

148.121 Condemnation of land designated by United States for parks -- Procedure.

- (1) The commission may condemn any land or any interest in land within areas designated by the United States for park sites. Condemnation proceedings shall be exercised in accordance with the Eminent Domain Act of Kentucky. No condemnation proceedings shall impose on the state any liability for which provision has not previously been made. The commission shall also pay the expenses of condemnation proceedings, judgments and awards in condemnation proceedings, and other expenses necessary to acquire property.
- (2) The action shall be brought in the Circuit Court where the property lies by the Attorney General, and the county attorney of that county at the direction of the Attorney General shall assist in the prosecution of said action.
- (3) It shall not be mandatory for the commission to take the property at the price fixed by the jury or court judgment. However, in case the commission does not take the property, and perform all requirements of the judgment rendered by the court, then and in that event said commission shall pay the property owner all expenses as he may have incurred incident to the law suit, including attorney's fees, and the property owner may have judgment in the original action upon filing proper proof thereof with the court.

Effective: January 2, 1978

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 160, effective January 2, 1978. -- Created 1964 Ky. Acts ch. 157, sec. 14.