

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

213.176 Possession notice; vesting of title; removal of obstructions on property.

Sec. 6. Upon the filing of such determination and proof of payment, tender or deposit as above provided, the board or commissioner having the matter in charge shall give notice thereof to the owners or occupants of the property therein described, which notice shall be served as provided in section 29 of this act. Said notice shall state that the said board or commissioner is about to take possession of said property for the highway purposes in said determination stated, and in cases where it is determined that benefits equal or exceed damage, such fact shall be clearly set forth in said notice, which may also direct the owners or occupants of such property to remove their fence or fences or other obstructions and encroachments within 10 days thereafter. Upon the filing of such determination and the giving of such notice, the title, and the right of possession to all of the property and property rights described in the determination shall vest in the county or state, as the case may be, for the purpose or purposes therein stated, and in case the owners or occupants thereof shall neglect or refuse to remove their fence, fences and other obstructions and encroachments within 10 days, the board or commissioner shall have the full power, and it shall be their duty to enter upon the premises with such aid and assistance as shall be necessary and remove such fence or fences, obstructions or encroachments without delay: Provided, That no person interested as owner, or otherwise, in any of the property described in such determination, shall be required to vacate any lands or premises or move any dwelling house or other building until after the damages, if any, determined as aforesaid, for the taking of such property have been paid or tendered, and the notices given, in accordance with the provisions of sections 4, 4a, 5 and 6 of this act.

History: 1925, Act 352, Imd. Eff. May 27, 1925;—Am. 1927, Act 92, Imd. Eff. Apr. 30, 1927;—CL 1929, 3889;—Am. 1931, Act 216, Eff. Sept. 18, 1931;—Am. 1937, Act 237, Eff. Oct. 29, 1937;—Am. 1941, Act 279, Eff. Jan. 10, 1942;—CL 1948, 213.176.