

426.460 Executions that may be replevied -- Form of bond.

- (1) Any execution on a judgment, which could be replevied before the execution issued, may be replevied for three (3) months at any time before a sale of property under the same, by the defendant giving to the officer a bond with good surety payable to the plaintiff, for the amount thereof including interest, costs, and half commission up to that time.
- (2) The bond shall be in substance as follows: "We, A B, principal, and E F, surety, do bind ourselves, three (3) months after the date hereof, to pay C D, the plaintiff in execution, the sum of \$, to bear interest from this date, being the amount of an execution which issued from the clerk's office of the court, on the day of in favor of the said C D, for the sum of \$ debt or damages, \$ interest, \$ cost of suit, \$ sheriff's (or constable's) half commission, amounting in the whole to the sum of \$ aforesaid, against the said A B; and we, A B and E F, his surety have hereby replevied the same. Witness our hands this day of, 19..."

Effective: January 2, 1978

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 430, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1669.