FRANCHISE OF PLANK OR TOLL ROAD COMPANIES; PURCHASE OR CONDEMNATION

Act 67 of 1891

AN ACT to provide for the purchase or condemnation of the franchise of plank or toll road companies by electric or street railroad companies.

History: 1891, Act 67, Eff. Oct. 2, 1891

The People of the State of Michigan enact:

472.101 Street or electric railway; acquisition of franchise of toll road company; purchase.

Sec. 1.

That any street or electric railway company of this state may purchase all or any portion of the rights and franchise of any toll road company, in any of the streets, avenues or highways of this state, at a valuation to be agreed upon between the directors of the said electric or street railway companies and the board of directors of said toll or plank road company.

History: 1891, Act 67, Eff. Oct. 2, 1891 ;-- CL 1897, 6470 ;-- CL 1915, 8568 ;-- CL 1929, 11326 ;-- CL 1948, 472.101

472.102 Street or electric railway; condemnation, procedure, limitations.

Sec. 2.

In case no agreement can be reached for the purchase of the right of such toll road company, said electric or street railway company is authorized to condemn such rights and franchise of said toll or plank road company in which condemnation such street or electric railway company shall proceed as in the condemnation of lands or franchises for railroad purposes under chapter 91 of the third volume of Howell's annotated statutes, being chapter 75 of the Compiled Laws of 1871, and all acts amendatory thereto, so far as the same are applicable: Provided, however, That said street or electric railway company shall only condemn that part of the franchise of said toll or plank road company as may lie between its old established road bed and the side line of the street, except where it may be necessary to cross the street or go where a toll house may happen to be located: Provided, That the provisions of this act shall not be so construed as to [affect] effect the rights of abutting property owners or the rights of the public in such highways.

History: 1891, Act 67, Eff. Oct. 2, 1891 ;-- CL 1897, 6471 ;-- CL 1915, 8569 ;-- CL 1929, 11327 ;-- CL 1948, 472.102

Compiler's Notes: For provisions of chapter 91, referred to in this section, see MCL 463.1 et seq.

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