

**CHAPTER 163**

Original House Bill No. 208

**HIGHWAYS**

**AN ACT** to amend and re-enact Section 48-105, Wyoming Compiled Statutes, 1945, relating to the designation of state highways and authorizing the acquisition of rights of way by purchase, gift, or condemnation by the State Highway Commission.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Designation Of State Highways**

**Section 1.** That Section 48-105, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows:

**48-105.** It shall be the duty of the state highway commission from time to time to designate public highways to be known as state highways, which may coincide in whole or in part with county roads theretofore legally established, and whenever such state highway shall be defined and designated by resolution duly entered in the minute record of the said commission, the title and interest of the respective counties, in so much of the road and right of way as shall be so designated shall pass to and vest in the state of Wyoming. With respect to so much of the rights of way of such state highways as shall not be acquired from the respective counties, the commission shall have the authority to acquire the same by purchase or gift, and if such necessary rights of way cannot be so acquired, the commission shall have the authority to acquire rights of way for State Highways up to three hundred (300) feet in width, and where greater width is necessary for parking facilities, maintenance, excavations, embankments or deposit of waste materials, to also acquire such greater widths as is reasonably necessary therefor, by condemnation proceedings in the same manner as is provided by law for the condemnation of rights of way for railroad purposes as set forth in Article 65, Chapter 2, Wyoming Compiled Statutes, 1945, as amended, and after the commencement of such condemnation proceeding, upon approval of the application for immediate possession by the court or judge, shall have the authority to enter upon the proposed right of way and to commence the construction of the highway thereon; providing and excepting that no bond shall be required unless the court or judge decide that a bond is necessary to protect the interested persons, and further provided, that such condemnation proceedings may not after such entry be discontinued without the consent of the land owner.

Approved February 25, 1953.