

THE DRAIN CODE OF 1956 (EXCERPT)
Act 40 of 1956

280.564 Lands and rights of way; condemnation, procedure, federal governmental participation; costs.

Sec. 564. The board shall then proceed to secure the necessary lands and/or rights of way for the proposed project. If the same cannot be secured by negotiation, then the board may proceed under the provisions of Act No. 149 of the Public Acts of 1911, as amended, being sections 213.21 to 213.41, inclusive, of the Compiled Laws of 1948, and shall be deemed to be a "state agency" as that term is used in said act, or if the project is one in which the federal government is participating in any manner, then such lands and/or rights of way may be acquired through proceedings brought by the federal government under any appropriate federal act: Provided, That no condemnation proceeding under this act shall be instituted until the board has first given written notice by registered mail to the highway agencies having jurisdiction over any highway, road or street affected by the lands or rights of way to be acquired by such condemnation proceeding. In event that lands and/or rights of way shall be acquired through proceedings under a federal act, then the amount of the awards in such proceeding shall be deemed to be a part of the cost of the project to the same extent as if the condemnation proceedings had been taken under the laws of this state.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956.

Popular name: Act 40