

**TELEPHONE AND MESSENGER SERVICE COMPANIES (EXCERPT)**  
**Act 129 of 1883**

**484.10 Condemnation; procedure, restrictions.**

Sec. 10.

Whenever any such corporation shall desire to acquire a right of way over, through, under or across any lands which may be adjacent to the right of way of any railway operated by steam power, and is unable to agree with the owner or owners of such lands for the purchase of said right of way such corporation shall have the right to acquire the title of said right of way, outside the corporate limits of cities and villages, in the same manner and by the same proceedings as are provided for in chapter 164 of the Compiled Laws of 1897 of this state, providing for the condemnation of lands for right of way by railroad companies: Provided, That the owner or owners of the lands over which any such right of way shall be acquired shall have the right to occupy and use the same, but such occupancy and use shall not be to the injury of the property of such corporation situated upon such right of way: Provided, The strip of land so condemned shall not exceed 10 feet in width, together with the right to set and maintain outside of the same guy posts and anchors reasonably requisite to the proper construction and maintenance of a pole line thereon: Provided further, however, That the right to set guy posts and anchors outside such 10 foot strip shall be acquired in the manner hereinbefore described: Provided further, That the provisions of this act will not apply to such land located within 5 miles of the corporate limits of any city having a population of 250,000 or more.

**History:** Add. 1899, Act 93, Imd. Eff. May 31, 1899 ;-- CL 1915, 8796 ;-- Am. 1923, Act 125, Eff. Aug. 30, 1923 ;-- CL 1929, 11698 ;-- CL 1948, 484.10

**Compiler's Notes:** For provisions of chapter 164, referred to in this section, see MCL 463.1 et seq.