

425.046 Requirements of writ of possession.

- (1) The writ of possession shall meet all of the following requirements:
 - (a) The writ shall be directed to the sheriff;
 - (b) The writ shall describe the specific property to be seized in accordance with KRS 425.011(2)(c);
 - (c) The writ shall specify any private place that may be entered to take possession of the property or some part of it; and
 - (d) The writ shall direct the sheriff to levy on the property pursuant to KRS 425.091 if found and to retain it in his custody until released or sold pursuant to KRS 425.101.
- (2) The writ shall inform the defendant that he has the right to obtain redelivery of the property by filing a bond with one (1) or more sufficient sureties as prescribed by KRS 425.116 or that he has the right to except to the sureties upon the plaintiff's bond, a copy of which shall be attached to the writ.
- (3) The writ may at any time before judgment be directed to any county for the delivery of the property claimed.
- (4) The writ shall inform the defendant of his right to seek an order from the court, under KRS 425.081, to quash the writ and seek a release of the property seized.

Effective: July 13, 1984

History: Amended 1984 Ky. Acts ch. 158, sec. 3, effective July 13, 1984. -- Created 1976 Ky. Acts ch. 91, sec. 9.