

CRUDE OIL AND PETROLEUM (EXCERPT)

Act 16 of 1929

483.2a "Pipeline" defined; notice to property owners; offer of easement.

Sec. 2a. (1) As used in this section and section 2b, "pipeline" means a pipeline used or to be used to transport crude oil or petroleum or carbon dioxide substances.

(2) A person who is conducting survey work for a proposed pipeline under this act shall notify all affected property owners in writing before a survey crew enters the owner's property.

(3) Any offer to a landowner for an easement for the purpose of locating, laying, constructing, maintaining, and operating pipelines on agricultural property shall include all of the following information:

(a) The anticipated physical impact of pipeline construction on the landowner's property.

(b) Written assurance that any agricultural drainage tile that is damaged or removed during the construction or repair of a pipeline will be repaired or replaced to preconstruction working condition. As used in this subdivision, "drainage tile" includes any surface or subsurface system by which the movement of water is redirected.

(c) Written assurance that topsoil that is disturbed by construction or repair of a pipeline is properly separated and replaced. As used in this subdivision, "topsoil" means surface soil that is presumed to be fertile as distinguished from subsoil.

(d) The method by which property will be appraised.

(e) For property used to produce crops prior to construction of a pipeline, an estimate of the value of the loss of the productivity based on the historic yield of the site before construction of a pipeline. The agricultural property owner shall provide historic crop yield values upon request.

(f) That payment will be made for all damages incurred after construction of the pipeline because of the pipeline owner's or operator's entry upon the property to exercise easement rights, except that the owner or operator of the pipeline may maintain a clear right-of-way without further compensating the landowner.

(g) That the landowner has rights under the uniform condemnation procedures act, 1980 PA 87, MCL 213.51 to 213.75, and a copy of that act.

History: Add. 1997, Act 125, Imd. Eff. Nov. 5, 1997;—Am. 2014, Act 83, Imd. Eff. Apr. 1, 2014.