

THE DRAIN CODE OF 1956 (EXCERPT)
Act 40 of 1956

280.126 Construction of drain; receipt of bids and letting of contracts; abandonment of petition; order; notice.

Sec. 126. At the time and place fixed in said notice, or at an adjourned date, the drainage board shall receive bids and let contracts for the construction of the drain in the manner prescribed in chapter 9, being sections 221 to 223. If no contract shall be let within 5 years after the date of filing the petition to locate, establish and construct the drain, the drainage board may determine that the petition shall be deemed abandoned and no further action shall be taken to construct the drain. Provided, That time during which any litigation shall be pending to contest the validity of such proceedings shall not be counted as a part of such 5-year period. If the drainage board determines the petition shall be abandoned, it shall issue its order to that effect; provided, that such determination of abandonment shall not be issued within the 5 year period. Notice of the order shall be given by publishing a notice in a newspaper of general circulation in each county affected. The provisions of this section shall apply to all petitions which are in full force and effect on the date of January 1, 1973, or thereafter.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956;—Am. 1973, Act 16, Imd. Eff. Apr. 30, 1973.

Popular name: Act 40