440.09 CONDEMNATION PROCEEDINGS.

Proceedings in eminent domain under sections 440.08 and 440.09 shall be in pursuance of chapter 117. The city, upon giving the notice required by section 117.042, or upon the filing of the report of the commissioners as provided in section 117.115 may enter upon and appropriate the lands so condemned or any distinct parcel thereof, without the giving of any bonds, but in case of such entry and appropriation the city shall be bound absolutely to pay all damages awarded, whether by commissioners acting under chapter 117, or by the court upon appeal from their award, together with all costs and expenses adjudged against it in the proceedings, and the court shall issue a writ to the sheriff of the county to put the city in possession. In case the city shall take appeal in any such proceedings it shall not be required to give or file any appeal bond.

History: *(1538-2) 1927 c 114 s 2; 1973 c 35 s 71*