

**VACATING CEMETERY IN CITY OR VILLAGE (EXCERPT)**  
**Act 164 of 1871**

**128.42 Petition of trustees or council to vacate; notice.**

Sec. 2. That such petition shall be made in behalf of said trustees or common council by an attorney or agent appointed by them for that purpose, who shall file a petition signed and sworn to by him in the office of the register of said court for the proper county, which petition shall set forth his authority as attorney or agent, the particular reasons for making and filing such petition and a distinct description of the premises on which such cemetery is located, which petition shall be filed as aforesaid 30 days previous to the first day of the term for which such petition shall be noticed for hearing. That notice of the pendency and hearing of such petition shall be given for the same space of time by publishing the same in a newspaper published in the proper county once in each week for 4 successive weeks prior to the first day of the term when such case is noticed for hearing.

**History:** 1871, Act 164, Eff. July 18, 1871;—CL 1871, 3424;—How. 4791;—CL 1897, 3486;—CL 1915, 3482;—CL 1929, 2664;—CL 1948, 128.42.