

269.260 Withdrawal of land from drainage district.

- (1) If at any time any person or persons owning lands within any drainage district desires to withdraw his lands in whole or in part from the drainage district, such person or persons upon the approval of a majority of the qualified members of the drainage board may petition the county judge/executive for a withdrawal of his or their lands from the district. The county judge/executive shall set a date for a hearing on the petition not less than fifteen (15) nor more than thirty (30) days after the petition is filed and issue and cause to be served upon the drainage board notice of the hearing. Upon proper showing that the lands should be withdrawn from the drainage district, and if no valid reason is shown against the withdrawal of the lands from the drainage district, the county judge/executive shall enter an order withdrawing the lands. After the order of withdrawal is entered, the lands shall cease to be within the drainage district, but an appeal may be taken from the order to the Circuit Court, and from the Circuit Court to the Court of Appeals. All costs in any action filed are to be paid by the petitioner or petitioners regardless of the result of the action.
- (2) The withdrawal of lands from a drainage district as provided for in subsection (1) of this section shall not relieve land already within a drainage district from the payment of its proportionate part of any bonds or other outstanding indebtedness which were issued or incurred in the district, but shall only relieve the land from the payment of maintenance assessments on the ditches.

Effective: June 17, 1978

History: Amended 1978 Ky. Acts ch. 384, sec. 429, effective June 17, 1978. -- Created 1942 Ky. Acts ch. 45, secs. 1 and 2.