

**177.070 Purchase of right-of-way -- Donations.**

- (1) Except as provided in subsection (2), the department may agree with any landowner as to the value of a right-of-way and if the agreement is approved by the county attorney the fiscal court shall enter an order directing the payment of the amount agreed upon to the landowner, and the agreement shall be entered upon the county court's records.
- (2) The department may contract with the owners of private surfaced roads necessary to be incorporated in the primary road system, and agree upon the price to be paid, subject to the approval of the county judge/executive and county attorney in each county where such roads are located. Upon receipt of the certificate of the county judge/executive and county attorney showing the transfer and total cost, the Finance and Administration Cabinet shall draw its warrant upon the State Treasurer for payment of the amount certified. The state shall not pay for private roads owned by counties.
- (3) Any landowner may donate a right-of-way across his land for any primary road, by executing a deed to the department for the use and benefit of the state for such right-of-way.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4356t-7.