

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

**213.171 Property; acquisition by county road or state highway commissioners; approval of required officials.**

Sec. 1.

Boards of county road commissioners, with the approval of the board of supervisors, and the state highway commissioner are hereby authorized and empowered to secure from the owners thereof:

(a) Property for the right of way for any highway to be laid out, altered, or widened, or for changing the line thereof;

(b) Gravel, rock, sand, dirt and any and all other materials that may be needed for the proper construction, improvement or maintenance of a highway;

(c) Property deemed by the board or commissioner to be necessary to give to persons using a highway a clear view of approaching persons and vehicles, cars, trains and other instruments of travel, at any intersection of a highway with another highway or with a railroad track;

(d) Property deemed by the board or commissioner to be necessary to change the channel of any water course, natural or artificial, in order to maintain a proper alignment of any highway without crossing such water course and the riparian rights of any person, firm or corporation in or pertaining to any such water course;

(e) The fee or any lesser estate in land abutting on any highway right of way and deemed by the board or commissioner to be necessary for the storage of road machinery, equipment or materials;

(f) Property deemed by the board or commissioner to be necessary for the location, development and construction of off-street parking places for vehicles, to facilitate the flow of traffic on sections of the highways forming by-passes around and connections into and through municipalities and metropolitan areas, upon which sections parking is permanently prohibited;

(g) Property deemed by the board or commissioner to be necessary for the construction, adjacent to the highways, of flight strips for the landing and take off of aircraft in order to insure greater safety for traffic. For the purpose of uniformity the size, location, layout, lighting and markings of such flight strips shall be in conformity with rules and regulations to be prescribed by the commissioner;

(h) Any and all other property and property rights deemed by the board or commissioner having jurisdiction over a highway to be necessary for the proper construction, improvement, landscaping, or maintenance thereof, including the development, construction and maintenance, adjacent to such highways, of roadside springs, parking spaces, and information lodges, in the interest of the beneficial use of such highways by the traveling public;

(i) The state highway commissioner and boards of county road commissioners are authorized and empowered to take property and property rights under the provisions of this act within the limits of any incorporated city or village in this state: Provided, however, That before any proceedings are taken under this act involving the taking of any property or property rights in any city or village for the changing, altering, opening or widening of any street or highway, said street or highway shall be taken over as county road or designated as a state trunk line or federal aid highway, as the case may be, and the consent of the village or city council by resolution so to take over or designate said street or highway as a county road or state trunk line or federal aid highway shall be first obtained.

**History:** 1925, Act 352, Imd. Eff. May 27, 1925 ;-- Am. 1927, Act 92, Imd. Eff. Apr. 30, 1927 ;-- CL 1929, 3884 ;-- Am. 1937, Act 237, Eff. Oct. 29, 1937 ;-- Am. 1941, Act 279, Eff. Jan. 10, 1942 ;-- Am. 1942, 2nd Ex. Sess., Act 21, Imd. Eff. Mar. 2, 1942 ;-- CL 1948, 213.171