

**177.250 Acquisition of property and property rights -- Options to acquire -- Administrative regulations.**

- (1) For the purposes of KRS 177.220 to 177.310, the highway authorities of the state, county, or city may acquire private or public property and property rights for limited access facilities and service roads, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation in the same manner as such units are authorized by law to acquire property or property rights in connection with highways and streets within their respective jurisdiction. Except as provided in subsection (2) of this section, all property rights acquired under the provisions of KRS 177.220 to 177.310 shall be in fee simple. In connection with the acquisition of property or property rights for any limited access facility or portion thereof, or service road in connection therewith, the state, county, or city highway authority may, in its discretion, acquire an entire lot, block, or tract of land, if by so doing, the interests of the public will be best served, even though said entire lot, block, or tract is not immediately needed for the right-of-way proper.
- (2) A city, county, or urban-county independently, or any combination of a city, county, or urban-county that have entered into an interlocal cooperative agreement under KRS 65.210 to 65.300, may purchase options to acquire property or property rights on highways or streets within their respective jurisdictions if the property or property rights to be acquired are for highway projects included in:
  - (a) The most recent twenty (20) year statewide transportation plan adopted by the Transportation Cabinet and submitted to the Federal Highway Administration;
  - (b) The most recent six (6) year road plan enacted by the General Assembly;
  - (c) The most recent long-range transportation plan adopted by a metropolitan planning organization and submitted to the Transportation Cabinet; or
  - (d) The most recent recommendations of an area development district transportation committee that have been submitted to the Transportation Cabinet.
- (3) The secretary of the Transportation Cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish guidelines governing the purchase of options under subsection (2) of this section.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 78, sec. 40, effective June 25, 2009. -- Amended 1998 Ky. Acts ch. 131, sec. 1, effective July 15, 1998. -- Amended 1966 Ky. Acts ch. 255, sec. 163. -- Created 1946 Ky. Acts ch. 255, sec. 5.