

268.500 Subsequent owner's privity -- Apportionment of assessment.

- (1) Any person who acquires title to any property affected by any proceeding under this chapter, after the filing of the petition for establishment of any district and the giving of notice thereof by the clerk of the court, shall be deemed privy to the person owning or in possession under claim of ownership at the time of filing the petition, and shall be bound by all subsequent proceedings as the owner at that time would have been bound if he had remained owner of the property. The property assessed shall in each instance be liable for the assessment against it, and each installment of any assessment shall be paid by the owner in possession at the time any installment becomes due.
- (2) Any land assessed for benefits in which one or more persons own the life estate with the remainder to some other person, shall be assessed as any other land by the appraisers, and the name of the life tenant and the remainderman reported if known, but the remainderman or reversioner need not be brought in the proceedings before his interest becomes vested. The assessment may be paid by either the life tenant or the remainderman, and when so paid the owner not paying shall be liable to the one who pays the assessment for such proportion of the amount paid as his interest in the property bears to the total property assessed according to the life tables at the time in use in this state. The person who pays shall have, for his own benefit, the same lien provided for the original assessment, which may be enforced by action in any court of competent jurisdiction. An owner of any undivided interest in lands may pay the whole assessment and be entitled to like contribution and substitution.

Effective: January 2, 1978

History: Amended 1976 (1st. Extra. Sess.) Ky. Acts ch. 14, sec. 251, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2380b-41, 2380b-52.