

## ALCONA COUNTY ROAD COMMISSION

### ABANDONMENT OF ROADWAY POLICY

Adopted **September 23, 2015**

Michigan Compiled Law Act 283 of 1909 allows for the abandonment of any road under its jurisdiction.

According to the law, in order for a road to be abandoned, a petition must be made to the Alcona County Board of Road Commissioners bearing signatures of at least seven freeholders of property within the township where the road, or portion of road, to be abandoned is located, or bearing the signatures of all the property owners along the road, or portion of road, sought to be abandoned.

In addition, the petition must also be accompanied by a true and correct list of the names and mailing addresses of the occupants of each parcel of land abutting the road, or portion of the road sought to be abandoned, signed and attested to by the petitioner that the information provided is correct and complete (download petition form and affidavit of ownership [here](#)).

Once the proper petition and supporting documentation have been filed, the Board of Road Commissioners, in the case of a petition by freeholders, shall schedule a public hearing and give notice according to the stipulations of the law before making a final decision on the matter. In the case of petition by all property owners, and according to the stipulations in the law, the Board of Road Commissioners will grant or deny the petition without further proceedings.

If the road or portion of road to be abandoned provides the only access to any parcel along the road, proof of ingress and egress for all affected properties in the form of a legally-recorded easement must be documented prior to final relinquishment of jurisdiction over the road.

In any case, the Board of Road Commissioners shall make the final determination as to whether the road will be abandoned.

The fee to submit a petition to abandon a road is \$200 payable to the Alcona County Road Commission and is non-refundable. The Road Commission reserves the right to charge the petitioner for any non-standard legal fees that may arise in processing the petition.