

Policy No. 2006-01

BOARD OF COUNTY ROAD COMMISSIONERS  
ROAD COMMISSION FOR MONTCALM COUNTY

**SUBJECT: PLACING EXISTING PUBLIC ROAD RIGHT-OF-WAY OR EXISTING PRIVATE ROAD RIGHT-OF-WAY ON CERTIFICATION**

**ADOPTED: JANUARY 18, 2006**

**I. Existing Public Road Right-of-Way**

When individuals request the Road Commission for Montcalm County to place an uncertified section of roadway on state certification, and where evidence exists from research and/or other physical indications that a public right-of-way had been previously granted and continues to exist, the Road Commission will place said section of roadway on state certification provided same is first improved to Road Commission for Montcalm County standards. *All work and/or cost of improvements to be borne by others at no expense to the Road Commission for Montcalm County.* In addition, the individual owners must obtain a permit, from the Road Commission, to work in the road right-of-way. There is no cost for this permit. If the road is to be certified prior to construction or improvements, the property owners must provide either a bond or an irrevocable letter of credit in an amount equal to the estimated cost to construct the road. All of the abutting property owners must provide a written easement recognizing the 66-foot right-of-way. The Road Commission has the right to perform inspections, as needed, during construction.

**II. Existing Private Road Right-of-Way**

When individuals request the Road Commission for Montcalm County to place private road right-of-way on state certification, the Road Commission may consider such request only if the following requirements are first met. The road must meet Road Commission for Montcalm County standards. If road requires improvement to meet the standards, *all work and/or cost of improvements shall be borne by others at no expense to the Road Commission for Montcalm County.* If property is occupied or to be occupied prior to completion of road, the property owners must provide either a bond or an irrevocable letter of credit in an amount equal to the estimated cost to construct or improve the road. The Road Commission has the right to perform inspections, as needed, during construction. In addition, the requesting party must provide a survey, indicating the road right-of-way as public, along with a written centerline description of the road right-of-way, prepared by a registered land surveyor. All abutting property owners must provide warranty deeds, deeding the road right-of-way to the Road Commission, and must have said deeds recorded with the Register of Deeds. The property owners must then request their local township board to provide a written resolution to the Road Commission requesting that the road be placed on the local road system.