

**106.220 Power of eminent domain.**

- (1) Any water district or municipality referred to herein shall have the right to acquire by exercise of the power of eminent domain all lands, easements, rights of way, either upon or under or above the ground, any existing water plant or water distribution system and appurtenances thereto, or any part of same, within the boundaries or corporate limits of such water district or city, and any and all real estate, franchises or personal property reasonably necessary or desirable in connection with the construction or operation or maintenance of water plants or water distribution systems, or improvements or extensions thereto, and the right to acquire same is hereby declared to be a superior and paramount right, superior and paramount to any other public use, and further provided that as in the eminent domain proceedings to acquire from any public or private utility a water plant or water distribution system the property condemned must include all the property owned by the utility within the corporate limits of the said water district or the city which is used or useful in connection with the business of providing water service.
- (2) The condemnation or eminent domain proceedings shall be brought in the name of the water district or in the name of the municipality, and title to the property so condemned shall be taken in the name of the water district or municipality as the case may be.

**Effective:** June 17, 1954

**History:** Created 1954 Ky. Acts ch. 18, sec. 22, effective June 17, 1954.