

**SUBSTITUTE FOR
HOUSE BILL NO. 4081**

A bill to amend 1967 PA 288, entitled
"Land division act,"
by amending section 108 (MCL 560.108), as added by 1996 PA 591.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 108. (1) A division is not subject to the platting
2 requirements of this act.

3 (2) Subject to subsection (3), the division, together with any
4 previous divisions of the same parent parcel or parent tract, shall
5 result in a number of parcels not more than the sum of the
6 following, as applicable:

7 (a) For the first 10 acres or fraction thereof in the parent
8 parcel or parent tract, ~~4~~**the following number of** parcels:

9 **(i) Beginning on the effective date of the amendatory act that**



1 added subsection (6), until 1 year after that date, and subject to
2 subsection (6), 4 parcels.

3 (ii) Beginning 1 year after the effective date of the
4 amendatory act that added subsection (6), 10 parcels.

5 (b) For each whole 10 acres in excess of the first 10 acres in
6 the parent parcel or parent tract, 1 additional parcel, for up to a
7 maximum of 11 additional parcels.

8 (c) For each whole 40 acres in excess of the first 120 acres
9 in the parent parcel or parent tract, 1 additional parcel.

10 (3) For a parent parcel or parent tract of not less than 20
11 acres, the division may result in a total of 2 parcels in addition
12 to those permitted by subsection (2) if 1 or both of the following
13 apply:

14 (a) Because of the establishment of 1 or more new roads, no
15 new driveway accesses to an existing public road for any of the
16 resulting parcels under subsection (2) or this subsection are
17 created or required.

18 (b) One of the resulting parcels under subsection (2) and this
19 subsection comprises not less than 60% of the area of the parent
20 parcel or parent tract.

21 (4) A parcel of 40 acres or more created by the division of a
22 parent parcel or parent tract shall not be counted toward the
23 number of parcels permitted under subsections (2) and (3) and is
24 not subject to section 109, if the parcel is accessible.

25 (5) A parcel or tract created by an exempt split or a division
26 is not a new parent parcel or parent tract and may be further
27 partitioned or split without being subject to the platting
28 requirements of this act if all of the following requirements are
29 met:



1 (a) Not less than 10 years have elapsed since the parcel or
2 tract was recorded.

3 (b) The partitioning or splitting results in not more than the
4 following number of parcels, whichever is less:

5 (i) Two parcels for the first 10 acres or fraction thereof in
6 the parcel or tract plus 1 additional parcel for each whole 10
7 acres in excess of the first 10 acres in the parcel or tract.

8 (ii) Seven parcels or 10 parcels if one of the resulting
9 parcels under this subsection comprises not less than 60% of the
10 area of the parcel or tract being partitioned or split.

11 (c) The partitioning or splitting satisfies the requirements
12 of section 109.

13 **(6) Beginning on the effective date of the amendatory act that**
14 **added this subsection, a parcel or tract may be partitioned or**
15 **split at any time into a greater number of parcels or tracts than**
16 **otherwise authorized by this section if the partitioning or**
17 **splitting is authorized by and complies with standards set forth in**
18 **an ordinance of the municipality or county having authority to**
19 **approve or disapprove a division under section 109(1).**

20 **(7) ~~+(6)~~—A parcel or tract created under the provisions of**
21 **subsection (5) or of an ordinance described in subsection (6) may**
22 **not be further partitioned or split without being subject to the**
23 **platting requirements of this act, except in accordance with the**
24 **provisions of subsection (5) or of an ordinance described in**
25 **subsection (6).**