

STATE OF MICHIGAN

Michael L. Buck
Probate Judge



Avery D. Rose
Probate Register
Court Administrator

Jennifer Callaway
Deputy Register

Jennifer White
Deputy Register

ALLEGAN COUNTY PROBATE COURT

Instructions for Drain Appeals

The Allegan County Drain Commission will set a day for review of apportionment to determine the cost to each land owner for a Drain Special Assessment District. Thereafter, if you believe your assessment is unfair, you may appeal the drain assessment within 10 days after your review hearing (including weekends), pursuant to MCL § 280.155.

To appeal a drain assessment, you must file the following with the Probate Court:

1. A filing fee of \$1750.00 (nonrefundable)
2. Notice of Appeal and Application (PC 701)
3. Bond on Appeal (MC 56)

You must also secure a surety bond in the amount of \$2,000.00, as required by MCL § 280.158. This bond is refundable if you prevail on your appeal. However, if your appeal is unsuccessful (i.e. the Board of Review sustains the apportionment), you will be responsible for paying the costs and expenses of the appeal, including the costs incurred by the Commissioner. Your bond will be applied toward these costs, but you may be responsible for additional costs if they exceed the amount of your bond.

A hearing before the Board of Review will be scheduled between ten and fifteen days from the date you file your appeal.

