

HENDERSON COUNTY
CODE ENFORCEMENT BOARD
DEFAULT ORDER

Issued to:

BARBARA A. BERRY ESTATE
1888 BUSBY STATION RD
ROBARDS, KY 42452

Citation No: HC2025-61
Date of Issuance: 7/29/2025

Physical Address of Property: 1888 Busby Station Rd., Robards, KY 42452

Date and Time Violation Noted: 07/29/2025 at 9:42 AM

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 July 29, 2025 for the following violation(s):

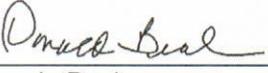
Violation(s)- Section 176-8 Public Nuisances, 176-9 Sanitation, 176-10 Stagnant Water, 176-11 Scrap, salvage materials, 176-12 Rubbish and garbage, 176-13 Weeds, 176-14 Harborage of mosquitos and other pests

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 has excessive growth of weeds and grass and has stagnant water in a pool that can harbor mosquitos and other pests. The property is detrimental to the safety, welfare and convenience of the inhabitants of the County of Henderson and is a health hazard.

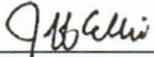
The Respondent(s), BARBARA A. BERRY ESTATE, having failed to pay the fine herein and/or to appeal the citation to the Code Enforcement Board within seven (7) days of the date of the Citation; and thus having waived his right to appeal this matter to the Code Enforcement Board or the Henderson District 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 \$290.00 and Citation HC2025-61 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: 9/22/2025
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: Berry, Barbara A. (Estate of)
Grantee: County of Henderson



NOTICE OF LIEN CLAIMED

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

1888 BUSBY STATION ROAD, ROBARDS, KY 42452

COUNTY OF HENDERSON, KENTUCKY	CLAIMANT
VS.	
BARBARA A. BERRY ESTATE	OWNER(S)

ACTION TYPE: Citation (Civil Penalty & Abatement)	ACTION DATE: 7/29/2025
ACTION COST: \$940.00 (\$290 Civil Penalty + \$650 Abatement Cost)	CASE#: HC2025-61

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 any accrued abatement cost, against the OWNER(s) for the condition of real property located at

**1888 BUSBY STATION ROAD, ROBARDS, KY 42452, identified as
PVA Parcel# 70-20, more particularly described as follows:**

A certain tract or parcel located on the southern side of Busby Station Road approximately one mile northwest of the intersection of Ky. Hwy. 283 in Henderson County, Kentucky and being more specifically described as follows:

Beginning at a point in the western line of the Bobby Oliver property recorded in Deed Book 384, page 324, at the Henderson County Court Clerk's Office, said point being located 30 feet south of the centerline of the existing pavement of the Busby Station Road; thence with the line of said Oliver

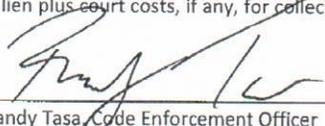
property, South 26 degrees 46 minute 01 seconds West, a distance of 314.96 feet to an iron pin found at the eastern most corner of the David Crook property recorded in Deed Book 374, page 711; thence with the northeastern line of said Crook property, North 63 degrees 58 minutes 21 seconds West, a distance of 476.52 feet to an iron pin set in said line; thence severing the Kim McGrew property recorded in Deed Book 376 page 131, of which this description is a part, the following three(3) calls:

- 1) North 39 degrees 29 minutes 23 seconds East, passing an iron pin set on line at 170.54 feet, a total distance of 341.08 feet to an iron pin set 30 feet south of the existing pavement of the Busby Station Road;
- 2) South 65 degrees 08 minutes 11 seconds East, a distance of 56.62 feet to a point located 30 feet south of the existing centerline of the Busby Station Road;
- 3) South 60 degrees 59 minutes 44 seconds East, a distance of 345.04 feet to the point of beginning containing 3.2816 acres and being subject to all legal written and unwritten easements and rights of way. This description was prepared from a physical survey conducted under the direction of Dennis E. Branson, KY RLS #2532 on 10-1-92.

BEING the same property conveyed to Johnnie S. Berry and Barbara A. Berry, husband and wife, from Kim McGrew, unmarried, by Deed dated October 14, 1994, of record in Deed Book 445, Page 679 in the Office of the Henderson County Clerk. Tonya A. Haralson is now known as Tonya Axton. Johnnie S. Berry died on August 22, 2017 vesting full fee simple title in Barbara A. Berry by the survivorship provisions of said deed. Barbara A. Berry died on September 5, 2021.

(the "Property");

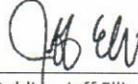
2. That: (a) at all relevant time the OWNER(s) was in violation of certain provisions of the Code due to certain condition(s) on the real property; (b) the OWNER(s) was provided the required legal notice of such violation(s) in accordance with the applicable law, but failed to timely and/or satisfactorily 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)

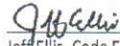
The foregoing instrument was subscribed, sworn to and acknowledged before me by Randy Tasa, the Code Enforcement Officer with the Division of Code Enforcement, Henderson County Government, on this the 22nd day of September, 2025.

My commission expires: Sept. 9, 2029



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

PREPARED BY:


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

← CONTACT FOR PAYOFF INFORMATION

HENDERSON COUNTY CODES DEPARTMENT

RANDY TASA – CODES ADMINISTRATOR

1990 BARRETT CT., SUITE H

(270) 827-6030

rtasa@hendersoncountky.gov

CITATION

Issued to:

Barbara A Berry EST
1888 Busby Station Rd
Robards, KY 42452

Citation No: HC2025-61
Date of Issuance: 7/29/2025

Physical Address of Property: 1888 Busby Station Rd, Robards, KY 42452

Date and Time Violation Noted: 07/29/2025 at 9:42 AM

On the date and time noted above, the property at 1888 Busby Station Road 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 176-8 Public Nuisances, 176-9 Sanitation, 176-10 Stagnant Water, 176-11 Scrap, salvage materials, 176-12 Rubbish and garbage, 176-13 Weeds, 176-14 Harborage of mosquitos and other pests

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 has excessive growth of weeds and grass and has stagnant water in a pool that can harbor mosquitos and other pests. The property is detrimental to the safety, welfare and convenience of the inhabitants of the County of Henderson and is a health hazard.

Total of fines: \$290.00

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.
- (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.

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

CITATION

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
§176-13	\$50.00 (plus \$5 per acre)	\$75.00 (plus \$5 per acre)	\$150.00 (plus \$5 per acre)
§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: \$290.00

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

HENDERSON COUNTY CODES DEPARTMENT

RANDY TASA – CODES ADMINISTRATOR

1990 BARRETT CT., SUITE H

(270) 827-6030

rtasa@hendersoncountyky.gov

CITATION

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 September 22nd 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 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



Tompkins Hauling & Excavating
 PO BOX 2095
 Henderson, KY 42419 USA
 +12707481352

BILL TO
 Mr. Randy Tasa
 Henderson County Codes Office
 5682 Airline Road
 Henderson, KY 42420

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
412017	08/12/2025	\$650.00	09/11/2025	Net 30	

P.O. NUMBER
 1888 Busby Station Road

QTY	ACTIVITY	AMOUNT
1	Labor Yard clean-up and mowing at 1888 Busby Station Road	650.00
	SUBTOTAL	650.00
	TAX (0%)	0.00
	TOTAL	650.00
	BALANCE DUE	\$650.00

REMIT CHECK PAYMENTS TO PO BOX 2095 HENDERSON KY 42419

All past due invoices will be charged a 8% late fee.



2025009057
 HENDERSON CO, KY FEE \$20.00
 PRESENTED / LODGED: 09-23-2025 02:52:23 PM
 RECORDED: 09-23-2025
 RENESA ABNER
 CLERK
 BY: KELLY SHADE
 DEPUTY CLERK

BK: EC 112
PG: 403-409