

**13-702. Power to condemn; constitution.**

The \_\_\_\_\_ (*here state the name of the condemning authority*)  
has the right by law to condemn the property involved in this case.

The property was taken for public use.

The Constitution of New Mexico provides that private property shall not be taken for public use [or damaged] without just compensation.

**USE NOTE**

This basic instruction should be given in all cases, followed by either the supplemental instructions on full taking, or supplemental instructions for partial taking or instructions relating to situations where there is no taking but damages result to the property.

[As amended, effective January 1, 1987.]