

1 AN ACT relating to eminent domain.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 416.670 is amended to read as follows:

4 (1) Development shall be started on any property which has been acquired through
5 condemnation, for the purpose for which it was condemned, within a period of
6 eight (8) years from the date of the deed to the condemnor or the date on which the
7 condemnor took possession, whichever is earlier~~for the purpose for which it was~~
8 ~~condemned. The failure of the condemnor to so begin development shall entitle the~~
9 ~~current landowner to repurchase the property at the price the condemnor paid to the~~
10 ~~landowner for the property. The current owner of the land from which the~~
11 ~~condemned land was taken may reacquire the land as aforementioned].~~

12 (2) **Subsection (3) of this section shall apply to:**

13 (a) Any property for which the condemnor~~who~~ fails to:

14 1. Develop after acquiring~~property acquired~~ by condemnation; or

15 2. ~~who fails to~~Begin design on highway projects pursuant to KRS
16 Chapter 177 within a period of eight (8) years after acquisition; or~~;~~

17 (b) **Any remaining property that was acquired through condemnation for a**
18 **highway project pursuant to KRS Chapter 177 and was not used after the**
19 **completion of the project.**

20 (3) **The current landowner of any property described in subsection (2) of this section**
21 **is entitled to repurchase the property at the price the condemnor paid to the**
22 **landowner for the property.**

23 (4) **The condemnor** shall notify the current landowner of the provisions of~~subsection~~
24 ~~(1) of~~ this section. If the current landowner refuses to purchase property described
25 in this section, public notice shall be given in a manner prescribed in KRS Chapter
26 424 within thirty (30) days of the refusal, and the property shall be sold at auction.
27 ~~[Provided, however, that]~~This section shall not apply to property acquired for

1 purposes of industrial development pursuant to KRS Chapter 152 or a project of a
2 transportation improvement district under KRS 184.350 to 184.395.

3 ~~(5)~~~~(3)~~ If there are two (2) or more current owners of the land from which the
4 condemned land was taken because the remaining land was subdivided, and if they
5 have a common boundary with the condemned land, the condemned land shall be
6 reacquired by allowing all owners of a parcel of the remaining land with a common
7 boundary and from which the condemned land was taken to offer sealed bids for the
8 condemned land within thirty (30) days of notification by the condemnor. The
9 condemnor shall accept the highest and best sealed bid equal to or greater than the
10 price paid at the time of condemnation. If there are no sealed bids or if all sealed
11 bids are below the original price paid by the condemnor for the property, the
12 property shall be sold at auction.