

out and disbursed in the same manner as assessments for benefits for condemning, opening, grading and constructing any street, avenue or alley, or part thereof, are collected, deposited, paid out and disbursed; and all proceedings which can be had and taken for the condemnation, opening, grading and construction of any street, avenue or alley, or portion thereof under the provisions of this sub-title of this article, can and shall be had and taken, so far as the same may be applicable, for macadamizing, graveling, shelling, paving or curbing of any street, avenue or alley, or part thereof.

1876, ch. 399. 1888, ch. 542.

**232.** A tenant for ninety-nine years, or for ninety-nine years renewable forever, or the executor or administrator of such tenant, or guardian of an infant owner, or trustees under deeds or wills, or orders of court, in whom the legal title is vested, or a mortgagee in possession, shall be deemed and taken as owners for the purpose of any application authorized and provided for by this sub-title of this article; and the application of any such person shall bind the property so represented for any assessment or tax made under the provisions of this sub-title of this article; and when a part of a lot of ground shall be condemned for such street, avenue or alley, or part thereof, and the residue of the lot shall be affected or injured for the purpose for which it is used, or its value be impaired for building purposes, the fact shall be taken into consideration in assessing and awarding damages for the part taken, and in assessing benefits on the residue of such lot; and whenever any street or avenue, or any part thereof, for which application is made to be condemned, opened, graded and constructed under the provisions of this sub-title of this article, and all or any part of the bed of a road, street or avenue shall be adopted and used which may have been already graded and constructed, or partially graded and constructed, by the owners of the ground bounding and fronting thereon, or by their grantors or other persons prior to such adoption, condemnation and use thereof by the examiner or examiners appointed under the provisions of this sub-title of this article, said examiner or examiners shall, in awarding damages, and in assessing benefits, take all such facts into consideration and make a just and proper allow-