

426.260 Motion for possession by purchaser -- notice -- judgment.

(1) The purchaser of land sold under execution and not redeemed, after obtaining a conveyance therefor may, upon ten (10) days' notice in writing to the defendant in the execution, whose lands have been sold, enter a motion on the docket in the circuit court of the county where the land is situated for a judgment for the possession of the land. If, upon the hearing of the motion, the court is of the opinion that the purchaser is entitled to the possession, it shall render a judgment accordingly and award possession, with costs. The proceedings on the motion shall be as provided in KRS 418.005 to 418.015, and Rule 6.03 of the Rules of Civil Procedure.

(2) The notice referred to in subsection (1) of this section shall be in substance as follows:

"A B to C D, notice:

"You are hereby notified that I will, on the day of, 19..., enter a motion on the docket of the circuit court for a judgment for the possession of certain lands situated in county, Kentucky, which lands are described as follows, viz.: (description), being the same lands bought by me at a sale duly held under execution which issued from the office of the clerk of court in favor of, plaintiff, vs, defendant. (See execution book, execution No.), A B."

History: Amended 1976 Ky. Acts ch. 91, sec. 37. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1689.