

**DEVELOPMENT OF BLIGHTING PROPERTY (EXCERPT)**  
**Act 27 of 2002**

\*\*\*\*\* 125.2807 THIS SECTION IS REPEALED BY ACT 27 OF 2002 EFFECTIVE MARCH 6, 2007 \*\*\*\*\*

**125.2807 Acquisition of property by purchase or condemnation; transfer by municipality; classification of property as residential; order restoring person's legal interest in property.**

Sec. 7. (1) A municipality may offer to purchase property designated as blighting property under this act at the fair market value or to acquire the property by donation or exchange. If the offer is rejected, the municipality may institute proceedings under the power of eminent domain under the laws of this state or provisions of any local charter relative to condemnation.

(2) Except as otherwise provided in subsection (3), within 119 days after a municipality acquires title to a blighting property or a condemnation award for the blighting property is ordered under the uniform condemnation procedures act, 1980 PA 87, MCL 213.5 to 213.75, whichever is later, the municipality shall either transfer the property for development or have adopted a written development plan for the property.

(3) A municipality that under subsection (2) transfers title to a blighting property that is classified as residential may transfer the property for affordable low income housing to a person that has experience with and is able to demonstrate financial capacity developing affordable low income housing. A municipality that does not transfer title to a blighting property that is classified as residential under subsection (2) shall develop the property in accordance with the written development plan adopted under subsection (2).

(4) If a municipality fails to comply with subsection (2) or (3), a person whose legal interest in the property was conveyed by sale, donation, exchange, or condemnation as provided for under subsection (1) may bring an action in the circuit court to compel the municipality to convey that legal interest back to that person. Upon a finding that the person bringing the action has a plan likely to result in the development of that property consistent with applicable law and that the municipality has not complied with subsection (2) or (3), the court shall enter an order restoring the person's legal interest in the property. An order entered under this subsection shall require all of the following:

(a) That all amounts paid in consideration for the property, including any taxes extinguished under section 8, be repaid and, if applicable, distributed to the appropriate taxing jurisdiction.

(b) That all costs incurred by the municipality for demolition, environmental response activities, title clearance, and site preparation be repaid.

(c) That the court retain jurisdiction to determine if the development plan presented by the petitioner is implemented.

**History:** 2002, Act 27, Imd. Eff. Mar. 6, 2002.