

CONSTRUCTION, IMPROVEMENT, AND MAINTENANCE OF HIGHWAYS (EXCERPT)
Act 59 of 1915

247.446 Appeal by land owner; application for board of review; bond, liability, costs.

Sec. 46.

The owner of any lands assessed a per cent for benefits for improving any highway, who may conceive himself aggrieved by the assessment made by the county road commissioners, or the state highway commissioner, may, within 10 days after the hearing of the review heretofore provided by the county road commissioners, or the state highway commissioner, appeal therefrom, and for such purpose make an application to the probate court of the county in which his land is situate, for a review of the per cent of benefits assessed for such improvement upon his land in any township. Said appellant shall file with the probate court a bond in the sum of 200 dollars, with 1 or more sureties, to be approved by said court, conditioned for the payment of all costs in case the assessment made by the county road commissioners, or the state highway commissioner, shall be sustained. In case the assessment of the per cent of benefits made by the county road commissioners, or the state highway commissioner, upon lands assessed in that township shall be sustained by the board of review, the appellant shall pay the whole cost of such appeal. Such cost and expenses shall be ascertained and determined by the probate court; and if not paid the appellant shall be liable on his bond for the full amount of such costs in an action in law to be brought by the county road commissioners, or the state highway commissioner, before any court having jurisdiction. If the assessments made by the county road commissioners, or the state highway commissioner, on lands in such townships shall be changed, the road districts shall pay the cost of such appeal.

History: 1915, Act 59, Eff. Aug. 24, 1915 ;-- CL 1915, 4716 ;-- Am. 1917, Act 125, Imd. Eff. Apr. 25, 1917 ;-- CL 1929, 4361 ;-- CL 1948, 247.446