

**178.025 Road presumed established -- Presumption of width and area of public road right-of-way.**

- (1) Any road, street, highway, or parcel of ground, dedicated and laid-off as a public way and used without restrictions on a continuous basis by the general public for fifteen (15) consecutive years, shall conclusively be presumed to be a public road.
- (2) In the absence of any record, the width of a public road right-of-way shall be presumed to extend to and include that area lying outside the shoulders and ditch lines and within any landmarks such as fences, fence posts, cornerstones, or other similar monuments indicating the boundary lines.
- (3) In the absence of both record or landmark, the right-of-way of a public road shall be deemed to extend to and include the shoulders and ditch lines adjacent to said road and to the top of cuts or toe of fills where such exist.

**Effective:** July 12, 2006

**History:** Amended 2006 Ky. Acts ch. 236, sec. 1, effective July 12, 2006. -- Amended 2004 Ky. Acts ch. 61, sec. 2, effective July 13, 2004. -- Created 1966 Ky. Acts ch. 108, secs. 1 to 3.