

HENDERSON COUNTY
CODE ENFORCEMENT BOARD
DEFAULT ORDER

Issued to:

CHET LEE POWELL
11204 OLD HWY 60
REED, KY 42451

Citation No: HC2025-53-2

Date of Issuance: 3/4/2025

TERRI F. KIRSCH
P.O. BOX 64
REED, KY 42451

Physical Address of Property: 11204 Old Hwy 60, Reed, KY 42451

Date and Time Violation Noted: 2/27/2025 at 1:49 PM

WHEREAS, a Citation for Violation of the Henderson County Nuisances and Unsafe Structures Ordinance as adopted by Henderson County Fiscal Court was served upon the above-named owner(s) and/or occupier(s) of the above listed property on February 27, 2025, for the following violation(s):

Violation(s)- Section 176-6 Unsafe and unfit structures(1st),176-8 Public Nuisances(2nd), 176-9 Sanitation(2nd), 176-11 inoperable vehicles, scrap, salvage materials(2nd), 176-12 Rubbish and garbage(2nd), CO 4.27 wrecked/junk, inoperable, and unlicensed vehicles(2nd)

Facts Constituting the Offense:

The property and premises are not being maintained in a clean, safe, and sanitary condition due to the accumulation of rubbish, garbage, scrap, salvage materials, and other debris. The property is detrimental to the safety, welfare and convenience of the inhabitants of the County of Henderson and is a health hazard. It is also prohibited to store or park vehicles that are wrecked, junked, inoperable and vehicles with no current license plates.

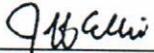
The Respondent, CHET LEE POWELL, having failed to pay the fine herein and/or to appeal the citation to the Code Enforcement Board within seven (7) days of the date of the Citation; and thus having waived her right to appeal this matter to the Code Enforcement Board or the Henderson District Court.

IT IS HEREBY ORDERED that the above-named owner(s) and/or occupier(s) of the listed property are hereby fined the amount of \$445.00 and Citation HC2025-53-2 is hereby adopted and incorporated herein pursuant to the Henderson County Nuisances and Unsafe Structures Ordinance 21-13 Section 13-36(7).

Said fine shall continue to be a lien against the property for ten (10) years from the date of lien recordation, or unless the full lien amount is paid, including any and all costs associated with the enforcement and entry of this order, and any and all abatement costs which may be expended by the County to remedy the nuisance; and shall bear interest at the statutory rate until paid in full.

 Date: 4/28/2025
Donnie Beal
Code Enforcement Board Chairman

This Instrument Prepared By:


Jeff Ellis, Code Enforcement Board Sec.
20 N. Main Street, Ste. 201
Henderson, KY 42420
PH: (270) 631-0000 EXT 1228
Email: jellis@hendersoncountyky.gov



TO CLERK: Please index as follows:
Grantor: Powell, Chet Lee;
Kirsch, Terri F.
Grantee: County of Henderson

NOTICE OF LIEN CLAIMED

**HENDERSON COUNTY GOVERNMENT CODE ENFORCEMENT LIEN
AND AFFIDAVIT OF CIVIL PENALTY AND/OR ABATEMENT AGAINST THE
PROPERTY LOCATED AT**

11204 Old Hwy 60, Reed KY 42451

COUNTY OF HENDERSON, KENTUCKY

CLAIMANT

VS.

CHET LEE POWELL; TERRI F. KIRSCH

OWNER(S)

ACTION TYPE: Citation

ACTION NO: HC2025-53-2

ACTION COST: \$445.00 (Civil Penalty)

ACTION DATE: 3/4/2025

COMES NOW, the undersigned Affiant, who is duly authorized to issue citations on behalf of the Henderson County Government's Division of Code Enforcement, and, *after being duly sworn*, states the following:

1. That on or about the above "ACTION DATE", the Affiant, acting on behalf of the Henderson County Government, and pursuant to Kentucky Revised Statute (KRS) 65.8838(6) and Chapter 13, Article V, of the Code of Ordinance of Henderson County, Kentucky, Henderson 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 and/or any accrued abatement cost, against the OWNER(s) for the condition of real property located at:

**11204 Old Hwy 60, REED, KY 42451, identified as PVA Parcel# 105-120,
more particularly described as follows:**

Beginning at a point 18 feet from the center of Peters Road; thence in an Easterly direction 8 chains and 12 feet to a stake on Old Highway 60; thence in a Southerly direction 4 chains and 56 feet to a stake on the edge of Peters Road; thence in a Northerly direction with the line of Peters Road 3 chains and 12 feet to the point of beginning which said tract of land is a triangle consisting of one half (1/2) acre, more or less.

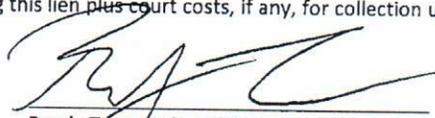
A 1972 Aquarius 70xl2 mobile home with a vehicle identification number of 4157 is located on the subject real estate, and is included in this conveyance.

BEING the same property conveyed Terri K. Kirsch by a deed dated April 22, 2017 from Kevin Pope, unmarried, of record in Deed Book 623, Page 879, in the Office of the Henderson County Clerk.

BEING the same property a contractual interest in which was conveyed to Chet Lee Powell, from Terri F. Kirsh, by Installment land contract dated October 4, 2017, of record in Deed Book 627, Page 223 in the Office of the Henderson County Clerk.

(the "Property");

2. That: (a) at all relevant time 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 violation(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 Henderson County Government in recording or releasing this lien plus court costs, if any, for collection until paid.



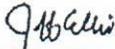
Randy Tasa, Code Enforcement Officer

COMMONWEALTH OF KENTUCKY)
COUNTY OF HENDERSON)

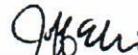
The foregoing instrument was subscribed, sworn to and acknowledged before me by Randy Tasa, the Code Enforcement Officer with the Division of Code Enforcement, Henderson County Government, on this the 28th day of April, 2025.

My commission expires: Sept. 9, 2025

PREPARED BY:



Jeff Ellis, Code Enforcement Board Sec.
20 N. Main Street, Ste. 201
Henderson, KY 42420
Phone: (270) 631-0000 EXT 1228
Email: jellis@hendersoncountyky.gov



Notary Public – Jeff Ellis
Kentucky, State-at-Large
KYNP36263

← CONTACT FOR PAYOFF INFORMATION

HENDERSON COUNTY CODES DEPARTMENT
RANDY TASA – CODES ADMINISTRATOR
1990 BARRETT CT., SUITE H
(270) 827-6030
rtasa@hendersoncountyky.gov

CITATION

Issued to:

Chet Lee Powell
11204 Old Hwy 60
Reed, KY 42451

Citation No: HC2025-53-2
Date of Issuance: 3/4/2025

Terri F. Kirsch
P.O. Box 64
Reed, KY 42451

Physical Address of Property: 11204 Old Hwy 60, Reed, KY 42451

Date and Time Violation Noted: 02/27/2025 at 1:49 PM

On the date and time noted above, the property at 11204 Old Highway 60 was found to be in violation of one or more sections of the Henderson County Nuisances and Unsafe Structures Ordinance as adopted by Henderson County Fiscal Court as described below:

Violation(s)- Section 176-6 Unsafe and unfit structures(1st), 176-8 Public Nuisances(2nd), 176-9 Sanitation(2nd), 176-11 inoperable vehicles, scrap, salvage materials(2nd), 176-12 Rubbish and garbage(2nd), CO 4.27 wrecked/junk, inoperable, and unlicensed vehicles(2nd)

Facts Constituting the Offense:

The property and premises are not being maintained in a clean, safe, and sanitary condition due to the accumulation of rubbish, garbage, scrap, salvage materials, and other debris. The property is detrimental to the safety, welfare and convenience of the inhabitants of the County of Henderson and is a health hazard. It is also prohibited to store or park vehicles that are wrecked, junked, inoperable and vehicles with no current license plates.

Total of fines: **\$445.00**

Civil Fines:

- (a) Uncontested- If the citation of the violation noted above is not contested, the penalties set forth are as follows in Offense/Fine schedule below.

HENDERSON COUNTY CODES DEPARTMENT
RANDY TASA – CODES ADMINISTRATOR
 1990 BARRETT CT., SUITE H
 (270) 827-6030
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CITATION

(b) Contested- If the citation of the violation noted above is contested and a hearing before the Henderson County Code Enforcement Board is required, the maximum penalties set forth are as follows in Offense/Fine schedule below.

VIOLATION (Uncontested)	1 st Offense	2 nd Offense	All Others
§176-6	\$125.00	\$150.00	\$200.00
§176-7	\$125.00	\$150.00	\$200.00
§176-8	\$50.00	\$100.00	\$150.00
§176-9	\$30.00	\$60.00	\$100.00
§176-10	\$30.00	\$60.00	\$100.00
§176-11	\$50.00	\$100.00	\$200.00
§176-12	\$30.00	\$60.00	\$100.00
§176-13	\$50.00 (plus \$5 per acre)	\$75.00 (plus \$5 per acre)	\$100.00 (plus \$5 per acre)
§176-14	\$50.00	\$100.00	\$200.00

VIOLATION (Contested)	1 st Offense	2 nd Offense	All Others
§176-6	\$200.00	\$225.00	\$300.00
§176-7	\$200.00	\$225.00	\$300.00
§176-8	\$100.00	\$150.00	\$200.00
§176-9	\$30.00	\$60.00	\$100.00
§176-10	\$30.00	\$60.00	\$100.00
§176-11	\$50.00	\$100.00	\$250.00
§176-12	\$30.00	\$60.00	\$100.00

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§176-13	\$50.00 <small>(plus \$5 per acre)</small>	\$75.00 <small>(plus \$5 per acre)</small>	\$150.00 <small>(plus \$5 per acre)</small>
§176-14	\$50.00	\$100.00	\$250.00

Unless the citation is contested, all fines shall be paid in full to Henderson County within seven (7) days of the date of issuance, either in person or by mail to the office of Henderson County Fiscal Court located at 20 N. Main Street, Henderson, KY 42420. **Include a copy of the citation with payment of fines.**

TOTAL OF FINES: \$445.00

Procedure to Contest the Citation:

The person to whom the citation is issued has the right to request, in writing, a hearing to contest the citation within seven (7) days of the date of issuance. The request for a hearing shall be submitted to the office of Henderson County Codes Department at 1990 Barret Court, Suite H, Henderson, KY 42420.

If you choose to contest the citation, a hearing will be held on April 22, 2025, at 4pm in the Fiscal Court Room at 20 North Main Street, Henderson, KY 42420 on the third floor.

Failure to Respond:

If the person to whom the citation is issued fails to respond to the citation within seven (7) days, the person shall be deemed to have waived the right to a hearing and the determination that a violation was committed shall be considered final. In this event, the citation, as issued, shall be deemed a final order determining that the violation was committed and imposing the civil fine as set forth in the citation, and the person shall be deemed to have waived the right to appeal the final order to Henderson District Court.

Authority to Abate:

The code enforcement officer has the authority to abate any and all deficiencies contained in the citation with all charges and fees incurred by the County in connection with the enforcement of the ordinance billed to the owner.

Section 13-44 Transfer of ownership:

It shall be unlawful for the owner of any dwelling unit or structure who has received a notice of violation, or upon whom a citation or final order has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the notice

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of violation, citation or final order have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice of violation, citation or final order issued by the code enforcement officer and shall furnish to the code enforcement officer a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice of violation, citation or final order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice of violation, citation or final order.

Randy Tasa

Randy Tasa, Henderson County Codes Administrator



2025004090
HENDERSON CO, KY FEE \$20.00
PRESENTED / LODGED: 05-05-2025 09:04:52 AM

RECORDED: 05-05-2025
RENESA ABNER
CLERK
BY: KELLY SHADE
DEPUTY CLERK

BK: EC 111
PG: 685-690