

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

280.393 Abandoned and vacated drains; duties of township treasurer in distribution of funds.

Sec. 393.

Upon receiving such money, and the accompanying statement, if required to be furnished hereby, the township treasurer shall give his receipt therefor to the county treasurer. He shall also serve notice upon each person, firm or corporation who, as shown by the records of his office, shall have paid a special tax for benefits received or to be received from the construction of such drain, that such drain has been declared vacated and abandoned and that the payment as aforesaid has been made to him by the county treasurer. Similar notice shall also be served upon the township board and shall be published for 2 successive weeks in some newspaper published and circulating in said county. Thereupon, every such person, firm or corporation shall be entitled to demand and receive from said township treasurer the amount of the special assessment that such person, firm or corporation may have so paid. The amount of the special tax for the construction of such drain that may have been assessed and collected from the township at large shall be credited to and paid into the contingency fund in the township treasury: Provided, however, That if the amount of money paid over to the township treasurer by the county treasurer in the manner aforesaid is less than the aggregate amount of special assessments levied and collected in such township for the construction of such drain and the tax levied and collected upon and from the township at large, then the township treasurer shall prorate the payments to each such person, firm or corporation and the amount to be paid into the general fund in the township treasury; and each such person, firm or corporation and the contingency fund in the township treasury shall be entitled to receive such proportion of the amount of the special assessment or tax paid thereby as the amount of money paid to the township treasurer by the county treasurer shall bear to the total amount of special assessments and taxes levied and collected in said township and paid into the fund for the construction of said drain.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956

Popular Name: Act 40