

**EMMET COUNTY ROAD COMMISSION  
ROAD ABANDONMENT PROCEDURE**

MCL 224.18

1. Petition is received by the Road Commission containing signatures of a minimum of 7 property owners in the township in which the road is situated.

The petition must contain a general description of the road or portion of road to be abandoned. The petition must contain names and addresses of the signees of the petition. The list must be certified by one of the applicants and notarized.

2. If all adjoining petition owners sign the petition, the Road Commission must make a determination within 20 days of receipt of the petition.

If not all adjoining owners sign the petition, the Road Commission then must advertise for a public hearing within 20 days of receiving the petition.

3. Road Commission must give a minimum of 30-day notice to all adjoining landowners of time, date and place of public hearing. Notice must be by 1<sup>st</sup> class mailing.

If the road is a road ending at the water's edge of a lake or stream, the Road Commission must notify the township and MDNR of the hearing. Prior to the hearing, the township and MDNR must reply to the Road Commission their desire to keep the road in the public domain. The township has the first option to retain the road for public use.

4. The public hearing is held. If at least one abutting property owner objects to the abandonment, the Road Commission cannot abandon the road. In all other cases the Road Commission votes on the abandonment "in the best interest of the public".
5. The Road Commission must make a determination within 20 days of the public hearing, whether or not to abandon the road. The Road Commission has the right to reserve a utility easement if the abandonment is approved.
6. Within 30 days after final determination, the Road Commission must notify the State Transportation Commission the results of the public hearing and record at the County Court House if the road is abandoned.
7. If the Road Commission approves the abandonment of a road ending at a body of water, the Road Commission must "Quit Claim" deed the road right-of-way to the township or MDNR.
8. Once the road is turned over to the township or MDNR, the entity must maintain the road ending "...so as to prevent and eliminate garbage and litter accumulation, unsanitary conditions, undue noise, and congestion as necessary."