

**267.270 Method of construction when improvement crosses railroad property --
Cost.**

- (1) After the contract is let and the actual construction is commenced, if the work is being done with a floating dredge, the superintendent in charge of construction shall notify any railroad company of the probable time at which the contractor will be ready to enter upon its right-of-way and construct the work thereon. The railroad shall send a representative to view the ground with the superintendent of construction and arrange the exact time at which such work can most conveniently be done. At the agreed time the railroad company shall remove any obstructions necessary to permit the dredge to excavate the channel across its right-of-way. The work shall be so planned and conducted as to interfere in the least possible manner with the railroad's business.
- (2) Within thirty (30) days after the work is completed, an itemized bill for the actual expense incurred by the railroad company for opening its tracks shall be made and presented to the superintendent of construction. This bill shall not include the cost of putting in a new bridge or strengthening or enlarging an old one. The superintendent of construction shall audit this bill, and if found correct shall approve and file it with the secretary of the board. The board shall deduct the cost of the excavation done by the dredge on the right-of-way of the railroad company at the contract price, and pay any difference to the railroad.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2380-13.