

Act No. 59
Public Acts of 1991
Approved by the Governor
June 27, 1991
Filed with the Secretary of State
June 27, 1991

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991**

Introduced by Rep. Ostling

ENROLLED HOUSE BILL No. 4480

AN ACT to amend the title and sections 169 and 241 of Act No. 288 of the Public Acts of 1967, entitled as amended "An act to regulate the subdivision of land; to promote the public health, safety and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements, and that there be adequate drainage thereof; to provide for proper ingress and egress to lots; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained by subdividers prior to the recording and filing of plats; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within all or a part of the final plat; to establish the procedure for vacating, correcting and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; and to repeal certain acts and parts of acts," being sections 560.169 and 560.241 of the Michigan Compiled Laws; to add sections 169a and 241a; and to repeal certain parts of the act on specific dates.

The People of the State of Michigan enact:

Section 1. The title and sections 169 and 241 of Act No. 288 of the Public Acts of 1967, being sections 560.169 and 560.241 of the Michigan Compiled Laws, are amended and sections 169a and 241a are added to read as follows:

TITLE

An act to regulate the subdivision of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public

improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained by subdividers prior to the recording and filing of plats; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts.

Sec. 169. Beginning upon the expiration of 2 years after the effective date of the amendatory act that added section 169a, upon approval of the plat by a majority of the county plat board, the clerk of the board shall secure a warrant from the county treasurer for 1/2 the filing and recording fee required by section 241 and forward it with all copies of the plat to the state administrator.

Sec. 169a. (1) Upon approval of the plat by a majority of the county plat board, the clerk of the board shall forward it with all copies of the plat to the state administrator.

(2) This section is repealed effective upon the expiration of 2 years after the effective date of the amendatory act that added this section.

Sec. 241. (1) Beginning upon the expiration of 2 years after the effective date of the amendatory act that added section 241a, when a final plat is submitted to the clerk of the governing body of the municipality, the proprietor shall deposit with the plat a filing and recording fee of \$20.00. The filing and recording fee is in addition to any fee the municipality may charge under the provisions of this act.

(2) Upon approval of the plat by the governing body, the clerk shall send the \$20.00 fee with the plat to the clerk of the county plat board.

(3) The clerk of the county plat board shall deposit the fee in the county trust and agency fund for subsequent payments by county warrant from this fund to both of the following:

(a) This state, in the amount of \$10.00, upon the approval of the plat by the county plat board.

(b) The county register of deeds in the amount of \$10.00, upon submission of proof to the clerk of the county plat board that the plat has been duly recorded in the office of the county register of deeds.

(4) The state administrator shall pay the state's portion of the fee to the state treasurer, who shall deposit it in the state general fund.

(5) The state administrator may also charge an additional \$10.00 fee if he or she is of the opinion that the review time is extraordinary.

Sec. 241a. (1) When a final plat is submitted to the clerk of the governing body of the municipality, the proprietor shall deposit with the plat both of the following:

(a) A filing and recording fee of \$20.00. The filing and recording fee is in addition to any fee the municipality may charge under the provisions of this act.

(b) A state plat review fee of \$150.00 plus \$15.00, for each lot over 4 lots included in the plat. The state plat review fee shall be paid by check or money order payable to the state of Michigan.

(2) On approval of the plat by the governing body, the clerk shall send the filing and recording fee and the state plat review fee with the plat to the clerk of the county plat board.

(3) The clerk of the county plat board shall deposit the filing and recording fee in the county trust and agency fund for subsequent payment by county warrant from this fund to the county register of deeds in the amount of \$20.00, upon submission of proof to the clerk of the county plat board that the plat has been duly recorded in the office of the county register of deeds.

(4) If a final plat is forwarded to the state administrator, the clerk of the county plat board shall forward the state plat review fee with the plat.

(5) A state plat review fee collected by this state shall be deposited in the state treasury for use in the administration of this act. A fund in which state plat review fees shall be deposited is created in the state treasury. This fund is a revolving fund, and money remaining in the fund at the end of the fiscal year shall be carried over in the fund to the next and succeeding fiscal years for use in the administration of this act.

(6) This section is repealed effective upon the expiration of 2 years after the effective date of the amendatory act that added this section.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.