

382.850 Transfer of easement -- Effect on mining operations and on eminent domain powers.

- (1) A conservation easement shall not be transferred by owners of property in which there are outstanding subsurface rights without the prior written consent of the owners of the subsurface rights.
- (2) A conservation easement shall not operate to limit, preclude, delete or require waivers for the conduct of coal mining operations, including the transportation of coal, upon any part or all of adjacent or surrounding properties; and shall not operate to impair or restrict any right or power of eminent domain created by statute, and all such rights and powers shall be exercisable as if the conservation easement did not exist.

Effective: July 15, 1988

History: Created 1988 Ky. Acts ch. 251, sec. 6, effective July 15, 1988.