine for an uncontested citation as set forth on pages 1 and 2 of this Citation shall be and are hereby imposed.

CERTIFICATION

The undersigned hereby certifies that on _____ a copy of this Citation was served upon the person to whom the Citation was issued by one or a combination of the following methods:

1. Personal service to the alleged violator;
2. Leaving a copy of the citation with any person eighteen (18) years of age or older, who is on the premises, if the alleged violator is not on the premises at the time the citation is issued;
3. Mailing a copy of the citation by regular first-class mail to the last known recorded mailing address of the alleged violator; or
4. if, in the exercise of reasonable diligence, the issuance of a citation using the methods set out in paragraphs (1) to (3) of this subsection is not possible, then the citation is properly served by posting a copy of the citation in a conspicuous place on the premises.

Rick Watts CPD #10

(Printed Name of Code Enforcement Officer)



(Signature)

(Date)

PLEASE CONTACT CARROLLTON CODE ENFORCEMENT TO REPORT COMPLIANCE OR TO DISCUSS.

RICK WATTS, CODE ENFORCEMENT OFFICER

PHONE: 502-732-7060 EXT. 205

MOBILE: 502-525-3576

E-MAIL: rwatts@carrolltonpd.net

CARROLLTON

Established 1838 / Carroll Co., Ky

Department of Code Enforcement

PERMITS & INSPECTIONS

BOARDS & COMMISSIONS

FLOODPLAIN MANAGEMENT

CARROLLTON CODE ENFORCEMENT (CCE)

2021

CIVIL CITATION

SECTION 1 VIOLATION INFORMATION • REASON FOR CITATION • CIVIL FINE(S)

ISSUANCE DATE: 01/28/2021

CITATION #: CEB-CC-FO-01282021

ISSUED TO: SHARON & LILLY LLC

PRINT NAME

7085 HWY 355, OWENTON,, KY 40359

ADDRESS

PHYSICAL ADDRESS OF VIOLATION: FIFTH ST 602

This Warning of Violation is issued for nuisance or other code violation(s) found on your property.

The undersigned Code Enforcement Officer of the City of Carrollton certifies that, based upon his or her personal observation or investigation, he or she has reason to believe and has determined that the above named person has, by either act or omission, caused, conspired, permitted, promoted, allowed, aided, assisted, encouraged or engaged in the occurrence of the following violation(s):

DATE OF OFFENSE: 01/11/2021

ORDINANCE OF SECTIONS:

92.02(I)- Junk; Scrap Metal; Inoperable Motor Vehicles

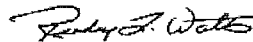
DESCRIPTION OF VIOLATION(S):

The outdoor storage of motor vehicles in an inoperative and/or un-roadworthy condition, including expired license and uninsured, motor vehicles unfit for further use, automobile parts, or scrap within the city limits except on premises authorized by the city for such purposes.

CIVIL FINES: 425.00

Rick Watts CPD #10

(Printed Name of Code Enforcement Officer)



(Signature)

01/28/2021

(Date)

SECTION 2 RESPONDING TO THE CITATION • FINDINGS • REMEDY • AMOUNT OF CIVIL FINES

Carrollton Ordinance 35.147 requires you to respond to this Citation within 7 days after receipt of a copy of the Citation by either of the two following options:

OPTION #1

The violator can remedy the violation and pay the following civil fine at Carrollton City Hall located at 750 Clay Street in Carrollton;

CONSENT TO INSPECTION:

- NO Consent not required violation was evident from the public right of way.
 YES Consent given to the Code Enforcement Officer by the Tenant in residence Owner of the property.

REQUIREMENT(S) TO REMEDY THE VIOLATION(S):

Vehicle fixed or removed

TIMEFRAME FOR COMPLIANCE:

You have 10 days to complete the remedy requirements, which gives a completion deadline of 01/19/2021

CIVIL FINE FOR UNCONTESTED CITATION(S):

Junk; Scrap Metal; Motor Vehicles (per day) \$425.00

TOTAL FINES FOR EACH DAY **\$25.00** for each day the violation(s) continues

OR

OPTION #2

Submit the attached "Request for Hearing" form to the City Clerk at Carrollton City Hall located at 750 Clay Street in Carrollton, which will indicate that you wish to contest the citation by requesting a hearing before the Code Enforcement Board (CEB). Upon submitting the request for a hearing with the CE&NB will be scheduled no earlier than seven days from that submittal date. You will be notified of that hearing date.

If this Citation is contested and the Board determines from the evidence presented at a due process hearing that the alleged violation(s) were committed by the person to whom this Citation was issued, the Board may assess and impose upon that person an amount less than the civil fine assessed in OPTION # 1, or any amount up to a maximum as set forth below:

MAXIMUM CIVIL FINE FOR CONTESTED CITATION(S):

OFFICER TO PROVIDE CIVIL FINE AMOUNT FOR EACH DAY THE VIOLATION CONTINUES.

TOTAL FINES FOR EACH DAY **\$50.00** for each day the violation(s) continues

SECTION 3 FAILURE TO RESPOND • WAIVED RIGHT TO HEARING • FINAL ORDER ISSUED

If the person to whom this Citation is issued fails to respond in 7 days after receipt of a copy of it by following through with either of the two options as described above, then the determination that the violation(s) described on page 1 hereof were committed by that person shall become final, **this citation, as issued, shall be deemed a final order determining that the violation was committed and imposing the civil fine as set forth in this citation, and you shall be deemed to have waived the right to appeal the final order to District Court.**

KRS 65.8835 provides that the City shall possess a lien on that property for all of the fines, charges, abatement costs and fees assessed for those violations.

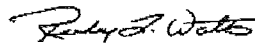
KRS 65.8831 provides for an appeal from the determination of the Board through the filing of a complaint and a copy of the Board's Final Order in the District Court for Carroll County, Kentucky, within thirty (30) days after the Board's determination.

CERTIFICATION

The undersigned hereby certifies that on 01/28/2021 a copy of this Citation was served upon the person to whom the Citation was issued by one or a combination of the following methods:

1. Personal service to the alleged violator;
2. Leaving a copy of the citation with any person eighteen (18) years of age or older, who is on the premises, if the alleged violator is not on the premises at the time the citation is issued;
3. Mailing a copy of the citation by regular first-class mail to the last known recorded mailing address of the alleged violator; or
4. if, in the exercise of reasonable diligence, the issuance of a citation using the methods set out in paragraphs (1) to (3) of this subsection is not possible, then the citation is properly served by posting a copy of the citation in a conspicuous place on the premises.

Rick Watts CPD #10



01/28/2021

(Printed Name of Code Enforcement Officer)

(Signature)

(Date)