

**§176. Authority to acquire property; public purpose**

To the extent necessary for purposes of incorporation, an airport authority may take and hold any interest in real estate for an airport or landing field or for the expansion of an airport or landing field and may acquire air rights and easements over private property adjoining such airports and landing fields in order to provide unobstructed air space and safe approaches for the landing and taking off of aircraft using those airports and landing fields, to place and maintain suitable marks and lights for the safe operation of those airports and landing fields and to prevent any use of adjoining land that would hinder the proper development or use of those airports and landing fields. An airport authority may alter, extend or discontinue any such use of real estate. [PL 2007, c. 563, §1 (NEW).]

**1. Purchase or lease.** An airport authority may take and hold an interest in real estate by gift, purchase, lease or other means.  
[PL 2007, c. 563, §1 (NEW).]

**2. Eminent domain.** For purposes of its incorporation, as a matter of public exigency, an airport authority may exercise the right of eminent domain in accordance with section 177 to acquire any interest in real estate, including land outside the airport authority's charter territory, except that an airport authority may not take an interest in real estate located outside its charter territory without first obtaining the written consent of the municipal officers of the municipality in which that real estate is located.

A. No property rights or easements of a public utility may be taken under this subsection without the approval of the Public Utilities Commission after hearing and upon such notice to the public utility affected by the taking as the commission may order. [PL 2007, c. 563, §1 (NEW).]  
[PL 2007, c. 563, §1 (NEW).]

**3. Public purpose.** Any real estate or interest in real estate lawfully acquired, owned, leased, controlled or occupied by an airport authority for the purposes of its incorporation is declared to be acquired, owned, leased, controlled or occupied for public uses.  
[PL 2007, c. 563, §1 (NEW).]

**SECTION HISTORY**

PL 2007, c. 563, §1 (NEW).

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