**MDOT Design Division Survey Support Services**

**Sorry We Missed You!**

**On:                                   Time:**

**MDOT Employee:**

**Ph.:**

**attempted to contact you about entry upon your property. It was necessary to enter upon your property while performing a survey for the nearby state highway.**

**State Highway(s):**

**This survey primarily involves surveying State highway right of way or other public land and adjacent lands as noted below:**

* **Target placement and/or surveys for Aerial Mapping**
* **Topographic ground survey to map existing conditions, determine site improvements or grade elevations**
* **Survey for Stream/River Hydraulics**
* **Survey of Government land corners**
* **Survey to determine property boundary lines**

**Questions? Please contact:**

**MDOT Project Surveyor:**

**Ph:**

**Email:**

**MDOT Project Engineer:**

**Ph:**

**Email:**

**Or: Brian Fish, P.S. MDOT Supervising Surveyor
Phone: 517-812-0838** **fishb@michigan.gov**

**TITLE 9 HIGHWAYS AND MOTOR VEHICLES
PART ONE. HIGHWAYS, BRIDGES AND FERRIES
CHAPTER 67. STATE TRUNK LINE HIGHWAYS**

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**MSA prec §9.870 (1994); §9.870
AN ACT to empower highway and road authorities to make surveys on public
and private property.
HISTORY: Act 208, 1959, p 309; eff March 19, 1960.**

**MSA §9.870 (1994); MCL §247.751**

**§9.870. Highways and roads; entry upon lands and waters to make surveys, etc.; liability for damage.]**

Sec\_ 1. In preparation for and in connection with the planning, construction and maintenance state trunk line highways and county roads, it shall be lawful for the appropriate authorities to go upon any land and waters in this state for the purpose of making necessary surveys, soundings and borings as necessary; and such action shall not be a trespass nor an entry. The authorities shall be liable for any actual damage thereby done to such premises. No fences, fencing, trees or shrubbery shall be removed without the written consent of an owner of such property. HISTORY: Act 208, 1959, p 309; eff March 19, 1960.

**RIGHT OF ENTRY BY SURVEYORS
Act 115 of 1976
AN ACT to provide surveyors with a right of entry and to limit liability.
History: 1976, Act 115; irrid. Eff. May 14, 1976.**

The People of the State of Michigan enact:

54.121 "Surveyor" defined.

Sec. 1. - As used in this act, "surveyor" means any of the following:

1. A surveyor employed by the government of the United States of America or this state.
2. A person who, is a land surveyor registered in this state.
3. A person who is under the direct supervision of a person who is a surveyor under subdivision (a) or (b), and carrying on his person sufficient identification as to employer.

54.122 Right of entry; identification of vehicle.
Sec. 2.

1. A surveyor may enter upon public or private lands or waters in this state except buildings, for the purpose of making a survey.
2. A vehicle used for or during entry pursuant to this section shall be identified on the exterior b. a proper and ethical sign listing name, address, and telephone number of the surveyor or firm.

54.123 Liability.

Sec. 3. -A surveyor making an entry pursuant to section 2 shall be liable only for actual damage to crops or other property, or for actual damage due to negligence of the surveyor during the entry.

54.124 Forfeiture of claim for damage or injury.

Sec. 4. - The surveyor by his entry shall forfeit any and all claim for damage or injury to his person and equipment while on the lands or waters, unless the damage or injury is caused by the intentional tortious conduct of another.

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