

256.120 Railroad or adjoining owner may require other to erect portion of fence.

- (1) When a railroad or the owner of lands adjoining the railroad right-of-way constructs a good lawful fence on the division line between the right-of-way and the lands adjoining the right-of-way for one-half (1/2) the length of the line, and the other party has not constructed the fence on the line for half the length, nor has paid a sum sufficient to construct the fence, or any sum by agreement in lieu of such a sum, the party who has constructed the fence shall, in writing, notify the party in default of the length of the division line between them, and that the party serving the notice has constructed a good lawful fence on the division line for one-half (1/2) the length.
- (2) The party on whom the notice is served shall construct a good lawful fence on the other half of the distance of the division line, within four (4) months after the date of receiving the notice. Where the railroad is in default, notice may be served on the nearest station agent of the railroad.
- (3) No person upon whom the notice has been served shall fail to construct the fence within the time prescribed.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1791.