

416.350 Right of condemnation by owner to gain ingress or egress to public road.

- (1) The owner of any tract or parcel of land on which his residence is located, who has no means of ingress or egress to any public road or highway, may acquire by condemnation pursuant to the Eminent Domain Act of Kentucky a convenient right-of-way in order to attend courts and elections and discharge other duties required of him by law; such right-of-way shall not exceed in width thirty (30) feet over the lands intervening and lying between such tract or parcel of land and the public road nearest or most convenient thereto.
- (2) The right of condemnation conferred in subsection (1) of this section shall not exist in any of the following situations:
 - (a) Where the current owner or any of his predecessors in title purchased a tract or parcel of land having no means of ingress or egress to a public road or highway;
 - (b) Where the current owner or any of his predecessors in title sold a part of a tract or parcel of land, leaving the part retained without any means of ingress or egress to a public road or highway; or
 - (c) Where the current owner or any of his predecessors in title has had a part of his land taken by condemnation, the part not taken has no means of ingress or egress to a public road or highway, and the current owner or any of his predecessors in title has been compensated, by reason of the condemnation, for such loss of ingress or egress to a public road or highway.

Effective: July 15, 1980

History: Created 1980 Ky. Acts ch. 228, sec. 1, effective July 15, 1980.