

376.475 Filing requirement -- Indexing -- Dissolution for nonenforcement.

- (1) Any lien provided for in KRS 376.470 shall be dissolved unless the claimant, within six (6) months after he ceases to provide services for the animal, files in the office of the county clerk of the county in which the animal is located, a statement of the amount due him, together with a description of the animal intended to be covered by the lien sufficiently accurate to identify it, the name of the owner, and whether the services were furnished by contract or written consent of the owner or agent. This statement shall be subscribed and sworn to by the person claiming the lien or by someone in his behalf. The claimant shall send by regular mail a copy of the statement to the owner at his last known address within seven (7) days of filing the statement with the county clerk. Any lien provided for in KRS 376.470 shall be dissolved if a copy of the statement is not sent to the property owner as provided in this subsection.
- (2) The county clerk shall endorse upon each statement the date of its filing, and shall make an abstract of the statement in a book to be kept by him for that purpose, properly endorsed and indexed, containing the date of filing, the name of the person seeking to enforce the lien, the amount claimed, the name of the person against whose animal the lien is filed, and a description of the animal charged with the lien. The clerk shall receive a fee pursuant to KRS 64.012 from the person filing the statement as full compensation, which shall be taxed and collected as other costs.
- (3) Any lien created under this section shall be dissolved unless an action is brought to enforce the lien within twelve (12) months from the day of filing the statement in the clerk's office as required by subsection (1) of this section. If the lienholder complies with all filing requirements under this section, and does so within the time herein fixed, his lien shall be valid and effective against any creditor of, or bona fide or other purchaser from, the owner of the animal, except as provided in KRS 257.105(2).
- (4) The procedure to enforce a lien under KRS 376.470 shall be as provided in KRS 376.110, 376.120, and 376.130.

Effective: July 13, 1990

History: Created 1990 Ky. Acts ch. 452, sec. 3, effective July 13, 1990.