

**TITLE 2: NATURAL RESOURCES**  
**DIVISION 2: PORTS**

**§ 2152. Allocation of Relocation Expenses.**

(a) If, in the exercise of its powers of eminent domain, or police power, or any other power, the authority requires the relocation, raising, lowering, rerouting, grade change or alteration in the construction of any existing highway, street, electric transmission, telegraph, or telephone lines, conduits, poles, properties or facilities, or pipe lines, all such relocations and other change shall be accomplished at the sole expense of the authority. As used in this subsection, “sole expense” means the actual cost of such change or alteration of construction in providing comparable replacements, without enhancement, of such facilities, after deducting therefrom the net salvage value derived from the old facility.

(b) The authority may enter into contracts for the purchase of real property and provide therein for the payment of consideration thereof, over such period of time as the contracting parties may agree.

(c) The authority may also provide for the safe operation of any and all types of aircraft or seacraft or other craft propelled through space or water that may use its facilities.

(d) In lieu of obtaining land in fee by the procedure above mentioned, the authority may acquire any interest, less than fee, which will serve its purpose. The compensation for such interest less than fee, if the same constitutes effective eminent domain, including zoning restrictions constituting eminent domain, shall be determined as for the process of eminent domain. However, the appraised value shall be valued at the value of the interest given up, in relation to any improvements gained by the property owners of the land involved and be lowered from that paid for in-fee condemnation as may be determined as set forth above.

(e) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646, 42 U.S.C. § 4601 et seq.) shall apply to all relocations, reroutings or alterations done under this section.

**Source:** PL 2-48, § 21, modified; amended by PL 4-42, § 8.

**Commission Comment:** The Commission modified subsection (e) by correcting the title and citation to the federal act referred to therein.