

BLACK, SAGATE & REID INTERCOUNTY DRAIN

(Lapeer and St. Clair Counties)

Legal Opinion

Date Prepared: August 14, 2019

TO: Brady Harrington, Drainage Board Chair
FROM: Stacy L. Hissong, Esq.
DATE: August 14, 2019
RE: Black, Sagate & Reid Intercounty Drain

Municipalities Involved

Lapeer: Goodland Township

St. Clair: Lynn Township

Establishment of Drain

Year: 1889

Chapter: 6

Jurisdiction of Drain

- Drain Commissioner
 Drainage Board
 Other: _____

Files Reviewed

- MDARD
 Lapeer County
 St. Clair County



Petition Proceedings

Date/Type: 1889 Establishment Proceedings (Sagate Drain, St. Clair only)

St. Clair County Records (Liber 3, Page 138)

Lapeer County Records

Application for Locating, Establishing and Constructing a Drain dated May 4, 1889

Minutes of Survey

Notice of Letting dated September 11, 1889

Return of Special Commissioners dated September 23, 1889

Date/Type: 1899 Maintenance/Improvement Proceedings

Lapeer County Records

Application for maintenance and improvement dated July 29, 1899 (Reid)

Application for maintenance and improvement dated July 29, 1899 (Black)

Application for maintenance and improvement dated July 29, 1899 (Sagate & Sagate Extension)

First Order of Determination dated November 16, 1899

Releases of Rights of Ways

Apportionment of Taxes Between Counties dated April 18, 1900 (33/5% Lapeer; 66.5% St. Clair)

Final Order of Determination dated May 15, 1900

Notice of Letting dated May 17, 1900

Apportionment of Benefits dated June 5, 1900 (Lapeer)

Assessment Roll dated June 5, 1900 (Lapeer)

Computation of Costs dated June 12, 1900

Date/Type: 1899-1900 Maintenance/Improvement Proceedings (Black, Sagate & Reid)

St. Clair County Records (Liber 16, Page 324)

First Order of Determination dated November 16, 1899

Petition for maintenance and improvement dated July 29, 1900 (Black)

Petition for maintenance and improvement dated July 29, 1900 (Sagate)

Petition for maintenance and improvement dated July 29, 1900 (Reid)

Releases of Rights of Way

Apportionment of Tax Between Counties dated April 18, 1900 (Lapeer 33 1/2%; St. Clair 66 1/2%)

Final Order of Determination dated May 15, 1900

Notice of Letting dated May 17, 1900

Apportionment of Benefits dated June 5, 1900

Assessment Roll dated June 9, 1900

Computation of Costs dated June 14, 1900

Date/Type: 1941-1944 Maintenance/Improvement Proceedings

Lapeer County Records

St. Clair County Records (Liber 38, Page 1)

MDARD Records

Petition for maintenance and improvement dated January 10, 1941
Order of Necessity dated March 11, 1941
First Order of Determination dated March 11, 1941 (Lapeer 33 1/3%; St. Clair 66 2/3%)
Order of Necessity dated June 11, 1942
First Order of Determination dated June 11, 1942 (Lapeer 33.5%; St. Clair 66.5%)
Final Order of Determination dated August 24, 1942
Notice of Letting dated August 24, 1942
Contract After Letting dated January 11, 1943
Computation of Costs dated April 21, 1943
Assessment Roll dated June 27, 1944

Date/Type: 1960-1961 Maintenance/Improvement Proceedings

Lapeer County Records

St. Clair County Records (Liber 76, Page 554)

MDARD Records

Petition for maintenance and improvement dated April 8, 1960
Order of Practicableness dated May 24, 1960
Releases of Rights of Way
Order of Necessity dated August 23, 1960
First Order of Determination dated August 23, 1960 (Lapeer 33.33%; St. Clair 66.67%)
Final Order of Determination dated April 3, 1961
Notice of Letting dated April 10, 1961
Apportionment of Benefits dated May 5, 1961 (Lapeer)
Apportionment of Benefits dated May 9, 1961 (St. Clair)
Contract After Letting dated May 10, 1961
Computation of Costs dated May 23, 1961
Assessment Roll dated September 27, 1961 (Lapeer)

Date/Type: 1985 Maintenance/Improvement Proceedings

Lapeer County Records

St. Clair County Records

MDARD Records

Petition for maintenance and improvement dated February 21, 1985
Order of Practicableness dated April 18, 1985
Order of Necessity dated July 24, 1985

First Order of Determination dated July 24, 1985 (Lapeer 17%; St. Clair 83%)
Final Order of Determination dated August 1, 1985
Notice of Letting dated August 20, 1985
Contract After Letting dated September 6, 1985
Computation of Costs dated September 11, 1985
Assessment Roll dated September 15, 1985 (Lapeer)

Current Status of Drain

- Abandoned
- Relinquished
- Under Jurisdiction of the Drainage Board

Comments

- I. Based on the information provided, the Black, Sagate & Reid Intercounty Drain is an established intercounty drain under the jurisdiction of the Black, Sagate & Reid Intercounty Drain Drainage Board.