

ACQUIRING PROPERTY FOR HIGHWAY PURPOSES (EXCERPT)
Act 352 of 1925

213.175 Determination of necessity; filing and recording; compensation for property.

Sec. 5. Such determination may be filed with the county clerk if with reference to a county road, and in the office of the state highway commissioner if with reference to a state trunk line highway, and a certified copy thereof recorded in the office of the register of deeds of the county in which the property is situated. Such register of deeds shall receive such instrument for record only from the highway officials in charge of the matter. Compensation for the taking of the property therein described shall promptly thereafter be paid or tendered to the owner thereof if known and residing in the county in which the land is situated, and if such tender be not accepted or the owner shall be unknown, or a non-resident of the county, by depositing with the county or state treasurer, as the case may be, the amount determined as the damages to be paid as such compensation, the same to be paid to the person or persons entitled thereto upon the execution or delivery of the proper release or releases or subject to the order of the court in case of defaults or an award of damages by court commissioners as hereinafter provided. In case it shall be so determined that the benefits equal or exceed the damage, payment, tender or deposit as aforesaid shall not be necessary, but such fact shall be clearly set forth in the notice required by section 6 hereof.

History: 1925, Act 352, Imd. Eff. May 27, 1925;—CL 1929, 3888;—Am. 1937, Act 237, Eff. Oct. 29, 1937;—Am. 1941, Act 279, Eff. Jan. 10, 1942;—CL 1948, 213.175.