

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

213.183 Default of persons not appearing; court-appointed commissioners; discontinuance.

Sec. 13.

On the day fixed as aforesaid, the court shall enter the default of all persons interested in the property described who have not appeared, and shall direct the payment to such persons of the sums stated in the determination aforesaid, as compensation for the taking of the pieces or parcels of property in which they are interested; and the court shall also, unless sufficient cause to the contrary be shown, appoint 3 disinterested persons commissioners, herein called court commissioners, whose duty it shall be to appraise the damages to be paid as compensation for the taking of the property described in the petition, in respect to which an appearance is made, for highway purposes. Said commissioners shall not be residents of the township in which the property sought to be taken is situated. The court shall fix the time and place for the first meeting of such court commissioners, and require their attendance; it may also authorize the court commissioners to adjourn their meeting from time to time not later than to a day to be named, and shall fix the time for filing their report. After the appointment of court commissioners, no discontinuance shall be filed and no order of discontinuance may be entered except upon payment of expenses of the proceeding and reasonable attorney fees of all parties in interest who have appeared in said proceedings, under the order of the court.

History: 1925, Act 352, Imd. Eff. May 27, 1925 ;-- CL 1929, 3896 ;-- Am. 1937, Act 237, Eff. Oct. 29, 1937 ;-- Am. 1941, Act 279, Eff. Jan. 10, 1942 ;-- CL 1948, 213.183