SERVICE ON UNKNOWN OWNERS OR CLAIMANTS IN CONDEMNATION PROCEEDINGS

Act 379 of 1927

AN ACT to provide for service of process or notice on unknown owners or claimants to land in condemnation proceedings.

History: 1927, Act 379, Eff. Sept. 5, 1927

The People of the State of Michigan enact:

213.261 Condemnation; service of process on unknown claimants.

Sec. 1.

If there be any person interested in any land that is now or may hereafter be subject to any condemnation proceedings, whose name appears in the records of any public office as having at any time claimed any right, title, interest or estate in the subject matter of such proceedings, or any portion thereof, or any lien or charge thereon, without having conveyed or released the same or who might at any time under the provisions or legal effect of any instrument of record, claim or be entitled to claim any benefits thereunder, and it is not known whether such person is living or dead, or where he may reside, if living, or whether the title, interest, claim, lien or possible right has been by him assigned to any person or persons, or if dead, whether he has personal representatives or heirs living, or where they or some of them may reside, or whether such title, interest, claim, lien or possible right has been disposed of by will, it shall be lawful to make such person, and everyone claiming under him, defendants in such suit or proceeding, by naming such person and adding the words,—"or his unknown heirs, devisees, legatees and assigns", and he or they shall be served by process or notice, as required by law to be served in condemnation proceedings, by publication or otherwise, as provided in sections 12371 to 12378 inclusive, and sections 12449 to 12452 inclusive, as amended, of the Compiled Laws of the state of Michigan of 1915, the same being the several sections providing for substituted service on unknown, concealed or non-resident defendants. Upon such publication as hereinbefore provided, the said owner or claimant so named and described and/or his unknown heirs, devisees, legatees, and assigns, and the land in said notice described, shall thereby be subjected to the jurisdiction of the court, the commission or the commissioners, as the case may be.

History: 1927, Act 379, Eff. Sept. 5, 1927 ;-- CL 1929, 3915 ;-- CL 1948, 213.261
Compiler's Notes: Sections 12371 to 12378 and sections 12449 to 12452, referred to in this section, were repealed by Act 236 of 1961. See now MCL 600.101 et seq.

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