

HOUSE BILL No. 5832

May 29, 1990, Introduced by Rep. Nye and referred to the Committee on Transportation.

A bill to amend section 20a of chapter I of Act No. 283 of the Public Acts of 1909, entitled as amended

"An act to revise, consolidate and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance and use of the public highways and private roads, the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; setting and protecting shade trees, drainage, cutting weeds and brush within this state, and providing for the election or appointment and defining the powers, duties and compensation of state, county, township and district highway officials,"

being section 221.20a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 20a of chapter I of Act No. 283 of the
2 Public Acts of 1909, being section 221.20a of the Michigan
3 Compiled Laws, is amended to read as follows:

CHAPTER I

1
2 Sec. 20a. A township with the prior written consent of the
3 board of county road commissioners and upon petition to the town-
4 ship board ~~by 51% of the property owners whose frontage abuts a~~
5 ~~road~~ may commence an action in circuit court to have ~~the~~ A
6 road determined to be a public highway and to determine the
7 length and boundaries of the road. THE PETITION SHALL BE BY 51%
8 OF THE PROPERTY OWNERS WHOSE FRONTAGE ABUTS THAT ROAD OR ABUTS
9 ANY OTHER ROAD, PUBLIC OR PRIVATE, TO WHICH THAT ROAD PROVIDES
10 THE ONLY ACCESS. If the court finds that there has been public
11 use of the road for at least 10 years and that public authorities
12 have expended public money on the road, it shall enter an order
13 that the road has become a public highway setting forth the
14 length and boundaries of that public highway. If the court finds
15 that the road has not become a public highway, the township may
16 in the same action acquire by purchase or condemnation in accord-
17 ance with section 20h of this chapter the property rights of
18 those owners who in the action claim that the road is not a
19 public highway, and the court shall enter its order that the road
20 is a public highway and set forth the length and boundaries of
21 that public highway.

22 Section 2. This amendatory act shall not take effect unless
23 Senate Bill No. _____ or House Bill No. 5831 (request
24 no. 03936'89) of the 85th Legislature is enacted into law.