

**CONDOMINIUM ACT (EXCERPT)**  
**Act 59 of 1978**

**559.172b Air space over fee.**

Sec. 72b. (1) A condominium project may be established for property consisting of a separate legal parcel in space that is considered the air space over a fee, improved or unimproved, in real property law. Such a condominium project may be provided easements, licenses, and other rights as may be necessary to provide access to and otherwise serve the needs of the project from the underlying surface parcel.

(2) This section applies to any question regarding whether any air space existing over a fee may be submitted to, and established as, a condominium under this act and applies to development as a condominium of air space over a fee.

**History:** Add. 2000, Act 379, Imd. Eff. Jan. 2, 2001.