

416.220 Owner of real estate providing public sleeping accommodations and meals -- Condemnation for water supply -- Furnishing of water to owner of property condemned.

- (1) The owner of real estate serving the public, providing sleeping accommodations and meals, when pure water is not available in adequate quantities, shall have the right to condemn on the banks of any navigable stream a tract of land not more than twenty (20) feet square and above the high water mark for a pumping station site and a right-of-way for a pipeline from said site to the deep water of the navigable stream and from said pumping station site to the point on the owner's real estate where the water is desired for use. The said property owner may condemn a right-of-way for an electric power line over the most direct course to the pumping station site. In the event the owner of such real estate finds it more desirable to make connections with the water system of a municipality or a water supply line leading from a navigable stream to the municipality or other source of supply, then said real estate owner may, at his option, condemn a right-of-way for a pipeline from said city water system or water supply line or other source of supply to the point on the owner's real estate where the water is desired for use, including such area as may be required to install and maintain pumps and meters for said water system and an electric line to conduct power to said pump with necessary electric control lines or apparatus. The owner of property condemning right-of-way for a water line under this section, may agree to supply the subject owner a quantity of water in lieu of cash compensation for the easement, and such agreement to supply water to the subject property owner shall not be construed to place a burden on the condemning party to supply water service to others or meet the obligation of a public utility to render water service.
- (2) The provisions of KRS 381.660, 381.670, and 381.680 shall be complied with except that when the pumping station site and pipeline are located on cliff land and do not cross any tillable land the pumps and pipe may be located above ground.
- (3) The procedure for condemnation shall be that set forth in the Eminent Domain Act of Kentucky.

History: Amended 1976 Ky. Acts ch. 140, sec. 126. -- Amended 1954 Ky. Acts ch. 47, sec. 1. -- Created 1946 Ky. Acts ch. 219, sec. 1.