

ACQUISITION OF PROPERTY FOR PUBLIC HIGHWAYS (EXCERPT)
Act 295 of 1966

213.365 Property; adjacent land, cemeteries, exchanges, parcels of property.

Sec. 5. This act extends to and includes:

(a) The right to acquire and take property adjacent to that required for public purposes for the purpose of exchanging it for property required or of replatting or rearranging the property abutting on the public improvement after the taking so as to conform with the plan or arrangement in effect before the taking.

(b) The right to acquire and take property and property rights held, reserved, owned, used or occupied by any cemetery association, or by any person, firm, society, association or corporation for cemetery purposes.

(c) The right to acquire and take property which is to be exchanged for public property needed for highway purposes pursuant to an agreement in writing with the owner or owners of such public property for such exchange.

(d) The right and duty to acquire and take the fee to a whole of a particular parcel of land whenever the acquisition of the portion thereof actually needed would destroy the practical value or utility of the remainder of such parcel. The question as to whether or not the practical value or utility of the remainder is in fact destroyed shall be determined by the court or jury and incorporated in its verdict.

History: 1966, Act 295, Imd. Eff. July 14, 1966;—Am. 1967, Act 206, Imd. Eff. July 10, 1967.