

**262.916 Legal action by board for violation of easement.**

- (1) If the PACE board finds what it believes is a violation of the terms of any easement by the property owner, it may take appropriate legal action. Except when an ongoing or imminent violation could irreversibly diminish or impair the agricultural productivity of the restricted land, the PACE board shall give the landowners written notice of the violation and sixty (60) days to correct it, before taking legal action.
- (2) The owner of the restricted land shall bear all costs associated with the correction of a violation of the easement, including:
  - (a) Costs of work required and materials used to correct the violation and restore the restricted land to its condition prior to the violation;
  - (b) Administrative costs incurred by the PACE board; and
  - (c) Court costs and reasonable attorney's fees incurred by the PACE board in enforcing the easement.

**Effective:** July 15, 1994

**History:** Created 1994 Ky. Acts ch. 390, sec. 27, effective July 15, 1994.