

**OTTAWA COUNTY ROAD COMMISSION**  
**OPERATING INSTRUCTIONS**

**NUMBER: 17**

**EFFECTIVE DATE: 3-25-10**

**AMENDMENT DATE: March 25, 2010**

**SUBJECT: ROAD ABANDONMENT REQUEST PROCESS**

The following process shall be utilized for all Road Abandonment Requests.

1. A written petition signed by 7 (seven) or more different freeholders of the township in which the road is sought to be absolutely abandoned and discontinued shall be submitted. The petition for absolutely abandoning and discontinuing a highway shall describe the road in general terms or by any name by which it is known, and if the absolute abandonment and discontinuance of only a portion of a road is asked for, that portion shall be specified. The petition shall be accompanied by a true and correct list of the names and mailing addresses of the owners of each parcel of land abutting the highway, or portion of the highway, sought to be absolutely abandoned and discontinued, which list shall be signed by at least 1 (one) of the persons making or presenting the petition and certified by a Notary Public.
  2. The petition will be reviewed by the Road Commission to be valid and to determine if the request can be presented at a normal Board meeting of the County Road Commissioners or if a Public Hearing is required.
  3. Prior to the presentation of a petition to the Board of the County Road Commissioners, the Township or municipality where the requested road or part of road to be abandoned is situated shall be notified to provide written input concerning the petition. In addition the appropriate fee according to the latest fee schedule shall be submitted by the petitioner.
  4. If the Board of County Road Commissioners determines to abandon any county road or portion of a county road, it shall do the following: (1) Generate a Notice of Determination and (2) Quitclaim Deed the property to the Township. The Township shall either retain the property or allow it to revert to the adjoining landowners.
- \* If the petitioned road or portion of a road borders on, crosses, is adjacent to, or ends at a lake or the general course of a stream the action as outlined in No. 4 above shall conform to current Michigan Law.

**Petition for Absolute Abandonment and Discontinuance  
of a County Road or a Portion of a County Road  
Under Provisions of Section 18 of Chapter 4  
of Act No. 283, of the Public Acts of 1909, as Amended**

We, the undersigned, being freeholders in \_\_\_\_\_ Township, Ottawa County, Michigan hereby petition the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OTTAWA to absolutely abandon and discontinue the entire length of, or a portion of the county highway known and described as follows:

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NOTE – The circulator of this petition shall sign his or her name on the first line and shall be responsible for furnishing a true and correct list of the names and mailing addresses of the occupants of each parcel of land abutting the highway, or portion thereof, sought to be absolutely abandoned and discontinued. This information shall be provided on page two of the petition form and shall be certified to for its accuracy under oath by the person making or presenting this petition.

A petition for the absolute abandonment and discontinuance of any county road shall have a minimum of seven (7) freeholders of the township in which the said road is located. **PLEASE PRINT NAME BELOW EACH SIGNATURE.**

Freeholder's Signature	Description or Address of Property Owned in said Township	Date
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

\* Attach additional sheets for more signatures

INSTRUCTIONS TO THE PETITION CIRCULATOR

A certified list of all property owners, both man and wife if it is community property, abutting the county highway requested abandoned and discontinued in the attached petition.

PLEASE PRINT

<u>Name</u>	Description of Property of <u>Parcel Identification Number</u>	<u>Mailing Address</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		

**\* Attach additional sheets for more property owners**

I do hereby swear or affirm that the above list of property owners constitutes the complete list of property owners owning property abutting on the county road which has been requested to be absolutely abandoned and discounted as requested on the attached petition.

Signature of Petition Circulator: \_\_\_\_\_

STATE OF MICHIGAN  
COUNTY OF \_\_\_\_\_

BE IT REMEMBERED, That on the \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ before me, a Notary Public

in said County, personally appeared \_\_\_\_\_

to me known to be their person who executed the foregoing instrument and acknowledged the executing thereof to be their free act and deed.

\_\_\_\_\_  
Notary Public in and for the

County of \_\_\_\_\_

My Commission Expires \_\_\_\_\_

