

268.570 Owner may use drain as outlet -- May condemn intervening land.

Any owner may use the drain as an outlet for lateral ditches from his land. If his land is separated from the drain by the land of another and they are unable to agree as to the conditions on which one may enter another's land and construct the ditch, he may file his ancillary petition in the pending proceeding to the court, and secure condemnation as provided for in the Eminent Domain Act of Kentucky. When the ditch is constructed, it shall become a part of the drainage system and shall be under the control of the board and kept in repair by it.

Effective: June 19, 1976

History: Amended 1976 Ky. Acts ch. 140, sec. 105, effective June 19, 1976. --
Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky.
Stat. sec. 2380b-48.