# TAKING PROPERTY OF PUBLIC HOSPITAL, COLLEGE, OR UNIVERSITY

## Act 288 of 1957

AN ACT to prescribe procedure for taking property of a public hospital or public college or public university for public use.

**History:** 1957, Act 288, Imd. Eff. June 14, 1957

The People of the State of Michigan enact:

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### 213.301 Property of public college, university or hospital; condemnation, definitions.

Sec. 1.

As used in this act

(a) "Public hospital" means a hospital whose property, or any portion of whose property, is exempt from taxation under the provisions of Act No. 206 of the Public Acts of 1893, as amended, being sections 211.1 to 211.157 of the Compiled Laws of 1948.

(b) "Public college" and "public university" mean any such institution which has been established for at least the 10 years immediately preceding any proposed taking of any of its property and which is empowered by the state to grant degrees.

**History:** 1957, Act 288, Imd. Eff. June 14, 1957

### 213.302 Property of public college, university or hospital; determination of relative necessity.

Sec. 2.

No property of any public hospital or public college or public university shall be taken by the public or by any corporation for public use unless there has been a determination that the public use for which the property is to be taken is more necessary to the public than the present use or any reasonably contemplated future use to which it is or may be put by the public hospital or public college or public university.

**History:** 1957, Act 288, Imd. Eff. June 14, 1957

### 213.303 Property of public college, university or hospital; judicial determination of necessity.

Sec. 3.

The judicial determination of relative necessity hereby required shall be obtained in the same manner as is prescribed for a declaration of rights under Act No. 36 of the Public Acts of 1929, being sections 691.501 to 691.507 of the Compiled Laws of 1948, and shall be a condition precedent to the commencement hereafter of any other judicial proceedings for the taking of any such property.

**History:** 1957, Act 288, Imd. Eff. June 14, 1957

**213.304 Judicial determination; abatement of pending proceedings.**

Sec. 4.

This act shall abate all pending judicial proceedings for the taking of any such property in which judgment has not become final prior to the effective date hereof.

**History:** 1957, Act 288, Imd. Eff. June 14, 1957

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