

MURDICK-VANSICKLAND INTERCOUNTY DRAIN

(Sanilac and Tuscola Counties)

Legal Opinion

Date Prepared: January 25, 2019

TO: Brady Harrington, Drainage Board Chair
FROM: Stacy L. Hissong, Esq.
DATE: January 25, 2019
RE: Murdick-Vansickland Intercounty Drain

Municipalities Involved

Sanilac: Marlette Township

Tuscola: Koylton Township

Establishment of Drain

Year: 1889

Chapter: 6

Jurisdiction of Drain

- Drain Commissioner
 Drainage Board
 Other: _____

Files Reviewed

- MDARD
 Lapeer County (no files)
 Sanilac County
 Tuscola County



Petition Proceedings

Date/Type: 1888-1889 Establishment Proceedings (VanSickland Drain, Tuscola Co. only)
Tuscola County Records (Koylton Township Book I, Page 126)

Petition for Locating, Establishing and Constructing a Drain dated December 15, 1888
Minutes of Survey
First Order of Determination dated March 21, 1889
Releases of Rights of Way and condemnation proceedings
Final Order of Determination dated August 13, 1889
Notice of Letting dated August 13, 1889
Apportionment of Benefits dated September 17, 1889
Assessment Roll dated September 23, 1889

Date/Type: 1892 Maintenance Proceedings (Murdick Drain, Tuscola Co. only)
Tuscola County Records (Koylton Township Book I, Page 373)

Apportionment of Benefits dated September 23, 1892
Assessment Roll dated October 1, 1892

Date/Type: 1903-1904 Maintenance/Improvement Proceedings (VanSickland Drain, Tuscola Co. only)

Tuscola County Records (Liber 10B, Page 344)
Petition for maintenance and improvement dated June 19, 1903
First Order of Determination dated January 14, 1904
Releases of Right of Way and condemnation proceedings
Notice of Letting dated June 6, 1904
Final Order of Determination dated June 10, 1904
Apportionment of Benefits dated June 24, 1904
Assessment Roll dated July 14, 1904

Date/Type: 1913-1914 Maintenance/Improvement Proceedings
Sanilac County Records

Tuscola County Records (Liber 21A, Page 392)
Petition for maintenance and improvement dated March 31, 1913
Order of Necessity dated June 20, 1913
First Order of Determination dated June 24, 1914
Minutes of Survey
Releases of Rights of Way (subsequently recorded)
Notice of Letting dated October 1, 1914
Final Order of Determination dated October 10, 1914
Apportionment of Tax Between Counties dated October 28, 1914 (Tuscola 94.5%; Sanilac 5.5%)
Apportionment of Benefits dated October 28, 1914

Date/Type: 1956-1959 Maintenance/Improvement Proceedings
Sanilac County Records

Tuscola County Records

MDARD Records

Petition for maintenance and improvement dated October 5, 1956

Order of Practicableness dated April 22, 1957

Order of Necessity dated June 17, 1958

First Order of Determination dated June 17, 1958 (Sanilac 3.75%; Tuscola 96.25%)

Releases of Rights of Way (recorded)

Final Order of Determination dated November 3, 1958

Notice of Letting dated November 3, 1958

Contract After Letting dated December 2, 1958

Computation of Costs dated December 8, 1958

Apportionment of Benefits dated December 12, 1958 (Sanilac)

Apportionment of Benefits dated January 15, 1959 (Tuscola)

Current Status of Drain

- Abandoned
- Relinquished
- Under Jurisdiction of the Drainage Board

Comments

- I. Based on the information provided, the Murdick-Vansickland Intercounty Drain is an established intercounty drain under the jurisdiction of the Murdick-Vansickland Intercounty Drain Drainage Board.