

91.4882 Action in rem -- Pleadings -- Default judgment -- Cross-claim by taxing authority. (Effective until July 15, 2026)

- (1) Any action brought pursuant to KRS 91.488 to 91.4885 shall constitute an action in rem and the pleadings therein shall consist of a petition and an answer or answers.
- (2) An answer may be filed by any person or taxing authority owning or claiming any right, title or interest in or to any tax bill constituting a tax lien on the real estate described in the petition or by any person owning or claiming any right, title, or interest in or to, or lien upon, such real estate. An answer shall include the nature and amount of the interest and any defense or objection to the enforcement of the tax liens listed in the petitions, and may include the allegations usually incorporated by the appropriate pleadings.
- (3) Any answers shall contain the caption and number of the case, and the count number or numbers, as set out in the petition, of the parcels of real estate concerned. Such answer must be filed with the Circuit Court clerk and a copy thereof served on the collector not later than fifty (50) days after the date of the first publication of the notice of enforcement.
- (4) In the event of failure to answer within said fifty (50) day period, a default judgment may be taken on all parcels of real estate for which no answer has been filed.
- (5) Any taxing authority owning or claiming any interest, right or title in or to any tax bill constituting a tax lien on the real property described in the petition filed pursuant to KRS 91.4881 may either file a cross-claim or join the action as a co-plaintiff using the provisions of KRS 91.484 to 91.527, notwithstanding the provisions of KRS 134.010 et seq.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 314, sec. 2, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 42, sec. 1, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 111, sec. 53, effective July 13, 1984. -- Created 1982 Ky. Acts ch. 409, sec. 3, effective July 15, 1982.