WEST VIRGINIA CODE: §16-13D-22

§16-13D-22. Acquisition by condemnation.

For the purpose of acquiring any lands, rights, or easements considered necessary or incidental for the purposes of the authority, each authority has the right of eminent domain within or without the boundaries of the authority to the same extent and to be exercised in the same manner as now or hereafter provided by law for the right of eminent domain by cities, incorporated towns, and other municipal corporations: *Provided*, That the power of eminent domain provided in this section does not extend to highways, road and drainage easements, or stormwater facilities constructed, owned, or operated by the West Virginia Division of Highways without the express agreement of the Commissioner of Highways.

WV Legislature