

AN ACT relating to sales of property.

***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

➔Section 1. KRS 426.577 is amended to read as follows:

The conveyance shall be recorded ***by the master commissioner*** where~~[,]~~ by law it should have been recorded~~[,]~~ had it been made by the parties whose title is conveyed by it.

➔Section 2. KRS 382.130 is amended to read as follows:

Deeds executed in this state may be admitted to record:

(1) On the acknowledgment, before the proper clerk:~~[,]~~

***(a)*** By the party making the deed; ***or***

***(b) By the Master Commissioner, if the deed is being recorded pursuant to Section 1 of this Act;***

(2) By the proof of two (2) subscribing witnesses, or by the proof of one (1) subscribing witness, who also proves the attestation of the other;

(3) By the proof of two (2) witnesses that the subscribing witnesses are both dead; and also like proof of the signature of one (1) of them and of the grantor;

(4) By like proof that both of the subscribing witnesses are out of the state, or that one (1) is so absent and the other is dead; and also like proof of the signature of one (1) of the witnesses and of the grantor; ~~{or}~~

(5) On the certificate of a county clerk of this state, or any notary public, that the deed has been acknowledged before him by the party making the deed or proved before him in the manner required by subsection (2), (3),<sub>2</sub> or (4).

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 186A IS CREATED TO READ AS FOLLOWS:

***Notwithstanding any other provision of this chapter, a county clerk shall, following inspection of the vehicle by the sheriff to determine that the vehicle has not been stolen, has no liens against it, and is not owned by a person other than the owner of the real estate, issue a new title to a vehicle, clear of all prior liens, to the master***

commissioner after he provides to the county clerk an affidavit attesting that:

- (1) The vehicle was abandoned on the site of real property sold by the master commissioner pursuant to KRS Chapter 426;
- (2) Proper notice of the sale was given pursuant to KRS Chapter 426;
- (3) Neither the owner nor a lienholder has objected in writing to the person's right to obtain title to the vehicle;
- (4) The title will be transferred to the purchaser of the real property on which the vehicle was abandoned;
- (5) More than fourteen (14) days before presenting the affidavit to the county clerk, the master commissioner attempted to notify the owner of the vehicle and all known lienholders, including those noted on the title, by certified mail, return receipt requested, of his name, address, and telephone number as well as his intention to obtain a new title, clear of all prior liens, unless the owner or a lienholder objected in writing; and
- (6) Neither the owner nor a lienholder has objected in writing to the master commissioner's right to obtain title to the vehicle.