

72-5-115 Acquisition of property devoted to or held for other public use.

- (1) If property devoted to or held for some other public use for which the power of eminent domain might be exercised is to be taken for state transportation purposes, the department may, with the consent of the person or agency in charge of the other public use, condemn real property to be exchanged with the person or agency for the real property to be taken for state transportation purposes.
- (2) This section does not limit the department's authorization to acquire, other than by condemnation, property for exchange purposes.

Amended by Chapter 79, 2001 General Session