

376.260 Action to enforce lien -- Notice -- Limitation -- Proof of use of materials.

- (1) Any lien acquired under KRS 376.210 shall be enforced by proper proceedings in equity, to which other lien-holders shall be made parties. If a court action is filed to enforce a lien acquired under KRS 376.210 and the owner of the property is the state, a subdivision or agency thereof, or any city, county, urban-county, or charter county government, that owner shall be given notice of the court action to enforce the lien, but that owner shall not be required to respond to or participate in the court action. The proceedings shall be begun within six (6) months from the filing of the claim in the county clerk's office, except as provided in subsection (4) of KRS 376.250.
- (2) If, in any suit brought for the enforcement of a lien, it is shown by evidence that the items embraced in the account were sold and delivered for use on a particular project or public work, that evidence shall make out a prima facie case that those items were used in the performance of the contract.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 397, sec. 2, effective July 15, 1998. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2495, 2495-3.