

§6503. Damages for property owners; security

1. Owners entitled to damages. The owners are entitled to damages for all property taken by eminent domain as if the land were taken for highway purposes under Title 23, chapter 3.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

2. Application procedure. Upon written application of either party made within 3 years after the taking, the county commissioners shall estimate the damages and the taker shall pay the damages.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

3. Commencement of new proceedings. If proceedings commenced fail for causes not affecting the merits, new proceedings may be commenced within one year. When no estimate is made within this time, the owner may maintain a civil action or have any remedy provided.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

4. Guardian may give release, interested persons. The guardian of a person incapable of giving a valid conveyance whose property is taken may settle and give a valid release for damages. Persons having an interest in the property have the rights and remedies of owners to the extent of their interest.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

5. Owner may request security. When requested by the owner, the county commissioners shall require the taker to give security for the payment of damages and costs by depositing at its risk, with the clerk, within 30 days, specie, notes or obligations of a state or public corporation, or other security satisfactory to the county commissioners.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

6. Satisfaction of judgment. When the owner is entitled to it, the owner must be paid as much of the specie deposited as will satisfy the owner's judgment. Notes or obligations deposited by the taker must be delivered to the officer having a warrant of distress, to sell as personal property is sold on execution, to satisfy the warrant and fees. Any balance must be paid to the taker.

[RR 2021, c. 1, Pt. B, §427 (COR).]

SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). RR 2021, c. 1, Pt. B, §427 (COR).

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