

**286.3-270 Fiduciary may act in own name -- Records -- Investments not subject to debts of fiduciary.**

- (1) In making real estate mortgage loans for the purpose of investing trust funds, a trust company or bank empowered to act as a fiduciary may make such mortgage loans in its individual name, and in connection with such loans may prosecute all suits and foreclosure actions, and may buy in, manage, lease, repair, and sell foreclosed property in its individual name, without reference to any trust or beneficial ownership.
- (2) Such trust company or bank shall at all times keep definite records showing fully and accurately all beneficial ownership in such loans, suits, or property, which records shall at all times be subject to the inspection and examination of either state or federal banking authorities.
- (3) Such mortgage loans and foreclosed property shall not be subject to the individual debts of the trust company or bank but shall belong to the beneficial owners thereof as shown by the records free from any claims against the trust company or bank.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4706.

**Formerly codified as** KRS 287.270.

**Legislative Research Commission Note (7/12/2006).** In accordance with 2006 Ky. Acts ch. 247, secs. 38 and 39, this statute has been renumbered as a section of the Kentucky Financial Services Code, KRS Chapter 286.