

DISCONTINUATION OF HIGHWAY BORDERING LAKE OR STREAM (EXCERPT)
Act 341 of 1927

247.43 Highway bordering on lake or stream; hearing; notice; publication; posting; service.

Sec. 3.

Upon the filing of an application required by section 2, the presiding circuit judge shall schedule a hearing on the application not later than 60 days from the date the application is filed. Notice of the application and the time of hearing on the application shall be published once each week for 3 successive weeks, in a newspaper printed and circulated in the county, unless an affidavit is filed in the case that no such newspaper is published in the county. The notice shall contain an accurate description of the highway described in the application and a brief recital of the reasons for its abandonment, discontinuance, vacation, or alteration. A copy of the notice shall also be posted in 3 of the most public places in the city or village in which the highway is situated, at least 20 days before the date of the hearing on the application. A copy of the notice shall be sent by first-class mail to the owners of record title of each parcel of land located within 300 feet of the highway described in the application and to those persons of record claiming under those owners at their local address and the address appearing on the assessment roll, if different, and to the chief executive officer of the city or village in which the highway is situated, the state transportation department, the department of natural resources, and, if applicable, the township in which the highway is situated at least 30 days before the date fixed for the hearing on the application. The department of natural resources and, if applicable, the township shall review the application to determine whether the property should be retained as an ingress and egress point. Proof by affidavit of the required publication, posting, and mailing shall be filed with the court before the date of hearing.

History: 1927, Act 341, Eff. Sept. 5, 1927 ;-- CL 1929, 3952 ;-- Am. 1931, Act 40, Eff. Sept. 18, 1931 ;-- CL 1948, 247.43 ;-- Am. 1996, Act 217, Imd. Eff. May 28, 1996

Compiler's Notes: For transfer of powers and duties of department of natural resources to department of natural resources and environment, and abolishment of department of natural resources, see E.R.O. No. 2009-31, compiled at MCL 324.99919.