

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

213.190 Confirmation of commissioner's report; witness, attorney, damage fees.

Sec. 20.

After the court shall confirm the report of the court commissioners, it shall enter an order authorizing the board or commissioner to pay the several sums awarded for damages, and they shall pay the same accordingly. The court may determine and include in said order an allowance to the person, partnership or corporation from whom property is taken for attorney fees and witness fees as taxed before and determined by the court. Such attorney fees and witness fees shall be paid at the same time and in the same manner as sums awarded for damages in such proceeding: Provided, That it shall not be lawful for the court to make such order allowing witnesses and attorney fees to more than 1 title interest and such lien interests as are adverse thereto and to each other in any single parcel of real estate as set up and described in the determination of necessity on file: And provided further, That in the case of a parcel whose value is under \$100.00, no such attorney fee shall exceed \$5.00, and in the case of a parcel valued at \$100.00 or more, no such attorney fee shall exceed \$25.00. Such payment shall be made in money or by an order drawn on the proper county or state treasurer, to the several persons entitled thereto, and if refused, or if there be no person properly authorized to receive the same, or if the person entitled thereto is a non-resident of the county or cannot be found, it shall be deposited as directed by the court.

History: 1925, Act 352, Imd. Eff. May 27, 1925 ;-- CL 1929, 3903 ;-- Am. 1937, Act 237, Eff. Oct. 29, 1937 ;-- Am. 1941, Act 279, Eff. Jan. 10, 1942 ;-- CL 1948, 213.190