

PUBLIC HIGHWAYS AND PRIVATE ROADS (EXCERPT)
Act 283 of 1909

224.14 Condemnation; meeting of court commissioners; adjournment; conducting business at public meeting; notice; subpoenas; oaths; view of premises; hearing proofs and allegations; decision; report; further proceedings; determination of damages.

Sec. 14.

(1) The court commissioners shall meet at the time and place ordered by the court. If all the commissioners do not appear, a smaller number may adjourn to a time certain, but an adjournment shall not be made to a day later than the time allowed by the court.

(2) The business which the court commissioners may perform shall be conducted at a public meeting held in compliance with Act No. 267 of the Public Acts of 1976. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. The court or the clerk of the court may issue subpoenas to compel the attendance of witnesses before the court or before the court commissioners. A court commissioner may administer oaths to witnesses. The court commissioners, at the time fixed by the court or at the time fixed by adjournment, shall view the premises described in the petition, hear the proofs and allegations of the parties, and render a decision in the premises. The court commissioners shall report the decision in writing, signed by them or a majority of them, at the time fixed for that purpose. If the decision is that the road is unnecessary or that a part of the land described in the petition is unnecessary to be taken for the road, further proceedings for the establishment of the road shall not be taken for 1 year after that decision. If the decision is that the proposed road is necessary and that the land is necessary to be taken for the road, the court commissioners shall appraise the damages to be paid as compensation to each person interested for each parcel of land. In determining the damages, the commissioners shall take into consideration the benefits accruing to the owners of the land by reason of the laying out, straightening, altering, or widening the highway.

History: 1909, Act 283, Eff. Sept. 1, 1909 ;-- CL 1915, 4360 ;-- Am. 1925, Act 191, Imd. Eff. May 5, 1925 ;-- CL 1929, 3989 ;-- CL 1948, 224.14 ;-- Am. 1978, Act 264, Imd. Eff. June 29, 1978

Former Law: See section 14 of Act 149 of 1893, being CL 1897, § 4275.

Popular Name: County Road Law