

CONDEMNATION BY STATE (EXCERPT)
Act 236 of 1911

213.4 Objections to report filed; confirmation; deposit; vesting of title; payment of compensation; dismissal; expenses; record.

Sec. 4.

The court shall hear objections, if any, to the report of the commissioners or jury, as the case may be, and may set aside the report and finding, or confirm the same, and if confirmed, shall enter a judgment of confirmation, and that all right, title and interest of, in, and to the land and premises, vest in the state of Michigan: Provided, That the state, within such time as shall be therein prescribed, shall deposit in the court the amount found by the report of the commissioners or jury, as the just compensation and damages to be paid to the owners and persons interested. If, within the time so prescribed, the state shall cause to be deposited the sum so found, the court shall thereupon enter an order and judgment that the title of the state in and to said land and every part thereof is perfect, and has become absolute, and may issue the necessary writ of assistance, commanding the sheriff to deliver the possession of such land to the state; and thereupon the title and right of the state to such land shall be absolute and binding against all persons whomsoever. The persons owning and interested in said land according to the report and finding aforesaid, shall be entitled, on applying to the court, to be paid on the order of the court the amount or sum to which they are respectively entitled, according to such report or finding; for the sum received they shall respectively give to the clerk their receipt, in writing, to be by the clerk forwarded to the state treasurer. In case the state does not, within the time so prescribed, deposit in court the amount of compensation and damages awarded, the court shall order the proceedings dismissed, and the state take nothing thereby. In the proceedings authorized by this act the court shall, as to the practice and mode of proceedings, be governed by the rules applicable in cases at law, except as is in this act otherwise expressly provided. The expense of the proceedings shall be paid by the state, and a certified copy of the record of the proceedings and judgment of the court shall, together with the record thereof in the office of the register of deeds of the county, be evidence in all courts and places.

History: 1911, Act 236, Eff. Aug. 1, 1911 ;-- CL 1915, 352 ;-- CL 1929, 3762 ;-- CL 1948, 213.4