



HOUSE BILL No. 5499

April 26 1994 Introduced by Reps Stille Fitzgerald Gernaat Bodem Hill McBryde Oxender Bobier Gnodtke Brackenridge London Dalman McNutt and Lowe and referred to the Committee on Local Government

A bill to amend the title and sections 101, 103, 104, 105, 107, 111, 112, 113, 114, 115, 117, 118, 119, 120, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 148, 149, 151, 161, 162, 163, 164, 165, 166, 167, 171, 172, 173, 181, 182, 183, 184, 186, 188, 190, 192, 192a, 194 196, 198 201a, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 221 224a 226, 227a, 229, 241, 241a, 242, 243, 244, 245, 246, 247, 253, 255b, 256, 257, 259, 261, 264, 265, 266, 290, and 291 of Act No 288 of the Public Acts of 1967, entitled as amended "Subdivision control act of 1967 "

sections 186 and 243 as amended by Act No 214 of the Public Acts of 1992, section 192 as amended and section 192a as added by Act No 529 of the Public Acts of 1982, and sections 241 and 241a as amended by Act No 67 of the Public Acts of 1993, being sections 560 101, 560 103, 560 104, 560 105, 560 107, 560 111, 560 112,

560 113, 560 114, 560 115, 560 117, 560 118, 560 119, 560 120,
 560 125, 560 126, 560 131, 560 132, 560 133, 560 134, 560 135,
 560 136, 560 137, 560 138, 560 139, 560 140, 560 141, 560 142,
 560 143, 560 144, 560 145, 560 148, 560 149, 560 151, 560 161,
 560 162, 560 163, 560 164, 560 165, 560 166, 560 167, 560 171,
 560 172, 560 173, 560 181, 560 182, 560 183, 560 184, 560 186,
 560 188, 560 190, 560 192, 560 192a, 560 194, 560 196, 560 198,
 560 201a, 560 202, 560 203, 560 204, 560 205, 560 206, 560 207,
 560 208, 560 209, 560 210, 560 211, 560 212, 560 213, 560 221,
 560 224a, 560 226, 560 227a, 560 229, 560 241, 560 241a, 560 242,
 560 243, 560 244, 560 245, 560 246, 560 247, 560 253, 560 255b,
 560 256, 560 257, 560 259, 560 261, 560 264, 560 265, 560 266,
 560 290, and 560 291 of the Michigan Compiled Laws to add sec-
 tions 102a, 102b, 102c, 102d, 102e, 102f, 102g, 102h, 102i, 102j,
 108, 108a, 108b, 108c, 109, 110, 127, 128, 129, 130, 148a, 189,
 193, 209a, 215, 226a, 246a, 259a, 264a, 265a, 270, 271, 272, and
 273 and to repeal certain parts of the act

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 The title and sections 101, 103, 104, 105, 107,
 2 111, 112, 113, 114, 115, 117, 118, 119, 120, 125, 126, 131, 132,
 3 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145,
 4 148, 149, 151, 161, 162, 163, 164, 165, 166, 167, 171, 172, 173,
 5 181, 182, 183, 184, 186, 188, 190, 192, 192a, 194, 196, 198,
 6 201a, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213,
 7 221, 224a, 226, 227a, 229, 241, 241a, 242, 243, 244, 245, 246,
 8 247, 253, 255b, 256, 257, 259, 261, 264, 265, 266, 290, and 291
 9 of Act No 288 of the Public Acts of 1967, sections 186 and 243

1 as amended by Act No 214 of the Public Acts of 1992, section 192
 2 as amended and section 192a as added by Act No 529 of the Public
 3 Acts of 1982, and sections 241 and 241a as amended by Act No 67
 4 of the Public Acts of 1993, being sections 560 101, 560 103,
 5 560 104, 560 105, 560 107, 560 111, 560 112, 560 113, 560 114,
 6 560 115, 560 117, 560 118, 560 119, 560 120, 560 125, 560 126,
 7 560 131, 560 132, 560 133, 560 134, 560 135, 560 136, 560 137,
 8 560 138, 560 139, 560 140, 560 141, 560 142, 560 143, 560 144,
 9 560 145, 560 148, 560 149, 560 151, 560 161, 560 162, 560 163,
 10 560 164, 560 165, 560 166, 560 167, 560 171, 560 172, 560 173,
 11 560 181, 560 182, 560 183, 560 184, 560 186 560 188, 560 190,
 12 560 192, 560 192a, 560 194, 560 196, 560 198, 560 201a, 560 202,
 13 560 203, 560 204, 560 205, 560 206 560 207 560 208, 560 209,
 14 560 210, 560 211, 560 212, 560 213, 560 221, 560 224a, 560 226,
 15 560 227a, 560 229, 560 241, 560 241a, 560 242, 560 243, 560 244,
 16 560 245, 560 246, 560 247, 560 253 560 255b, 560 256, 560 257,
 17 560 259, 560 261, 560 264, 560 265, 560 266, 560 290, and 560 291
 18 of the Michigan Compiled Laws, are amended and sections 102a,
 19 102b, 102c, 102d, 102e, 102f, 102g, 102h, 102i, 102j, 108, 108a,
 20 108b, 108c, 109, 110, 127, 128, 129, 130, 148a, 189, 193, 209a,
 21 215 226a, 246a, 259a, 264a, 265a, 270, 271, 272 and 273 are
 22 added to read as follows

TITLE

24 An act to regulate the ~~subdivision~~ DIVISION of land to
 25 promote the public health, safety, and general welfare to fur-
 26 ther the orderly layout and use of land, to require that ~~the~~
 27 DIVIDED land be suitable for building sites and public

1 improvements and that there be adequate drainage of ~~the~~ THAT
 2 land to provide for proper ~~ingress and egress~~ ACCESS to lots
 3 AND PARCELS to ~~promote~~ REQUIRE proper surveying and monument-
 4 ing of land ~~subdivided~~ DIVIDED and conveyed by accurate legal
 5 descriptions to provide for the approvals to be obtained by sub-
 6 dividers ~~prior to~~ BEFORE the recording and filing of plats TO
 7 PROVIDE FOR POWERS AND DUTIES OF CERTAIN STATE AGENCIES AND LOCAL
 8 GOVERNMENTS AND AGENCIES TO PROVIDE FOR POWERS AND DUTIES OF
 9 CERTAIN PUBLIC OFFICERS AND EMPLOYEES to provide for the estab-
 10 lishment of special assessment districts and for the imposition
 11 of special assessments to defray the cost of the operation and
 12 maintenance of retention basins ~~for land within a final plat~~
 13 to establish the procedure for vacating, correcting, and revising
 14 ~~plats~~ A PLAT to control ~~residential~~ building development
 15 within floodplain areas to provide for reserving easements for
 16 utilities in vacated ~~streets~~ ROADS and alleys to provide for
 17 the filing of amended plats to provide for the making of
 18 ~~assessors~~ ASSESSOR'S plats AND to provide penalties for the
 19 violation ~~of the provisions~~ of this act ~~to repeal certain~~
 20 ~~parts of this act on specific dates and to repeal certain acts~~
 21 ~~and parts of acts~~

22 Sec 101 This act shall be known and may be cited as the
 23 ~~"subdivision~~ LAND DIVISION control act" ~~of 1967"~~

24 SEC 102A FOR THE PURPOSES OF THIS ACT, THE WORDS AND
 25 PHRASES DEFINED IN SECTIONS 102B TO 102J HAVE THE MEANINGS
 26 ASCRIBED TO THEM IN THOSE SECTIONS

1 SEC 102B (1) ABANDON MEANS TO RELINQUISH CONTROL OF AND
2 RESPONSIBILITY FOR A ROAD OR ALLEY IN 1 OF THE FOLLOWING
3 MANNERS

4 (A) BY A RESOLUTION OF ABSOLUTE ABANDONMENT AND DISCONTINU-
5 ANCE BY A COUNTY ROAD COMMISSION UNDER SECTION 18 OF ACT NO 283
6 OF THE PUBLIC ACTS OF 1909, BEING SECTION 224 18 OF THE MICHIGAN
7 COMPILED LAWS

8 (B) BY THE PROCEDURES ESTABLISHED FOR STATE HIGHWAYS PRO-
9 VIDED IN ACT NO 296 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS
10 247 851 TO 247 861 OF THE MICHIGAN COMPILED LAWS, AND IN ACT
11 NO 12 OF THE PUBLIC ACTS OF 1925, BEING SECTIONS 250 111 TO
12 250 115 OF THE MICHIGAN COMPILED LAWS

13 (2) 'ADMINISTRATOR' MEANS THE DIRECTOR OF COMMERCE OR THE
14 DIRECTOR'S DESIGNEE

15 (3) "ALLEY" MEANS A RIGHT-OF-WAY SHOWN ON A PLAT THAT
16 AFFORDS SECONDARY ACCESS TO ABUTTING PROPERTY AND THAT IS NOT
17 INTENDED FOR GENERAL TRAFFIC

18 (4) APPROVED ACCESS" MEANS A ROAD AFFORDING ACCESS TO A
19 PARCEL WHICH ROAD IS APPROVED AS MEETING CONSTRUCTION STANDARDS
20 THAT ARE PROVIDED FOR OR ARE REQUIRED BY ORDINANCE OR
21 RESOLUTION

22 (5) APPROVING AUTHORITY' MEANS AN INDIVIDUAL, AGENCY,
23 OFFICE, OR OTHER ENTITY THAT IS DESIGNATED BY THIS ACT AS HAVING
24 RESPONSIBILITY TO APPROVE, REJECT, OR APPROVE WITH CONDITIONS A
25 DIVISION, PLAT, OR OTHER SUBMISSION BY A PROPRIETOR

26 (6) 'CAPTION" MEANS INFORMATION AT THE TOP OF A FINAL PLAT
27 AS REQUIRED BY SECTION 133

1 (7) COUNTY DRAIN COMMISSIONER MEANS THE COUNTY DRAIN
2 COMMISSIONER ANOTHER PUBLIC OFFICIAL WHO HAS THE DUTIES OF THE
3 COUNTY DRAIN COMMISSIONER, OR A PUBLIC BODY THAT HAS THE DUTIES
4 OF THE COUNTY DRAIN COMMISSIONER AS PROVIDED FOR IN THE DRAIN
5 CODE OF 1956 ACT NO 40 OF THE PUBLIC ACTS OF 1956, BEING SEC-
6 TIONS 280 1 TO 280 630 OF THE MICHIGAN COMPILED LAWS

7 SEC 102C (1) DAY" MEANS A CALENDAR DAY UNLESS SPECIFI-
8 CALLY PROVIDED OTHERWISE

9 (2) "DEPARTMENT MEANS THE DEPARTMENT OF COMMERCE

10 (3) "DEVELOPMENT" MEANS ANY BUILDING OPERATION OR THE MAKING
11 OF A MATERIAL CHANGE IN THE APPEARANCE OF LAND

12 (4) DIVIDE" OR "DIVISION MEANS THE PARTITIONING OR SPLIT-
13 TING OF A PARCEL OR TRACT BY A PROPRIETOR OR THE PROPRIETOR S
14 HEIRS, EXECUTORS, ADMINISTRATORS, LEGAL REPRESENTATIVES, SUCCES-
15 SORS, OR ASSIGNS THAT RESULTS IN 1 OR MORE PARCELS OF LESS THAN
16 40 ACRES OR THE EQUIVALENT WITH THE INTENT OF TRANSFERRING OWNER-
17 SHIP OR FOR THE PURPOSE OF SALE GIFT, LEASE OF MORE THAN 1 YEAR
18 OR DEVELOPMENT DIVIDE OR DIVISION DOES NOT MEAN

19 (A) THE FINANCING OR LEASING OF APARTMENTS OFFICES STORES,
20 OR SIMILAR SPACE WITHIN AN APARTMENT BUILDING, INDUSTRIAL BUILD-
21 ING, COMMERCIAL BUILDING OR MOBILE HOME PARK AS DEFINED IN SEC-
22 TION 2 OF THE MOBILE HOME COMMISSION ACT, ACT NO 96 OF THE
23 PUBLIC ACTS OF 1987, BEING SECTION 125 2302 OF THE MICHIGAN
24 COMPILED LAWS

25 (B) A MINERAL, OIL, OR GAS LEASE

1 (C) A CONVEYANCE OF LAND FOR PUBLIC PURPOSES TO A
2 GOVERNMENTAL AGENCY OR PUBLIC ENTITY OR TO A PUBLIC UTILITY FOR
3 PUBLIC UTILITY PURPOSES

4 (D) A PROPERTY TRANSFER BETWEEN 2 OR MORE ADJACENT PARCELS,
5 IF THE LAND TAKEN FROM 1 PARCEL IS ADDED TO AN ADJACENT PARCEL
6 A RESULTING PARCEL SHALL NOT BE CONSIDERED A BUILDING SITE UNLESS
7 THE PARCEL CONFORMS TO THE REQUIREMENTS OF THIS ACT OR THE
8 REQUIREMENTS OF AN APPLICABLE ORDINANCE

9 (E) COMPLIANCE WITH A COURT ORDER OR JUDGMENT

10 (5) "EASEMENT" MEANS A GRANT BY THE PROPRIETOR OF THE USE OF
11 LAND FOR A SPECIFIC PURPOSE

12 (6) "ENGINEER" MEANS A PROFESSIONAL ENGINEER LICENSED UNDER
13 ARTICLE 20 OF THE OCCUPATIONAL CODE, ACT NO 299 OF THE PUBLIC
14 ACTS OF 1980, BEING SECTIONS 339 2001 TO 339 2014 OF THE MICHIGAN
15 COMPILED LAWS

16 SEC 102D (1) 'FINAL PLAT' MEANS THE MAP AND OTHER INFOR-
17 MATION CONCERNING A SUBDIVISION AS REQUIRED BY SECTIONS 132 TO
18 151

19 (2) "FLOODPLAIN" MEANS THAT AREA OF LAND ADJOINING A RIVER
20 STREAM, WATER COURSE, LAKE, OR OTHER SIMILAR BODY OF WATER WHICH
21 AREA MAY BE INUNDATED BY A 100-YEAR FLOOD

22 (3) "FORTY ACRES OR THE EQUIVALENT" MEANS 40 ACRES, A
23 QUARTER-QUARTER SECTION CONTAINING NOT LESS THAN 30 ACRES, OR A
24 GOVERNMENT LOT CONTAINING NOT LESS THAN 30 ACRES

25 (4) "GOVERNING BODY" MEANS THE LEGISLATIVE BODY OF A
26 MUNICIPALITY

1 (5) "GOVERNMENT SURVEY" MEANS THE LAND SURVEYED, SUBDIVIDED
2 AND MONUMENTED BY THE UNITED STATES PUBLIC LAND SURVEY

3 (6) HEALTH DEPARTMENT MEANS THE STATE, CITY COUNTY OR
4 DISTRICT HEALTH DEPARTMENT HAVING JURISDICTION

5 (7) 'IMPROVEMENT MEANS AN ADDITION TO THE NATURAL STATE OF
6 LAND

7 SEC 102E (1) LAND MEANS REAL PROPERTY

8 (2) "LOT" MEANS A MEASURED PORTION OF A PARCEL OR TRACT THAT
9 IS DESCRIBED AND FIXED IN A RECORDED PLAT

10 (3) "MICHIGAN COORDINATE SYSTEM" MEANS THE SYSTEM DEFINED IN
11 ACT NO 9 OF THE PUBLIC ACTS OF 1964, BEING SECTIONS 54 231 TO
12 54 239 OF THE MICHIGAN COMPILED LAWS

13 (4) MUNICIPALITY" MEANS A TOWNSHIP, CITY, OR VILLAGE

14 SEC 102F (1) OPEN SPACE" MEANS A LAND AREA OF COMMON
15 USAGE WITHOUT BUILDINGS OTHER THAN THOSE INCIDENTAL TO RECREA-
16 TIONAL ACTIVITIES, PUBLIC USES, OR PUBLIC UTILITY USES

17 (2) 'OUTLOT MEANS A LOT SET ASIDE FOR PURPOSES OTHER THAN A
18 BUILDING SITE OR PARK OR OTHER LAND DEDICATED TO PUBLIC USE OR
19 RESERVED TO PRIVATE USE

20 SEC 102G (1) "PARCEL MEANS AN AREA OF LAND IDENTIFIED BY
21 A LEGAL DESCRIPTION A PARCEL THAT HAS A COMMON PROPERTY LINE
22 WITH ANOTHER PARCEL UNDER THE SAME OWNERSHIP IS ALSO PART OF A
23 TRACT

24 (2) PERSON MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION,
25 LIMITED LIABILITY COMPANY, ASSOCIATION, OR OTHER PRIVATE LEGAL
26 ENTITY PERSON DOES NOT INCLUDE A PUBLIC ENTITY

1 (3) 'PLAT' MEANS A MAP OF AND OTHER INFORMATION ABOUT A
2 SUBDIVISION OF LAND, WHICH MAP IS DRAWN AND INFORMATION IS
3 COMPILED IN CONFORMITY WITH THIS ACT

4 (4) "PLAT REVIEW COMMITTEE" MEANS A COMMITTEE ESTABLISHED
5 UNDER SECTION 148A

6 (5) "PRELIMINARY PLAT MEANS THE MAP AND OTHER INFORMATION
7 CONCERNING A PROPOSED SUBDIVISION AS REQUIRED BY SECTION 111

8 (6) "PROPRIETOR" MEANS A PERSON, A PUBLIC CORPORATION OR
9 AUTHORITY, OR A POLITICAL SUBDIVISION OF THE STATE, OR A COMBINA-
10 TION OF ANY OF THEM, THAT HOLDS AN OWNERSHIP INTEREST IN LAND
11 WHETHER RECORDED OR NOT

12 (7) "PUBLIC FACILITY" MEANS A FACILITY OVER WHICH AN APPROV-
13 ING AGENCY MAY ULTIMATELY ASSUME THE JURISDICTION OR
14 RESPONSIBILITY

15 (8) "PUBLIC UTILITY" MEANS A REGULATED ENTITY OR A MUNICIPAL
16 OR OTHER PUBLIC AUTHORITY THAT PROVIDES GAS, ELECTRICITY, WATER,
17 SEWER, STEAM, TELEPHONE, CABLE TELEVISION, OR OTHER SERVICES OF A
18 SIMILAR NATURE

19 (9) "PUBLIC WATER' MEANS A PUBLIC WATER SUPPLY AS DEFINED BY
20 THE SAFE DRINKING WATER ACT, ACT NO 399 OF THE PUBLIC ACTS OF
21 1976, BEING SECTIONS 325 1001 TO 325 1023 OF THE MICHIGAN
22 COMPILED LAWS, AND CLASSIFIED AS TYPE 1 UNDER THE RULES PROMUL-
23 GATED UNDER THE SAFE DRINKING WATER ACT

24 (10) "PUBLIC SEWER" MEANS A SEWERAGE SYSTEM OPERATING IN
25 COMPLIANCE WITH ACT NO 98 OF THE PUBLIC ACTS OF 1913, BEING SEC-
26 TIONS 325 201 TO 325 214 OF THE MICHIGAN COMPILED LAWS

1 SEC 102H (1) RECORDED PLAT MEANS A PLAT THAT COMPLIES
2 WITH AND IS APPROVED UNDER THIS ACT OR ANY PREVIOUS ACT SO THAT
3 THE PLAT IS OR MAY BE LEGALLY RECORDED BY THE REGISTER OF DEEDS

4 (2) 'REPLAT" MEANS THE PROCESS OF CHANGING THE CONFIGURATION
5 OR THE BOUNDARIES OF AN EXISTING SUBDIVISION

6 (3) "RESIDENTIAL LOT" MEANS A LOT INTENDED TO BE USED ON A
7 TEMPORARY OR PERMANENT BASIS FOR A RESIDENTIAL UNIT

8 (4) 'RESIDENTIAL UNIT" MEANS A HOUSE, APARTMENT, OR OTHER
9 DOMICILE OCCUPIED BY AN INDIVIDUAL, OR A FAMILY GROUP OR ITS
10 EQUIVALENT

11 (5) "RIGHT-OF-WAY" MEANS LAND DEDICATED FOR A ROAD, DRIVE-
12 WAY, ALLEY, WALKWAY, OR OTHER PUBLIC OR PRIVATE PURPOSE

13 (6) "ROAD" MEANS A ROAD, HIGHWAY, OR STREET THAT AFFORDS THE
14 PRINCIPAL MEANS OF ACCESS TO ABUTTING PROPERTY

15 SEC 102I (1) 'SAME OWNERSHIP' MEANS OWNERSHIP BY THE SAME
16 PERSON, OR OWNERSHIP BY DIFFERENT PERSONS IF A PARTICULAR STOCK-
17 HOLDER OR PARTNER, OR A MEMBER OF HIS OR HER FAMILY, OWNS 30% OR
18 MORE OF AN INTEREST IN EACH OF THOSE PERSONS

19 (2) "SANITARIAN" MEANS A REGISTERED SANITARIAN REGISTERED
20 UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, ACT NO 368 OF THE
21 PUBLIC ACTS OF 1978, BEING SECTIONS 333 16101 TO 333 18838 OF THE
22 MICHIGAN COMPILED LAWS

23 (3) "SUBDIVISION" MEANS A DIVISION THAT DOES NOT MEET THE
24 REQUIREMENTS FOR AN EXEMPTION PROVIDED IN SECTION 108A

25 (4) "SURVEYOR" MEANS A LAND SURVEYOR LICENSED UNDER ARTICLE
26 20 OF THE OCCUPATIONAL CODE, ACT NO 299 OF THE PUBLIC ACTS OF

1 1980 BEING SECTIONS 339 2001 TO 339 2014 OF THE MICHIGAN
2 COMPILED LAWS

3 SEC 102J (1) TOPOGRAPHIC MAP" MEANS A MAP SHOWING ELEVA-
4 TIONS AND OTHER EXISTING PHYSICAL CHARACTERISTICS OF THE LAND
5 WITH CONTOUR LINES AT SUFFICIENT INTERVALS TO PERMIT DETERMINA-
6 TION OF PROPOSED GRADES AND DRAINAGE

7 (2) "TRACT" MEANS 2 OR MORE PARCELS WHICH SHARE A COMMON
8 PROPERTY LINE AND WHICH ARE UNDER THE SAME OWNERSHIP

9 (3) "VACATE" MEANS EITHER OF THE FOLLOWING

10 (A) TO RELINQUISH, TO WHATEVER EXTENT, CONTROL OF AND
11 RESPONSIBILITY FOR LAND DEDICATED TO THE PUBLIC BY AN ACTION OF
12 THE MUNICIPALITY THAT HAS JURISDICTION OVER THAT LAND AS PROVIDED
13 IN SECTIONS 226 AND 256

14 (B) TO CORRECT OR REVISE A RECORDED PLAT, OR A PART OF A
15 RECORDED PLAT, BY A JUDGMENT OR ORDER OF A CIRCUIT COURT AS PRO-
16 VIDED IN SECTION 221

17 (4) "WALKWAY" MEANS A RIGHT-OF-WAY DEDICATED FOR THE PURPOSE
18 OF NONMOTORIZED ACCESS

19 (5) "WETLAND" MEANS LAND DEFINED AS WETLAND UNDER THE
20 GOEMAERE-ANDERSON WETLAND PROTECTION ACT, ACT NO 203 OF THE
21 PUBLIC ACTS OF 1979, BEING SECTIONS 281 701 TO 281 722 OF THE
22 MICHIGAN COMPILED LAWS

23 (6) "ZONING ORDINANCE" MEANS AN ORDINANCE ADOPTED UNDER THE
24 AUTHORITY OF ANY OF THE FOLLOWING

25 (A) ACT NO 207 OF THE PUBLIC ACTS OF 1921, BEING SECTIONS
26 125 581 TO 125 592 OF THE MICHIGAN COMPILED LAWS

1 (B) THE COUNTY RURAL ZONING ENABLING ACT, ACT NO 183 OF THE
2 PUBLIC ACTS OF 1943, BEING SECTIONS 125 201 TO 125 232 OF THE
3 MICHIGAN COMPILED LAWS

4 (C) THE TOWNSHIP RURAL ZONING ACT, ACT NO 184 OF THE PUBLIC
5 ACTS OF 1943, BEING SECTIONS 125 271 TO 125 301 OF THE MICHIGAN
6 COMPILED LAWS

7 Sec 103 (1) ~~Any~~ IF A division of land ~~which~~ results
8 in a subdivision, ~~as defined in section 102~~ THE PROPRIETOR
9 shall CAUSE THE SUBDIVISION TO be surveyed and a plat ~~thereof~~
10 ~~submitted~~ OF THE SUBDIVISION TO BE FILED, approved, and recorded
11 as required by ~~the provisions of~~ this act

12 (2) IF A DIVISION DOES NOT REQUIRE A RECORDED PLAT, BEFORE A
13 PARCEL RESULTING FROM THAT DIVISION IS RECORDED, THE PROPRIETOR
14 SHALL HAVE THE PARCEL SURVEYED IN COMPLIANCE WITH SECTIONS 2 AND
15 3 OF ACT NO 132 OF THE PUBLIC ACTS OF 1970, BEING SECTIONS
16 54 212 AND 54 213 OF THE MICHIGAN COMPILED LAWS

17 (3) ~~(2)~~ Plats of retracement or boundary surveys made BY A
18 SURVEYOR OR by a department or agency of the United States or of
19 state-owned lands made by a department or agency of the state for
20 the retracement and division of public lands according to the
21 survey instructions issued by the United States department of the
22 interior may be recorded with the register of deeds of the county
23 in which the lands represented on ~~such~~ THOSE plats are situated
24 and need not comply with ~~section 102 and~~ this ~~section~~ ACT,
25 except that plat size shall be as provided in section 132

1 (4) IF A REPLAT IS MADE UNDER SECTION 104(A), A SURVEY AND
 2 PLAT SHALL BE MADE AND PROCESSED IN ACCORDANCE WITH PROVISIONS OF
 3 THIS ACT

4 (5) ~~(3) A~~ THE PROPRIETOR SHALL HAVE A survey and plat
 5 ~~shall be made when any~~ IF AN amendment, correction, alter-
 6 ation, or revision of a recorded plat is ordered by a circuit
 7 court

8 (6) ~~(4)~~ Urban renewal plats authorized by the governing
 9 body of a municipality as provided in Act No 344 of the Public
 10 Acts of 1945, ~~as amended,~~ being sections 125 71 to ~~+25-83-~~
 11 125 84 of the MICHIGAN Compiled Laws, ~~of 1948,~~ shall conform to
 12 this act

13 (7) IF DIVIDED SO AS TO RESULT IN A SUBDIVISION AND REGARD-
 14 LESS OF THE MANNER BY WHICH AN INTEREST IS TO BE HELD IN THE
 15 RESULTING PARCELS, LAND OWNED OR CONTROLLED BY A CORPORATION
 16 ORGANIZED UNDER ANY OF THE FOLLOWING ACTS IS SUBJECT TO THE PLAT-
 17 TING REQUIREMENTS OF THIS ACT

18 (A) ACT NO 230 OF THE PUBLIC ACTS OF 1897, BEING SECTIONS
 19 455 1 TO 455 24 OF THE MICHIGAN COMPILED LAWS

20 (B) ACT NO 39 OF THE PUBLIC ACTS OF 1889, BEING SECTIONS
 21 455 51 TO 455 72 OF THE MICHIGAN COMPILED LAWS

22 (C) ACT NO 69 OF THE PUBLIC ACTS OF 1887 BEING SECTIONS
 23 455 101 TO 455 113 OF THE MICHIGAN COMPILED LAWS

24 (D) ACT NO 137 OF THE PUBLIC ACTS OF 1929, BEING SECTIONS
 25 455 201 TO 455 220 OF THE MICHIGAN COMPILED LAWS

26 Sec 104 A replat of all or any part of a recorded
 27 subdivision plat ~~may~~ SHALL not be approved or recorded unless

1 proper court action has been taken to vacate the original plat or
 2 the specific part ~~thereof~~ BEING REPLATTED, with the following
 3 exceptions

4 (a) ~~When all~~ ALL the owners of lots which are to be part
 5 of the replat agree in writing ~~thereto~~ TO THE REPLAT and record
 6 the agreement with the register of deeds, and proof ~~that notice~~
 7 OF BOTH OF THE FOLLOWING IS SUBMITTED WITH THE AGREEMENT

8 (1) NOTICE to the abutting property owners has been given by
 9 certified mail ~~and the~~

10 (11) THE governing body of the municipality in which the
 11 land included in the recorded plat is situated ~~—~~ has adopted a
 12 resolution or other legislative enactment vacating all areas ded-
 13 icated to public use within the proposed replat

14 (b) ~~Assessors plats~~ THE REPLAT IS AN ASSESSOR'S PLAT made,
 15 approved, and recorded as provided for in sections 201 to 213

16 (c) ~~Urban~~ THE REPLAT IS A renewal ~~plats~~ PLAT authorized
 17 by the governing body of a municipality, as provided in Act
 18 No 344 of the Public Acts of 1945, ~~as amended~~ BEING SECTIONS
 19 125 71 TO 125 84 OF THE MICHIGAN COMPILED LAWS Roads
 20 ~~streets,~~ alleys, and other public places shall be vacated in
 21 accordance with the provisions of law

22 Sec 105 Approval of A DIVISION, preliminary ~~and~~ PLAT,
 23 IMPROVEMENT PLAN, OR final ~~plats~~ PLAT shall be conditioned upon
 24 compliance with ALL OF THE FOLLOWING

25 (a) ~~The provisions of this~~ THIS act

26 (b) ~~Any~~ AN ordinance or published rules of a municipality
 27 or county adopted to carry out ~~the provisions of~~ this act THE

1 MUNICIPAL OR COUNTY ORDINANCE SHALL REQUIRE A LAND DIVISION OR
2 SUBDIVISION TO CONFORM WITH ADOPTED ZONING ORDINANCES

3 (c) ~~Any~~ THE published rules of a county drain commission-
4 er, county road commission, or ~~county plat board~~ PLAT REVIEW
5 COMMITTEE adopted to carry out ~~the provisions of~~ this act

6 (d) The rules of the ~~department of state highways~~ STATE
7 TRANSPORTATION DEPARTMENT relating to provisions for the safety
8 of entrance upon and departure from ~~the abutting~~ A state trunk
9 line ~~highways~~ HIGHWAY or connecting ~~streets and~~ ROAD THAT
10 ABUTS THE SUBDIVISION, OR relating to the provisions ~~of~~ FOR
11 drainage as required by the STATE TRANSPORTATION department s
12 then currently published standards and specifications

13 (e) The rules ~~of~~ PROMULGATED BY the department ~~of the~~
14 ~~treasury adopted~~ for the approval of plats, including forms,
15 certificates of approval, and other required certificates, cap-
16 tioning of plats, and numbering of lots ~~, as provided in this~~
17 ~~act, and as published in the state administrative code~~

18 (f) The rules ~~of the water resources commission of the~~
19 ~~state~~ PROMULGATED BY THE department of ~~conservation, adopted~~
20 ~~for the determination and establishment of floodplain areas of~~
21 ~~rivers, streams, creeks or lakes, as provided in this act, as~~
22 ~~published in the state administrative code~~ NATURAL RESOURCES TO
23 CARRY OUT THIS ACT, AND THE STATUTES AND RULES ADMINISTERED BY
24 THE DEPARTMENT OF NATURAL RESOURCES THAT APPLY TO THE PRELIMINARY
25 AND FINAL PLAT AND THE CONSTRUCTION ACTIVITIES NECESSARY TO
26 IMPLEMENT THE FINAL PLAT

1 (g) The rules of the department of public health ~~as~~
2 ~~published in the state administrative code~~ relating TO
3 SUITABILITY OF GROUNDWATER TO SERVE INDIVIDUAL WELLS FOR SUBDIVI-
4 SIONS NOT SERVED BY PUBLIC WATER OR to suitability of soils for
5 subdivisions not served by ~~public water and~~ public sewers ~~7~~
6 ~~the authority for which is granted by this act and the manner~~
7 ~~prescribed in section 7 of Act No 146 of the Public Acts of~~
8 ~~1919, as amended, being sections 325 1 to 325 14 of the Compiled~~
9 ~~Laws of 1948~~ The department of public health may authorize
10 ~~local city, county or district~~ A health ~~departments~~
11 DEPARTMENT to carry out the provisions of this act AND RULES
12 PROMULGATED UNDER THIS ACT relating to suitability of GROUNDWATER
13 AND soils for subdivisions not served by public water and public
14 sewers ~~The department of public health may require percolation~~
15 ~~tests and boring tests to determine suitability of soils~~ When
16 ~~such tests are required, they shall be conducted under the super-~~
17 ~~vision of a registered engineer, registered land surveyor, or~~
18 ~~registered sanitarian in accordance with uniform procedures~~
19 ~~established by the department of public health~~ IF ON-SITE SEWER
20 OR WATER IS PROPOSED THE DEPARTMENT OF PUBLIC HEALTH MAY REQUIRE
21 SOIL EVALUATION TESTS TO DETERMINE THE SUITABILITY OF SOILS FOR
22 ON-SITE SEWAGE DISPOSAL AND MAY REQUIRE THE SUBMISSION OF SUFFI-
23 CIENT DATA TO DETERMINE THE SUITABILITY OF GROUNDWATER FOR
24 ON-SITE WATER SUPPLY IF TESTS AND DATA ARE REQUIRED, THEY SHALL
25 BE CONDUCTED UNDER THE SUPERVISION OF, AND SHALL BE CERTIFIED BY,
26 AN ENGINEER, SURVEYOR, OR SANITARIAN IN ACCORDANCE WITH UNIFORM

1 PROCEDURES AND PRACTICE ESTABLISHED BY THE DEPARTMENT OF PUBLIC
2 HEALTH

3 Sec 107 (1) Nothing contained in this act ~~shall~~
4 ~~prohibit~~ PROHIBITS a proprietor from VOLUNTARILY submitting a
5 ~~prepreliminary~~ SKETCH OF A PROPOSED plat to a governing body TO
6 REVIEW for the ~~proprietors~~ PROPRIETOR'S information ~~and~~
7 ~~review~~

8 (2) ~~Nothing contained in this act shall allow a~~ A munici-
9 pality, county, or state agency ~~to~~ SHALL NOT require an
10 approval of a preliminary plat or plan other than ~~those~~ AS pro-
11 vided ~~for~~ in sections ~~112~~ 111 to 120

12 SEC 108 (1) UNLESS THIS ACT SPECIFICALLY PROVIDES OTHER-
13 WISE OR UNLESS THE PROPRIETOR AND APPROVING AUTHORITY AGREE TO AN
14 EXTENSION OF TIME, IF AN APPROVING AUTHORITY IS REQUIRED TO ACT
15 WITHIN A SPECIFIED TIME PERIOD, APPROVAL BY THAT APPROVING
16 AUTHORITY IS CONCLUSIVELY PRESUMED AT THE EXPIRATION OF THE SPEC-
17 IFIED TIME PERIOD UNLESS THE APPROVING AUTHORITY RESPONDS TO THE
18 PROPRIETOR IN ANOTHER MANNER PRESCRIBED BY THIS ACT WITHIN THAT
19 TIME PERIOD IF RESPONDING OTHER THAN IN PERSON, AN APPROVING
20 AUTHORITY SHALL SEND A RESPONSE BY PERSONAL SERVICE, BY REGIS-
21 TERED OR CERTIFIED MAIL, OR, IF AN AFFIDAVIT OF MAILING BY THAT
22 APPROVING AUTHORITY IS FILED WITH THAT AUTHORITY'S OTHER RECORDS
23 IN THE MATTER, BY FIRST CLASS MAIL

24 (2) IF AN APPROVING AUTHORITY FAILS TO RESPOND WITHIN THE
25 TIME SPECIFIED BY THIS ACT, THE PROPRIETOR MAY FILE AN AFFIDAVIT
26 WITH THE APPROVING AUTHORITY STATING THE PROPRIETOR'S INTENT TO

1 CONSIDER THE AFFIDAVIT AS CERTIFICATION OF APPROVAL BY THAT
2 APPROVING AUTHORITY

3 (3) IF AN APPROVING AUTHORITY IS REQUIRED TO APPROVE OR
4 REJECT A FILING OR SUBMISSION UNDER THIS ACT, A PERSON UNDER THE
5 EMPLOY OF THE APPROVING AUTHORITY RESPONSIBLE FOR EXAMINING THE
6 FILING OR SUBMISSION MAY REJECT THAT FILING OR SUBMISSION IF IT
7 IS APPARENT THAT THE APPROVING AUTHORITY WILL REJECT THE FILING
8 OR SUBMISSION A REJECTION UNDER THIS SUBSECTION SHALL INCLUDE
9 IN WRITING THE REASONS FOR REJECTION AND, IF APPROVAL IS POSSI-
10 BLE, THE REQUIREMENTS FOR APPROVAL THE PROPRIETOR MAY APPEAL A
11 REJECTION UNDER THIS SUBSECTION TO THE APPROVING AUTHORITY

12 SEC 108A (1) A RECORDED PLAT IS NOT REQUIRED BY THIS ACT
13 FOR ANY OF THE FOLLOWING DIVISIONS

14 (A) FOR EACH PARCEL OR TRACT THE DIVISION RESULTS IN LESS
15 THAN 5 PARCELS, OR LESS THAN 5 PARCELS ARE CREATED BY SUCCESSIVE
16 DIVISIONS WITHIN A PERIOD OF 10 YEARS, EACH OF WHICH ABUTS A
17 PUBLIC ROAD OR APPROVED ACCESS IF THE DIVISION UNDER THIS SUB-
18 DIVISION RESULTS IN A PARCEL 10 ACRES OR LARGER, A PRIVATE ACCESS
19 SHALL BE DEEMED AN APPROVED ACCESS FOR PURPOSES OF THIS
20 SUBDIVISION

21 (B) FOR EACH PARCEL OR TRACT, THE DIVISION RESULTS IN MORE
22 THAN 4 AND LESS THAN 9 PARCELS OR MORE THAN 4 AND LESS THAN 9
23 PARCELS ARE CREATED BY SUCCESSIVE DIVISIONS WITHIN A PERIOD OF 10
24 YEARS, THE DIVISION IS APPROVED IN COMPLIANCE WITH AN ORDINANCE
25 OF THE MUNICIPALITY OR COUNTY IN WHICH THE LAND IS LOCATED, AND
26 EACH RESULTING PARCEL ABUTS A PUBLIC ROAD OR APPROVED ACCESS IF
27 THE LAND BEING DIVIDED IS LARGER THAN 40 ACRES OR THE EQUIVALENT,

1 1 ADDITIONAL PARCEL OTHERWISE IN COMPLIANCE WITH THIS SUBDIVISION
2 MAY BE CREATED FOR EACH 10 ACRES, AND FRACTION OF 10 ACRES, BY
3 WHICH THE PARCEL OR TRACT EXCEEDS 40 ACRES OR THE EQUIVALENT IF
4 THE ADDITIONAL PARCEL IS LOCATED WITHIN THE ACREAGE WHICH AFFORDS
5 CREATION OF THE ADDITIONAL PARCEL

6 (C) THE DIVISION COMPLIES WITH SUBDIVISION (B) BUT INCLUDES
7 WITHIN THE MAXIMUM NUMBER OF PARCELS PERMITTED UNDER SUBDIVISION
8 (B) PARCELS THAT RESULTED FROM A PREVIOUS DIVISION THAT COMPLIED
9 WITH SUBDIVISION (A)

10 (2) IF A PROPOSED DIVISION COMPLIES WITH AN EXEMPTION UNDER
11 SUBSECTION (1), THE PROPRIETOR SHALL FILE THE PROPOSED DIVISION
12 WITH THE AGENCY OR OFFICIAL DESIGNATED BY THE COUNTY OR MUNICI-
13 PALITY AS PROVIDED IN SECTION 109 WITHIN 10 DAYS AFTER THE
14 FILING OR AS PROVIDED IN SUBSECTION (3), THAT AGENCY OR OFFICIAL
15 SHALL DO THE FOLLOWING

16 (A) DETERMINE WHETHER OR NOT THE DIVISION REQUIRES A
17 RECORDED PLAT

18 (B) APPROVE THE DIVISION IF A RECORDED PLAT IS NOT REQUIRED
19 FOR THE DIVISION AND THE DIVISION COMPLIES WITH SECTION 108B AND
20 108C

21 (C) REJECT THE DIVISION ATTACHING IN WRITING THE REASONS FOR
22 REJECTION AND, IF APPROVAL IS POSSIBLE, THE REQUIREMENTS FOR
23 APPROVAL

24 (3) IF A DIVISION COMPLIES WITH AN EXEMPTION UNDER SUBSEC-
25 TION (1) AND THE PROPRIETOR CERTIFIES THAT EACH PARCEL ABUTS ON A
26 PUBLIC ROAD AND COMPLIES WITH SECTION 108B(1)(D), THE AGENCY OR

1 OFFICIAL SHALL PROMPTLY REVIEW, AND APPROVE OR REJECT, THE
2 DIVISION

3 SEC 108B (1) A PARCEL CREATED BY A DIVISION SHALL HAVE
4 ALL OF THE FOLLOWING

5 (A) AN ADEQUATE AND ACCURATE LEGAL DESCRIPTION

6 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A DEPTH
7 THAT DOES NOT EXCEED 4 TIMES THE WIDTH IF A LOCAL ORDINANCE HAS
8 A MORE RESTRICTIVE DEPTH TO WIDTH RATIO, THE LOCAL ORDINANCE CON-
9 TROLS THE DEPTH TO WIDTH RATIO A MUNICIPALITY OR COUNTY MAY
10 GRANT A WAIVER FROM ANY APPLICABLE DEPTH TO WIDTH RATIO IF THE
11 STANDARDS FOR THE WAIVER ARE SET FORTH IN A LOCAL ORDINANCE AND
12 ARE BASED ON EXCEPTIONAL TOPOGRAPHIC OR PHYSICAL CONDITIONS WITH
13 RESPECT TO THE PARCEL, COMPATIBILITY WITH SURROUNDING LANDS, AND
14 OTHER RELEVANT FACTORS IN KEEPING WITH THE SPIRIT AND INTENT OF
15 THIS ACT

16 (C) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A MINIMUM
17 WIDTH AND AREA AS PROVIDED IN SECTION 186 IF PUBLIC SEWER AND
18 PUBLIC WATER ARE NOT AVAILABLE TO A PARCEL, AND A LOCAL ORDINANCE
19 PRESCRIBES A GREATER MINIMUM AREA THAN THIS ACT, THE LOCAL ORDI-
20 NANCE CONTROLS MINIMUM AREA IF PUBLIC SEWER AND PUBLIC WATER
21 ARE AVAILABLE TO A PARCEL AND A LOCAL ORDINANCE PRESCRIBES A MIN-
22 IMUM AREA, THE LOCAL ORDINANCE CONTROLS MINIMUM AREA

23 (D) IF A RESULTING PARCEL IS 10 ACRES OR LESS IN SIZE,
24 PUBLIC WATER AND PUBLIC SEWER, OR HEALTH DEPARTMENT APPROVAL FOR
25 ON-SITE SEWAGE DISPOSAL AND ON-SITE WATER SUPPLY

26 (2) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (1), IF A
27 DIVISION MEETS THE CRITERIA OF SECTION 108A(1)(B) OR (C), A

1 TENTATIVE PARCEL MAP SHALL BE SUBMITTED TO THE COUNTY OR
2 MUNICIPAL AGENCY OR OFFICIAL FOR APPROVAL AS TO AREA, IMPROVE-
3 MENTS, LOT DESIGN, ACCESS AND OTHER REQUIREMENTS OF THIS
4 SECTION THE TENTATIVE PARCEL MAP SHALL BE A SCALE DRAWING SHOW-
5 ING THE APPROXIMATE DIMENSIONS OF EACH PARCEL WITHIN 1 YEAR
6 AFTER APPROVAL OF THE DIVISION, A SURVEY PREPARED IN CONFORMANCE
7 WITH THE TENTATIVE PARCEL MAP AND IN COMPLIANCE WITH SECTIONS 2
8 AND 3 OF ACT NO 132 OF THE PUBLIC ACTS OF 1970, BEING SECTIONS
9 54 212 AND 54 213 OF THE MICHIGAN COMPILED LAWS, MAY BE RECORDED
10 WITH THE REGISTER OF DEEDS THE SURVEY SHALL BE RECORDED BEFORE
11 A CONVEYANCE OR LEASE IS RECORDED FOR A NEW PARCEL A CONVEYANCE
12 MAY BE MADE OF A PARCEL SHOWN ON A RECORDED SURVEY BY NUMBER OR
13 OTHER SUCH DESIGNATION UPON APPLICATION, THE AGENCY OR OFFICIAL
14 MAY GRANT EXTENSIONS OF THE APPROVAL OF THE TENTATIVE PARCEL MAP
15 OF NOT MORE THAN 1-YEAR INCREMENTS

16 SEC 108C (1) IF AN APPROVED ACCESS TO A PARCEL IS
17 REQUIRED BY THIS ACT AND IF PROVIDED FOR IN A LOCAL ORDINANCE, A
18 MUNICIPALITY OR COUNTY MAY REQUIRE A DEDICATION OR AN OFFER OF
19 DEDICATION BY SEPARATE INSTRUMENT FOR A ROAD OPENING, WIDENING,
20 OR EASEMENT IF A DEDICATION OR OFFER OF DEDICATION IS REQUIRED
21 THE DEDICATION SHALL BE COMPLETED BEFORE OR SIMULTANEOUSLY WITH
22 RECORDING OF THE SURVEY AN OFFER OF DEDICATION SHALL BE IN
23 TERMS THAT BIND THE OWNER, HEIRS, ASSIGNS, AND SUCCESSORS IN
24 INTEREST OF THE LAND, AND SHALL CONTINUE UNTIL THE MUNICIPALITY
25 OR COUNTY ACCEPTS OR REJECTS THE OFFER IF A LOCAL ORDINANCE
26 PROVIDES STANDARDS, A MUNICIPALITY OR COUNTY MAY REQUIRE THE

1 IMPROVEMENT OF A PUBLIC OR PRIVATE ROAD OR EASEMENT SO AS TO MEET
2 LOCAL TRAFFIC, DRAINAGE, AND PUBLIC UTILITY NEEDS

3 (2) A MUNICIPALITY MAY ADOPT AN ORDINANCE WHICH ESTABLISHES
4 STANDARDS FOR A ROAD OR PERMANENT ROAD EASEMENT REQUIRED BY THIS
5 SECTION THE ORDINANCE MAY REGULATE THE FOLLOWING

6 (A) DESIGN, CONSTRUCTION, AND DRAINAGE OF THE ROAD OR
7 EASEMENT

8 (B) AREA AND ACCESS NECESSARY FOR PUBLIC UTILITIES

9 (C) IF A ROAD IS TO BE PRIVATE, ACCESS BY EMERGENCY
10 VEHICLES

11 (D) IF A ROAD IS TO BE PRIVATE, TERMS OF A PRIVATE MAINTENANCE
12 AGREEMENT

13 SEC 109 (1) EXCEPT AS PROVIDED IN SUBSECTION (2), THE
14 COUNTY BOARD OF COMMISSIONERS SHALL DESIGNATE THE COUNTY AGENCY
15 OR OFFICIAL TO REVIEW DIVISIONS UNDER SECTIONS 108A TO 108C

16 (2) BY RESOLUTION AND NOTIFICATION TO THE COUNTY, THE GOV-
17 ERNING BODY OF A MUNICIPALITY WHICH HAS THE ORDINANCES REQUIRED
18 FOR REVIEW OF DIVISIONS AND APPROVAL OF ACCESS MAY DESIGNATE A
19 MUNICIPAL AGENCY INCLUDING ITSELF, OR A MUNICIPAL OFFICIAL TO
20 REVIEW DIVISIONS UNDER SECTIONS 108A TO 108C IF A MUNICIPALITY
21 MAKES A DESIGNATION UNDER THIS SUBSECTION, THE PROPRIETOR SHALL
22 FILE THE PROPOSED DIVISION WITH THE AGENCY OR OFFICIAL DESIGNATED
23 BY THE MUNICIPALITY FOR REVIEW OF DIVISIONS THAT MUNICIPAL
24 AGENCY OR OFFICIAL SHALL REVIEW THE DIVISION AS PROVIDED IN SEC-
25 TIONS 108A TO 108C THE COUNTY AGENCY OR OFFICIAL SHALL NOT HAVE
26 JURISDICTION TO REVIEW A DIVISION LOCATED IN SUCH A MUNICIPALITY

1 SEC 110 IF A FILING OR SUBMISSION FOR PRELIMINARY PLAT
 2 APPROVAL UNDER SECTIONS 111 TO 119 IS REJECTED, THE APPROVING
 3 AUTHORITY HAS 30 DAYS AFTER EACH REFILING OR RESUBMISSION TO TAKE
 4 AN ACTION REQUIRED BY THOSE SECTIONS ON AN ORIGINAL FILING OR
 5 SUBMISSION

6 Sec 111 (1) Before making or ~~submitting~~ FILING a final
 7 plat for approval, the proprietor shall ~~make~~ CAUSE TO BE MADE a
 8 preliminary plat and ~~submit~~ SHALL FILE copies ~~to authorities~~
 9 ~~as provided in~~ WITH EACH APPROVING AUTHORITY AS REQUIRED BY sec-
 10 tions ~~+++~~ 112 to 119 ~~A preliminary plat shall show the name,~~
 11 ~~location and position of the subdivision and the subdivision plan~~
 12 ~~and layout in sufficient detail on a topographic map to enable a~~
 13 ~~determination of whether the subdivision meets requirements for~~
 14 ~~lots, streets, roads and highways including drainage and~~
 15 ~~floodplains~~

16 (2) The preliminary plat shall be drawn to a scale of not
 17 more than 200 feet to 1 inch and may be an original drawing or
 18 reproduction, on unbacked paper ~~it~~ THE PRELIMINARY PLAT SHALL
 19 BE PREPARED UNDER THE JURISDICTION OF A SURVEYOR OR ENGINEER AND
 20 shall contain ~~proper identification of the parcel of land to be~~
 21 ~~divided, the name of the plat and proposed division of the land,~~
 22 ~~the name and address of the proprietor and the name, address and~~
 23 ~~seal of the surveyor who prepared it, all legibly printed or~~
 24 ~~typewritten~~ Additional preliminary land development plans may
 25 ~~be made by other qualified persons to assist approving authori-~~
 26 ~~ties to visualize the type and scope of the development planned~~
 27 ALL OF THE FOLLOWING

1 (A) NAME OF THE PROPOSED SUBDIVISION WITH SECTION NUMBER,
2 TOWN, RANGE, MUNICIPALITY, AND COUNTY

3 (B) NAME ADDRESS, AND TELEPHONE NUMBER OF THE PROPRIETOR
4 AND SURVEYOR PREPARING THE PLAT

5 (C) ADJACENT PROPERTY SHOWING ZONING, RECORDED PLATS OF SUB-
6 DIVISIONS, PARCELS AS SHOWN ON THE TAX RECORDS, RIGHTS-OF-WAY
7 AND INTERSECTING ROADS IF ADJACENT PROPERTY IS OTHER THAN
8 RECORDED PLATS OF SUBDIVISIONS, THE OWNERS' NAMES AS SHOWN ON THE
9 TAX ROLL SHALL BE INCLUDED

10 (D) A VICINITY SKETCH SHOWING THE LOCATION OF THE PROPOSED
11 PLAT IN RELATION TO THE SURROUNDING AREA

12 (E) LOT LINES, LOT NUMBERS, AND APPROXIMATE LOT DIMENSIONS

13 (F) ROADS, ROAD NAMES, AND WIDTHS OF EXISTING AND PROPOSED
14 ROAD RIGHTS-OF-WAY

15 (G) OTHER EXISTING OR PROPOSED RIGHTS-OF-WAY OR EASEMENTS,
16 SHOWING LOCATION WIDTH, AND PURPOSE

17 (H) TOPOGRAPHIC INFORMATION WITH 2-FOOT CONTOUR INTERVALS
18 WHICH EXTEND 100 FEET BEYOND EACH PROPOSED BOUNDARY INDICATING
19 THE DATUM USED

20 (I) SURFACE WATER ELEVATIONS OF BODIES OF WATER WITH THE
21 DATE WHEN TAKEN, AND EXISTING FLOODPLAIN AND WETLAND INFORMATION
22 AVAILABLE FROM THE DEPARTMENT OF NATURAL RESOURCES

23 (J) IF ON-SITE SEWAGE DISPOSAL IS PROPOSED, RESULTS OF PRE-
24 LIMINARY SOIL TESTS AND THE APPROXIMATE LOCATION OF THE TEST
25 HOLES IN THE SEWAGE DISPOSAL AREA

26 (K) IF AN ON-SITE WATER SUPPLY IS PROPOSED, DATA RELATING TO
27 WELL DEPTH, QUALITY, QUANTITY, AND PROTECTION

1 (4) EXISTING UTILITIES, INCLUDING STORM AND SANITARY SEWERS
2 AND WATER MAINS

3 (M) STRUCTURES INTENDED TO BE LEFT STANDING AND SIGNIFICANT
4 NATURAL AND MAN-MADE FEATURES THAT COULD INFLUENCE THE LAYOUT AND
5 DESIGN OF THE SUBDIVISION

6 (N) EXISTING ZONING CLASSIFICATIONS WITHIN THE PROPOSED
7 PLAT

8 (O) AREAS PROPOSED WITHIN THE PLAT TO BE RESERVED OR DEDI-
9 CATED FOR OPEN SPACE, STORM WATER RETENTION OR DETENTION, OR
10 OTHER PUBLIC OR NONPUBLIC USES

11 (P) MINIMUM FRONT BUILDING SETBACK LINES

12 (Q) DATE, NORTH ARROW, AND SCALE OF NOT MORE THAN 200 FEET
13 TO 1 INCH

14 (R) A DESCRIPTION OF THE BOUNDARY OF THE SUBDIVISION AS
15 SHOWN ON THE TAX ROLL OR AS OF RECORD, AND AN INDICATION OF THE
16 NEAREST SECTION CORNER, QUARTER SECTION CORNER, OR PRIVATE CLAIM
17 CORNER

18 (S) A WRITTEN STATEMENT IN A NOTE ON THE PRELIMINARY PLAT AS
19 TO SANITARY SEWER, WATER SUPPLY, STORM DRAINAGE, AND PUBLIC UTIL-
20 ITIES TO BE PROVIDED THE DEVELOPMENT, AND SPECIFICATION FOR ROAD
21 IMPROVEMENTS

22 (3) AN APPROVING AUTHORITY SHALL NOT REQUIRE INFORMATION ON
23 OR WITH A PRELIMINARY PLAT OTHER THAN THE INFORMATION REQUIRED BY
24 THIS ACT

25 Sec 112 (1) The proprietor shall ~~submit 4 but~~ FILE NOT
26 LESS THAN 4 AND not more than ~~10~~ 15 copies of the preliminary

1 plat and other data ~~to~~ WITH the clerk of the municipality IN
2 WHICH THE SUBDIVISION IS LOCATED

3 (2) ~~The~~ WITHIN 60 DAYS AFTER THE FILING UNDER SUBSECTION
4 (1), OR WITHIN 15 DAYS AFTER THE PROPRIETOR FILES THE CERTIFICA-
5 TION OF APPROVAL AND AN APPROVED COPY OF THE PRELIMINARY PLAT
6 FROM EACH APPROVING AUTHORITY, WHICHEVER IS LATER, THE governing
7 body ~~, within 90 days from the date of filing,~~ shall
8 ~~tentatively~~ approve, ~~and~~ APPROVE WITH CONDITIONS, OR REJECT
9 THE PRELIMINARY PLAT THE GOVERNING BODY SHALL note ~~its~~
10 approval on the copy of the preliminary plat to be returned to
11 the proprietor, or set forth in writing ATTACHED TO THE REJECTION
12 its reasons for rejection and, IF APPROVAL IS POSSIBLE, THE
13 requirements for ~~tentative~~ PRELIMINARY PLAT approval

14 ~~(3) The governing body may require the submission of other~~
15 ~~related data as it deems necessary, if the requirement for such~~
16 ~~data has previously been adopted and published~~

17 ~~(4) Tentative approval under this section shall confer upon~~
18 ~~the proprietor for a period of 1 year from date, approval of lot~~
19 ~~sizes, lot orientation and street layout~~ Such tentative
20 approval may be extended if applied for by the proprietor and
21 granted by the governing body in writing

22 Sec 113 (1) The proprietor shall ~~submit~~ FILE 3 copies
23 of the preliminary plat ~~to~~ WITH the engineer or ~~chairman~~
24 CHAIRPERSON of the county road commission if the proposed subdi-
25 vision includes or abuts ~~roads~~ A ROAD under the ROAD
26 commission's jurisdiction, ~~— (2) The county road commission may~~
27 ~~also require to be submitted with the preliminary plat a~~

1 ~~topographic map showing direction of drainage and proposed widths~~
 2 ~~of roads under its jurisdiction or~~ INCLUDES A ROAD to come under
 3 its jurisdiction, ~~and~~ OR INCLUDES A private ~~roads~~ ROAD in AN
 4 unincorporated ~~areas~~ AREA

5 (2) ~~(3) The~~ WITHIN 30 DAYS AFTER THE FILING UNDER SUBSEC-
 6 TION (1), THE county road commission ~~, within 30 days of receipt~~
 7 ~~of the preliminary plat,~~ shall approve ~~it~~ OR APPROVE WITH
 8 CONDITIONS and note ~~its~~ THE approval on the copy to be returned
 9 to the proprietor, or reject ~~it~~ THE PLAT If rejected, the
 10 reasons for rejection and, IF APPROVAL IS POSSIBLE, THE require-
 11 ments for approval shall be given the proprietor in writing
 12 ATTACHED TO THE REJECTION

13 Sec 114 (1) The proprietor shall ~~submit~~ FILE 3 copies
 14 of the preliminary plat ~~to~~ WITH the county drain commissioner
 15 ~~, if there is a county drain commissioner~~

16 ~~(2) The county drain commissioner or governing body, if~~
 17 ~~there is no drain commissioner, may require a topographic map~~
 18 ~~showing direction of storm water drainage both within the lands~~
 19 ~~proposed to be subdivided and from the land as subdivided~~

20 (2) ~~(3) The~~ WITHIN 30 DAYS AFTER THE FILING UNDER SUBSEC-
 21 TION (1), THE county drain commissioner ~~or governing body,~~
 22 ~~within 30 days of receipt of the preliminary plat,~~ shall approve
 23 ~~it~~ OR APPROVE WITH CONDITIONS and note ~~its~~ THE approval on
 24 the copy to be returned to the proprietor, or reject ~~it~~ THE
 25 PLAT If ~~rejected~~ THE COUNTY DRAIN COMMISSIONER REJECTS THE
 26 PRELIMINARY PLAT, the reasons for rejection and, IF APPROVAL IS

1 POSSIBLE, THE requirements for approval shall be given TO the
2 proprietor in writing ATTACHED TO THE REJECTION

3 Sec 115 (1) The proprietor shall ~~submit 3~~ FILE 4 copies
4 of the preliminary plat ~~to~~ WITH the STATE TRANSPORTATION
5 department ~~of state highways,~~ if any of the proposed subdivi-
6 sion includes or abuts a state trunk line highway, or includes
7 ~~streets or~~ roads that connect with or lie within the
8 right-of-way of state trunk line highways

9 (2) ~~The~~ WITHIN 30 DAYS AFTER THE FILING UNDER SUBSECTION
10 (1), THE STATE TRANSPORTATION department ~~of state highways,~~
11 ~~within 30 days of receipt of the preliminary plat,~~ shall approve
12 ~~it~~ OR APPROVE WITH CONDITIONS and note ~~its~~ THE approval on
13 the copy to be returned to the proprietor, or reject ~~it~~ THE
14 PLAT If ~~rejected~~ THE STATE TRANSPORTATION DEPARTMENT REJECTS
15 THE PRELIMINARY PLAT, the reasons for rejection and, IF APPROVAL
16 IS POSSIBLE, THE requirements for approval shall be given TO the
17 proprietor in writing ATTACHED TO THE REJECTION

18 Sec 117 (1) The proprietor shall ~~submit~~ FILE 2 copies
19 of the preliminary plat ~~to the water resources commission of~~
20 WITH the department of ~~conservation~~ NATURAL RESOURCES, if any
21 of the FOLLOWING APPLY

22 (A) THE subdivision lies wholly or in part within ~~the~~ A
23 WETLAND OR floodplain WITHIN 500 FEET of a river, stream, creek,
24 or lake, OR THE GREAT LAKES OR WITHIN OTHER LAND AREAS SUBJECT
25 TO STATUTES ADMINISTERED BY THE DEPARTMENT OF NATURAL RESOURCES

1 (B) THE SUBDIVISION ABUTS AN EXISTING OR PROPOSED CHANNEL OR
 2 LAGOON AFFORDING ACCESS TO A RIVER, STREAM, CREEK, OR LAKE, OR
 3 THE GREAT LAKES AND PUBLIC RIGHTS MIGHT BE AFFECTED

4 (C) DEVELOPMENT OF THE SUBDIVISION INVOLVES THE CONSTRUCTION
 5 OF SEWAGE FACILITIES REQUIRING APPROVAL BY THE DEPARTMENT OF NAT-
 6 URAL RESOURCES ~~The commission, within 30 days of receipt of the~~
 7 ~~preliminary plat,~~

8 (2) WITHIN 30 DAYS AFTER THE FILING UNDER SUBSECTION (1),
 9 THE DEPARTMENT OF NATURAL RESOURCES shall approve ~~it~~ OR APPROVE
 10 WITH CONDITIONS and note ~~its~~ THE approval on the copy to be
 11 returned to the proprietor, or reject ~~it~~ THE PLAT If
 12 ~~rejected~~ THE DEPARTMENT OF NATURAL RESOURCES REJECTS THE PRE-
 13 LIMINARY PLAT the reasons for rejection and, IF APPROVAL IS POS-
 14 SIBLE, THE requirements for approval shall be given ~~in writing~~
 15 to the proprietor IN WRITING ATTACHED TO THE REJECTION ~~The~~
 16 ~~determination of a floodplain area shall be based on rules speci-~~
 17 ~~fied in subdivision (f) of section 105~~

18 Sec 118 (1) The proprietor shall ~~submit 3~~ FILE 4 copies
 19 of the preliminary plat ~~to~~ WITH the health department ~~having~~
 20 ~~jurisdiction, if public water and public sewers are not available~~
 21 ~~and accessible to the land proposed to be subdivided~~ IF THE SUB-
 22 DIVISION WILL BE SERVED WHOLLY OR IN PART BY INDIVIDUAL ON-SITE
 23 SEWAGE OR ON-SITE WATER SYSTEMS

24 (2) ~~The~~ WITHIN 30 DAYS AFTER THE FILING UNDER SUBSECTION
 25 (1), THE health department ~~, within 30 days of receipt of the~~
 26 ~~preliminary plat,~~ shall approve ~~it~~ OR APPROVE WITH CONDITIONS
 27 and note ~~its~~ THE approval on the copy to be returned to the

1 proprietor, or reject all or such portion of the proposed
 2 subdivision that is not suitable If ~~rejected~~ THE HEALTH
 3 DEPARTMENT REJECTS ALL OR A PORTION OF THE PRELIMINARY PLAT, ~~it~~
 4 THE HEALTH DEPARTMENT shall give ~~its~~ IN WRITING ATTACHED TO THE
 5 REJECTION THE reasons for rejection and, IF APPROVAL IS POSSIBLE,
 6 THE requirements for approval to the proprietor and TO THE gov-
 7 erning body ~~in writing~~

8 Sec 119 The proprietor shall submit 2 copies of the pre-
 9 liminary plat FOR INFORMATIONAL PURPOSES to EACH OF the ~~county~~
 10 FOLLOWING

11 (A) THE plat ~~board and to the public utilities serving the~~
 12 ~~area for informational purposes~~ REVIEW COMMITTEE THROUGH ITS
 13 CHAIRPERSON

14 (B) THE ADMINISTRATOR

15 (C) EACH PUBLIC UTILITY SERVING THE AREA

16 Sec 120 (1) ~~Final~~ FOR 2 YEARS AFTER THE DATE OF CERTI-
 17 FICATION AND EXCEPT AS PROVIDED IN SECTION 128(2), approval of
 18 the preliminary plat ~~approval~~ BY THE GOVERNING BODY under
 19 ~~this~~ section 112 ~~shall confer~~ CONFERS upon the proprietor
 20 ~~for a period of 2 years from date of approval,~~ the conditional
 21 right that the general terms and conditions under which THE pre-
 22 liminary ~~approval~~ PLAT was ~~granted~~ APPROVED will not be
 23 changed FOR THAT PLAT A PROPRIETOR MAY APPLY TO THE GOVERNING
 24 BODY FOR A 2-YEAR EXTENSION OF THE 2-YEAR PERIOD THE APPLICA-
 25 TION SHALL INCLUDE A LIST OF APPROVING AUTHORITIES AND CERTIFICA-
 26 TION THAT THE PROPRIETOR HAS GIVEN WRITTEN NOTICE OF THE
 27 APPLICATION FOR EXTENSION TO EACH APPROVING AUTHORITY IF NO

1 APPROVING AUTHORITY OBJECTS TO THE EXTENSION WITHIN 30 DAYS AFTER
2 NOTIFICATION, THE GOVERNING BODY MAY GRANT A 2-YEAR EXTENSION
3 THE GOVERNING BODY MAY GRANT MORE THAN 1 2-YEAR EXTENSION ~~The~~
4 ~~2-year period may be extended if applied for by the proprietor~~
5 ~~and granted by the governing body in writing~~ Written notice of
6 ~~the extension shall be sent by the governing body to the other~~
7 ~~approving authorities~~ The proprietor shall
8 (a) ~~Submit a preliminary plat to all authorities as required~~
9 ~~by sections 112 to 119~~
10 (b) ~~Submit a list of all such authorities to the clerk of~~
11 ~~the governing body of the municipality, certifying that the list~~
12 ~~shows all authorities as required by sections 112 to 119~~
13 (c) ~~Submit all approved copies to the clerk of the governing~~
14 ~~body, after all necessary approvals have been secured~~
15 (2) ~~The governing body of the municipality, after receipt of~~
16 ~~the necessary approved copies of the preliminary plat, shall~~
17 (a) ~~Consider and review the preliminary plat at its next~~
18 ~~meeting, or within 20 days from the date of submission, and~~
19 ~~approve it if the proprietor has met all conditions laid down for~~
20 ~~approval of the preliminary plat~~
21 (b) ~~Instruct the clerk to promptly notify the proprietor of~~
22 ~~approval or rejection in writing, and if rejected to give the~~
23 ~~reasons~~
24 (c) ~~Instruct the clerk to note all proceedings in the~~
25 ~~minutes of the meeting which minutes shall be open for~~
26 ~~inspection~~

1 (2) IF A PRELIMINARY PLAT HAS BEEN APPROVED FOR AN ENTIRE
 2 MULTIPHASE SUBDIVISION, AT THE TIME OF APPROVAL OF A FINAL PLAT
 3 FOR 1 PHASE OF THAT SUBDIVISION, AN APPROVING AUTHORITY MAY GRANT
 4 AN EXTENSION OF THE 2-YEAR PRELIMINARY PLAT APPROVAL UNDER SUB-
 5 SECTION (1) DURING THE PERIOD OF THE EXTENSION, THE PROPRIETOR
 6 HAS A CONDITIONAL RIGHT THAT THE GENERAL TERMS AND CONDITIONS
 7 UNDER WHICH THE PRELIMINARY PLAT OF THE REMAINING PHASES WAS
 8 APPROVED WILL NOT BE CHANGED FOR THAT PLAT AN EXTENSION UNDER
 9 THIS SUBSECTION SHALL BE BASED ON AT LEAST 1 OF THE FOLLOWING

10 (A) THE DELAY IN COMPLETION OF THE DEVELOPMENT IS THE RESULT
 11 OF CIRCUMSTANCES BEYOND THE PROPRIETOR S CONTROL

12 (B) THE PROPRIETOR HAS NOT DISCONTINUED THE PLATTING PROCESS
 13 FOR MORE THAN 36 MONTHS

14 (C) SUBSTANTIAL EXPENDITURES HAVE BEEN MADE IN CONNECTION
 15 WITH THE REMAINING PHASES

16 (D) IMPROVEMENTS RELATING TO THE REMAINING PHASES HAVE BEEN
 17 CONSTRUCTED

18 (3) AS USED IN THIS SECTION AND SECTION 164, GENERAL TERMS
 19 AND CONDITIONS' INCLUDES, BUT IS NOT LIMITED TO, OVERALL SUITA-
 20 BILITY, GENERAL DESIGN LOT SIZES, LOT ORIENTATION AND NUMBERING,
 21 STREET LAYOUT RIGHT-OF-WAY WIDTHS, YARD REQUIREMENTS, AND
 22 DRAINAGE

23 Sec 125 (1) For every subdivision of land there shall be
 24 a survey complying with the requirements of this section and sec-
 25 tion 126

26 (2) ~~Monuments~~ A MONUMENT shall be located ~~in the ground~~
 27 and made according to the ~~following~~ requirements OF THIS

1 SECTION, but ~~it is not intended or required that monuments~~ A
 2 MONUMENT IS NOT REQUIRED TO be placed within the traveled portion
 3 of a ~~street~~ ROAD to mark angles in the boundary of the subdivi-
 4 sion if the angle points can be readily reestablished by refer-
 5 ence to monuments along the sidelines of the ~~streets~~ ROADS

6 (3) ~~All monuments used~~ A MONUMENT shall be ~~made of~~ A
 7 solid iron or steel ~~bars~~ BAR at least 1/2 inch in diameter and
 8 36 inches long and completely encased in concrete at least 4
 9 inches in diameter OR, IF APPROVED BY THE ADMINISTRATOR AND AT
 10 THE ELECTION OF THE PROPRIETOR, ANOTHER MARKER THAT POSSESSES A
 11 MAGNETIC FIELD

12 (4) ~~Monuments~~ A MONUMENT shall be located in the ground at
 13 ~~all angles~~ EACH ANGLE in the boundaries of ~~the~~ A subdivision
 14 at ~~the~~ EACH intersection ~~lines of streets and~~ LINE OF ROADS,
 15 at ~~the~~ EACH intersection of the ~~lines of streets~~ LINE OF A
 16 ROAD with the boundaries of the ~~plat~~ SUBDIVISION, and at ~~the~~
 17 EACH intersection of ~~alleys~~ AN ALLEY with the boundaries of
 18 the subdivision at ~~all points~~ EACH POINT of curvature,
 19 ~~points~~ POINT of tangency, ~~points~~ POINT of compound curvature,
 20 ~~points~~ POINT of reverse curvature, and angle ~~points~~ POINT in
 21 the side lines of ~~streets~~ ROADS and alleys and at ~~all angles~~
 22 EACH ANGLE of an intermediate traverse line

23 (5) If the required location of A monument is in an inaccess-
 24 sible place ~~or~~ or ~~where~~ the locating of a monument would be
 25 clearly impracticable, ~~it is sufficient to place~~ a reference
 26 monument SHALL BE PLACED nearby ~~and the~~ THE precise location

1 ~~thereof~~ OF THE REFERENCE MONUMENT SHALL be clearly indicated on
2 the plat and referenced to the true point

3 (6) If a point required to be monumented is on a bedrock
4 outcropping, a steel rod, at least 1/2 inch in diameter shall be
5 drilled and grouted into solid rock to a depth of at least 8
6 inches

7 (7) ~~All~~ IF PRACTICABLE, A required ~~monuments~~ MONUMENT OR
8 LOT CORNER MARKER shall be placed flush with the ground ~~where~~
9 ~~practicable~~

10 (8) ~~All lot corners~~ EACH LOT CORNER shall be monumented in
11 the field by AN iron or steel ~~bars~~ BAR or iron ~~pipes~~ PIPE at
12 least 18 inches long and 1/2 inch in diameter, or ~~other~~ ANOTHER
13 approved ~~markers~~ MARKER

14 (9) ~~The~~ A governing body ~~of the municipality~~ may waive
15 the placing of ~~any of the~~ A required ~~monuments and markers~~
16 MONUMENT OR MARKER for a reasonable time, not to exceed ~~one~~ 1
17 year UNLESS THE MUNICIPALITY AND THE PROPRIETOR APPROVE AN
18 EXTENSION, on condition that ~~the proprietor deposits~~ A DEPOSIT
19 IS MADE with the clerk of the municipality IN cash, or BY a cer-
20 tified check, ~~or~~ irrevocable bank letter of credit running to
21 the municipality, OR SURETY BOND ACCEPTABLE TO THE MUNICIPALITY,
22 whichever the proprietor selects, in an amount not less than
23 ~~\$25 00~~ \$100 00 per monument and not less than ~~\$100 00~~ \$500 00
24 in total, except that lot corner markers shall be at the rate of
25 not less than ~~\$10 00~~ \$25 00 per marker ~~Such cash, certified~~
26 ~~check or irrevocable bank letter of credit~~ THE DEPOSIT shall be
27 returned to the proprietor upon receipt of a certificate by a

1 surveyor that the monuments and markers have been placed as
2 required within the time specified If the proprietor defaults,
3 the governing body shall promptly require a surveyor to locate
4 the monuments and markers in the ground as certified on the
5 plat ~~, at a cost not to exceed the amount of the security~~
6 ~~deposited and shall pay the surveyor~~

7 Sec 126 (1) The survey of ~~all subdivisions~~ A
8 SUBDIVISION shall be performed by a surveyor

9 (2) The relative error of closure ON THE UNADJUSTED FIELD
10 OBSERVATIONS of the ~~surveyed land~~ EXTERIOR BOUNDARY SURVEY
11 shall be less than the ratio of 1 part in ~~5,000~~ 10,000 THE
12 RELATIVE ERROR OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS
13 FOR INTERIOR LOTS SHALL BE LESS THAN THE RATIO OF 1 PART IN
14 10,000 OR 0 15 FEET, WHICHEVER IS GREATER

15 (3) Bearings shall be expressed in relation to the true
16 meridian, or a previously established meridian or bearing ~~and~~
17 ~~a statement by the~~ THE surveyor SHALL STATE on the plat
18 ~~stating~~ the source of information USED in obtaining the
19 bearings ~~outlined~~

20 SEC 127 (1) BEFORE MAKING OR FILING A FINAL PLAT FOR
21 APPROVAL, THE PROPRIETOR SHALL CAUSE TO BE PREPARED PLANS FOR ANY
22 IMPROVEMENT REQUIRED FOR THE DEVELOPMENT OF THE SUBDIVISION
23 THESE PLANS SHALL PROVIDE DETAILED INFORMATION REGARDING THE
24 DESIGN OF STORM WATER DRAINAGE FACILITIES, WATER SUPPLY SERVICE,
25 WASTE WATER DISPOSAL FACILITIES, ROADS, SITE GRADING, AND ANY
26 OTHER REQUIRED IMPROVEMENT IN ACCORDANCE WITH DESIGN STANDARDS
27 THAT ARE ADOPTED OR PROMULGATED BY RESOLUTION, ORDINANCE, OR

1 RULE, WHICHEVER IS APPLICABLE, AND ARE PUBLISHED BY THE
2 MUNICIPALITY COUNTY OR OTHER PUBLIC AGENCY HAVING
3 JURISDICTION THE DETAILED INFORMATION SHALL INCLUDE, BUT IS NOT
4 LIMITED TO, THE ESTIMATED COST OF THE IMPROVEMENT AND, IF THE
5 IMPROVEMENT IS NOT TO BE COMPLETED BEFORE FINAL PLAT APPROVAL,
6 THE TYPE OF SECURITY PROPOSED TO COMPLY WITH SECTION 193

7 (2) THE PLANS FOR A REQUIRED IMPROVEMENT AND A FEE REQUIRED
8 AS PROVIDED IN SECTION 246 SHALL BE CONCURRENTLY FILED WITH EACH
9 OF THE FOLLOWING THAT HAS JURISDICTION OVER THAT IMPROVEMENT FOR
10 ADMINISTRATIVE REVIEW AND APPROVAL

11 (A) MUNICIPALITY

12 (B) COUNTY ROAD COMMISSION

13 (C) COUNTY DRAIN COMMISSIONER

14 (D) COUNTY HEALTH DEPARTMENT

15 (E) STATE HEALTH DEPARTMENT

16 (F) STATE TRANSPORTATION DEPARTMENT

17 (G) DEPARTMENT OF NATURAL RESOURCES

18 (H) LOCAL WATER AND SEWER AUTHORITIES

19 SEC 128 (1) WITHIN 30 DAYS AFTER THE DATE OF FILING OF
20 THE PLANS FOR AN IMPROVEMENT WITH AN APPROVING AUTHORITY UNDER
21 SECTION 127, THAT APPROVING AUTHORITY SHALL APPROVE, APPROVE WITH
22 CONDITIONS, OR REJECT THE PLANS THE APPROVING AUTHORITY SHALL
23 NOTIFY THE PROPRIETOR IN WRITING OF ITS DECISION IF REJECTED,
24 THE REASONS FOR REJECTION AND, IF APPROVAL IS POSSIBLE, THE
25 REQUIREMENTS FOR APPROVAL SHALL BE GIVEN TO THE PROPRIETOR IN
26 WRITING ATTACHED TO THE REJECTION

1 (2) IF A CHANGE IN THE APPROVED PRELIMINARY PLAT IS REQUIRED
2 AS A RESULT OF A REVIEW OF THE PLANS FOR AN IMPROVEMENT, A
3 REVISED DRAWING OF THE AFFECTED AREA SHALL BE FILED WITH THE
4 APPROVING AUTHORITIES SET FORTH IN SECTIONS 112 TO 119 FOR REVIEW
5 AND APPROVAL UNDER THE PROCEDURES OF THOSE SECTIONS

6 (3) IF PLANS FOR AN IMPROVEMENT ARE REJECTED, THE PROPRIETOR
7 SHALL FILE REVISED PLANS FOR THAT IMPROVEMENT WITH EACH AFFECTED
8 APPROVING AUTHORITY EACH AUTHORITY SHALL APPROVE OR REJECT THE
9 REVISED PLANS WITHIN 30 DAYS AFTER THE FILING

10 (4) PLANS FOR AN IMPROVEMENT FILED FOR REVIEW SHALL BE PRE-
11 PARED AND SEALED AS PRESCRIBED IN ARTICLE 20 OF THE OCCUPATIONAL
12 CODE, ACT NO 299 OF THE PUBLIC ACTS OF 1980, BEING SECTIONS
13 339 2001 TO 339 2014 OF THE MICHIGAN COMPILED LAWS

14 (5) THE PROPRIETOR SHALL NOT BEGIN AN IMPROVEMENT UNLESS THE
15 PROPRIETOR OBTAINS ALL APPLICABLE APPROVALS AND PERMITS FOR THAT
16 IMPROVEMENT

17 SEC 129 THE MUNICIPALITY OR AN AGENCY HAVING JURISDICTION
18 OVER AN IMPROVEMENT BEING CONSTRUCTED FOR A SUBDIVISION MAY
19 REQUIRE INSPECTION OF THAT IMPROVEMENT IF JURISDICTION OVER-
20 LAPS, A MUNICIPALITY AND AGENCY SHALL ATTEMPT TO COOPERATE ON AN
21 INSPECTION OF AN IMPROVEMENT BEING CONSTRUCTED TO AVOID DUPLICA-
22 TION OF INSPECTION AND FEES FEES FOR THE INSPECTION OF AN
23 IMPROVEMENT SHALL BE IN ACCORDANCE WITH SECTION 246

24 SEC 130 UPON COMPLETION OF AN IMPROVEMENT, AN APPROVING
25 AUTHORITY MAY REQUIRE THE PROPRIETOR TO SUBMIT AS-BUILT DRAWINGS
26 CONTAINING DETAILED AS-BUILT INFORMATION IN ACCORDANCE WITH

1 STANDARDS ADOPTED AND PUBLISHED BY THE APPROVING AUTHORITY HAVING
2 JURISDICTION OVER THE IMPROVEMENT

3 Sec 131 (1) Following ~~final~~ approval of the preliminary
4 plat by the governing body UNDER SECTION 112 AND APPROVAL OF
5 PLANS UNDER SECTION 128, the proprietor shall cause a survey and
6 ~~5 true plats thereof~~ A FINAL PLAT OF THAT SURVEY to be made by
7 a surveyor ON MATERIAL APPROVED BY THE ADMINISTRATOR

8 (2) ~~All approvals made on the~~ AN APPROVAL OF A preliminary
9 plat ~~shall expire as~~ EXPIRES AFTER THE TIME PERIOD OF APPROVAL
10 provided in section 120 ~~(3) A~~ AN APPROVING AUTHORITY MAY
11 REJECT, BUT IS NOT REQUIRED TO REJECT, A final plat ~~shall not be~~
12 ~~accepted~~ SOLELY BECAUSE THE FINAL PLAT IS FILED after the ~~date~~
13 ~~of~~ expiration DATE of the preliminary plat approval

14 (3) ~~(4)~~ A final plat received by the ~~state treasurer~~
15 ADMINISTRATOR more than 1 year ~~following~~ AFTER the date of
16 approval ~~of~~ BY the city or county treasurer shall be returned
17 to the treasurer who shall make a new certificate, currently
18 dated relative to paid or unpaid taxes, special assessments, and
19 tax liens or titles

20 (4) ~~(5) All~~ A final ~~plats of subdivided land~~ PLAT shall
21 comply with ~~the provisions of~~ THIS SECTION AND sections ~~+3+~~
22 132 to 151

23 Sec 132 ~~All plats~~ A FINAL PLAT shall be legibly pre-
24 pared according to the following general requirements

25 (a) On 1 or more sheets, 18 inches wide by 24 inches long in
26 size, leaving a 1-1/2 inch binding margin and a 1/2 inch margin
27 on all other sides

1 (b) Of an approved material, according to published
2 specifications of the department of ~~the treasury~~ COMMERCE

3 (c) Drawn or printed with nonfading black ink true to an
4 adequate and plainly readable scale of not more than 100 feet to
5 ~~an~~ 1 inch, UNLESS A DIFFERENT SCALE IS APPROVED IN WRITING BY
6 THE ADMINISTRATOR

7 (d) The name of the ~~plat~~ SUBDIVISION shall not duplicate
8 the name of any ~~plat~~ SUBDIVISION ON A previously recorded PLAT
9 in the same county unless it is an addition contiguous to ~~the~~
10 ~~same~~ THAT PREVIOUSLY RECORDED SUBDIVISION, or ~~which~~ is a part
11 of ~~the same~~ A SUBDIVISION previously approved AS A preliminary
12 plat under ~~section 120~~ SECTIONS 112 TO 119 The first subdivi-
13 sion bearing the name may be designated as number 1, and ~~all~~
14 additions to it shall be consecutively numbered, beginning with
15 number 2

16 (e) Lots shall be numbered consecutively beginning with lot
17 number 1 in the first subdivision bearing the name and continuing
18 in consecutive order throughout the several additions

19 (f) ~~A~~ EACH SHEET WHICH HAS A DRAWING OF THE PLAT SHALL
20 CLEARLY SHOW A north point ~~shall be properly located thereon~~
21 PLAT LEGEND, AND BAR DIAGRAM OF SCALE

22 Sec 133 The caption of the final plat shall be printed at
23 the top of the plat in large, bold letters, and shall include

24 (a) ~~Name of the plat~~ SUBDIVISION NAME

25 (b) Part of section, number of section, town and range,
26 municipality, and county IN WHICH THE SUBDIVISION IS LOCATED

1 (c) If ANY PORTION OF THE SUBDIVISION IS a private claim,
 2 the ~~number of the~~ claim NUMBER and the municipality in which
 3 the land is situated

4 (d) If ~~a tract of~~ ANY PORTION OF THE SUBDIVISION IS land
 5 that is not a section or part of a section, the name by which
 6 ~~the tract~~ THAT LAND is legally known and the town and range and
 7 municipality in which the land is situated

8 Sec 134 ~~There~~ THE FINAL PLAT shall ~~be~~ INCLUDE A type-
 9 written or printed, ~~on the final plat, a~~ full and detailed
 10 description of the land embraced in the subdivision by distances
 11 and bearings THE DESCRIPTION SHALL CONTAIN SUFFICIENT INFORMA-
 12 TION SO THAT THE BOUNDARY OF THE SUBDIVISION CAN BE ESTABLISHED
 13 WITHOUT REFERRING TO THE DRAWING The description shall also
 14 include

15 (a) The caption of the plat

16 (b) ~~If a private claim, the number of the claim and the~~
 17 ~~municipality in which the land is situated~~ THE ACREAGE WITHIN
 18 THE SUBDIVISION BOUNDARY

19 ~~(c) If a tract of land that is not a section or part of a~~
 20 ~~section, the name by which the tract is legally known and the~~
 21 ~~town and range and the municipality in which it is situated~~

22 (C) ~~(d)~~ The name of the original plat and any part of it
 23 replatted

24 (D) ~~(e)~~ A description by distances and bearings of each
 25 excepted parcel

26 (E) ~~(f)~~ The number of lots, the number of outlots, and the
 27 number of private parks

1 (F) ~~(g)~~ The intermediate traverse line, if one is required
2 on the plat

3 (G) ~~(h)~~ The area within the existing right-of-way of any
4 abutting ~~street, county road or state trunk line highway~~ ROAD,
5 if ~~such~~ THAT area has not previously been dedicated to public
6 use and if ~~it~~ THAT AREA is the proprietor's land

7 Sec 135 (1) The map of the subdivision, as drawn on the
8 final plat, shall comply with THIS SECTION AND sections ~~135~~ 136
9 to 141 ~~It~~ THE FINAL PLAT shall contain sufficient information
10 to completely define, for the purpose of a resurvey, the location
11 of any boundary, corner, or angle point within the ~~plat~~ ~~All~~
12 ~~land~~ SUBDIVISION LAND lying within the boundaries of the
13 ~~plat~~ SUBDIVISION shall be shown ~~thereon~~ ON THE FINAL PLAT in
14 such a manner that title to the area may be clearly established
15 as to whether dedicated to public use or reserved to private
16 use

17 (2) IF THE SUBDIVISION IS LOCATED IN MORE THAN 1 MUNICIPALI-
18 TY, THE MUNICIPAL BOUNDARIES SHALL BE LABELED ON THE FINAL PLAT
19 LOTS LOCATED IN MORE THAN 1 MUNICIPALITY SHALL BE PROPERLY DIMEN-
20 SIONED ON THE PORTIONS OF THE LOT IN EACH MUNICIPALITY

21 (3) THE GOVERNMENT CORNERS USED IN REFERENCING THE LOCATION
22 OF THE SUBDIVISION SHALL BE SHOWN, AND FILING DATA SHALL BE NOTED
23 ON THE PLAT SHEETS

24 Sec 136 The exterior boundaries of the subdivision as
25 drawn on the FINAL plat shall include and correctly show ALL OF
26 THE FOLLOWING

1 (a) The land surveyed and divided with reference to a
 2 corner or corners established in the government survey and
 3 indicated by distances and bearings The Michigan coordinate
 4 system may also be used for referencing ~~such~~ THE government
 5 survey points

6 (b) The exact length and bearings ~~thereof~~ OF THE EXTERIOR
 7 BOUNDARIES

8 (c) ~~Where the~~ IF AN exterior boundary ~~lines show bearings~~
 9 ~~and distances~~ LINE SHOWS A BEARING OR DISTANCE which ~~vary~~
 10 VARIES from those recorded in abutting plats, the following note
 11 shall be placed along ~~such lines~~ THAT LINE, "recorded as (show
 12 recorded bearing or distance or both)'

13 (d) The area within the existing right-of-way of any abut-
 14 ting ~~street, county road or state trunk line highway~~ ROAD, if
 15 ~~such~~ THAT area has not previously been dedicated to public use
 16 and if it is the proprietor's land

17 (e) ~~When~~ IF the subdivision is bounded by an irregular
 18 shoreline of a body of water the bearings and distances of a
 19 closing intermediate traverse, extending across the plat so that
 20 it intersects the sidelines of the shore lots the dimensions of
 21 the sidelines of the shore lots from the ~~street~~ ROAD line to
 22 the traverse line ~~, and~~ the distance from the traverse line to
 23 the water's edge as found at the time of the survey distances
 24 along the traverse line between its intersections with the side-
 25 lines of the lots AND the location of monuments at ~~all~~ EACH
 26 angle ~~points~~ POINT of the intermediate traverse ~~All lots~~
 27 ~~extending~~ UNLESS OTHERWISE NOTED ON THE PLAT AND ON THE

1 PROPRIETOR'S CERTIFICATE AS PROVIDED IN SECTION 144, EACH LOT
 2 BOUNDED BY A BODY OF WATER IS PRESUMED TO EXTEND to the water's
 3 edge WHICH shall be noted accordingly on the plat If the pro-
 4 prietor intends to retain possession of the area between the
 5 intermediate traverse and the water's edge, a statement to that
 6 effect shall be noted on the plat AND ON THE PROPRIETOR'S
 7 CERTIFICATE

8 (f) The location of ~~all~~ EACH boundary ~~monuments~~ MONUMENT
 9 established in the field in their proper places

10 (g) ~~When any~~ IF part of the land being subdivided is not
 11 included in the government survey, boundaries shall be indicated
 12 by distances and bearings and related to a government survey
 13 corner or, if in a private claim, to a private claim corner

14 (H) THE STATUS OF ALL LAND ADJACENT TO THE SUBDIVISION IF
 15 ADJACENT LAND IS PLATTED, THE NAME AND RECORDING DATA SHALL BE
 16 SHOWN IN DASHED LETTERS AND FIGURES

17 Sec 137 ~~All public or private grounds, streets, roads~~
 18 ~~and alleys included in the plat~~ PUBLIC OR PRIVATE OPEN SPACE AND
 19 RIGHTS-OF-WAY LOCATED WITHIN THE SUBDIVISION shall be shown as
 20 follows

21 (a) ~~All public or private commons, parks and other grounds~~
 22 ~~except streets and alleys, by their~~ PUBLIC OR PRIVATE OPEN SPACE
 23 BY ITS boundaries, bearings and distances, and ~~names~~ NAME

24 (b) ~~All streets and roads~~ RIGHTS-OF-WAY by their bearings,
 25 widths, and names

26 (c) ~~All streets, roads or alleys~~ RIGHTS-OF-WAY not
 27 dedicated to public use shall be marked "private" and named

1 (d) ~~All curved~~ CURVED portions of ~~streets roads or~~
 2 ~~alleys~~ RIGHTS-OF-WAY shall be defined by curve data including
 3 points of curvature, points of tangency, points of compound cur-
 4 vature, radii of curves, central angles, and the length and bear-
 5 ing of ~~its~~ THE CURVE'S long chord

6 (e) Curve data may be shown by a curve data chart or table

7 (F) AN EASEMENT, OTHER THAN A PUBLIC UTILITY EASEMENT, BY
 8 BEARINGS AND DIMENSIONS FROM WHICH THE EASEMENT CAN BE
 9 RELOCATED IF THE EASEMENT IS RECORDED, THE PLAT SHALL SHOW THE
 10 BOOK AND PAGE WHERE RECORDED

11 Sec 138 (1) ~~When~~ IF any part of a subdivision lies
 12 within or abuts a floodplain, ~~area,~~ the FINAL plat shall
 13 include and show the ~~following~~ ~~(a) The~~ floodplain ~~shall be~~
 14 ~~shown~~ within a contour line, established OR APPROVED by the
 15 ~~water resources commission,~~ department of ~~conservation~~
 16 NATURAL RESOURCES ~~(b)~~ The contour line shall intersect the
 17 ~~side lines~~ SIDELINES of the lots ~~(c)~~ The sidelines shall be
 18 dimensioned to the traverse line from the ~~street~~ ROAD line and
 19 the established floodplain ~~(~~ contour ~~)~~ line ~~(d)~~ The
 20 floodplain ~~area~~ shall be clearly labeled on the plat with the
 21 words "floodplain area"

22 (2) THE DETERMINATION OF A FLOODPLAIN AREA SHALL BE BASED ON
 23 RULES ADOPTED PURSUANT TO THIS ACT

24 (3) THE DEPARTMENT OF NATURAL RESOURCES MAY REQUIRE THAT THE
 25 PLAT INCLUDE DELINEATION OR OTHER IDENTIFICATION OF LAND AREAS
 26 WITHIN THE PLAT THAT ARE SUBJECT TO STATUTES ADMINISTERED BY THE
 27 DEPARTMENT OF NATURAL RESOURCES WHICH STATUTES IMPOSE LIMITATIONS

1 ON CONSTRUCTION ACTIVITIES IN THOSE LAND AREAS THE DELINEATION
2 OR OTHER IDENTIFICATION OF THOSE LAND AREAS SHALL BE BASED UPON
3 THE STATUTE THAT APPLIES TO THE LAND AREA AND RULES PROMULGATED
4 PURSUANT TO THIS ACT

5 Sec 139 (1) ~~All~~ A public utility ~~easements~~ EASEMENT
6 LOCATED WITHIN THE SUBDIVISION SHALL BE included ~~in~~ ON the
7 FINAL plat AND shall be shown as follows

8 (a) By ~~their widths~~ THE EASEMENT'S WIDTH and relationship
9 to the lot or ~~street~~ ROAD lines

10 (b) As at least 12 feet wide where the rear lines of lots
11 are contiguous

12 (c) As at least 6 feet wide if a lot has no adjoining
13 subdivisions

14 (2) A FRONT LINE OR SIDELINE EASEMENT OF A WIDTH DETERMINED
15 ADEQUATE BY THE PUBLIC UTILITIES SERVICING THE AREA MAY BE USED
16 INSTEAD OF THE WIDTH PRESCRIBED IN SUBSECTION (1)(B) OR (C)

17 (3) A PUBLIC UTILITY EASEMENT OF RECORD SHALL BE NOTED ON
18 THE FINAL PLAT WITH THE BOOK AND PAGE WHERE RECORDED

19 Sec 140 ~~All lots and outlots~~ A LOT OR OUTLOT LOCATED
20 WITHIN THE SUBDIVISION SHALL BE included ~~in~~ ON the FINAL plat
21 AND shall be shown as follows

22 (a) All lots numbered consecutively

23 (b) All outlots lettered in alphabetical order

24 (c) The length and bearing of each side lot line

25 (d) The bearing of each front and rear lot line, except as
26 otherwise provided in this section

1 ~~(e) A note showing the front line of any lot fronting on 2~~
 2 ~~or more streets or a body of water except for lots served by~~
 3 ~~public sewers and public water or available and accessible~~
 4 ~~thereto—~~

5 (E) ~~(f)~~ The bearings and depths at each end of a tier of
 6 lots comprised of rectangles or parallelograms

7 (F) ~~(g)~~ The width of lots at each end of a series of lots
 8 ~~when~~ IF the front and back lines are parallel The intermedi-
 9 ate lots may be marked with dittos

10 (G) ~~(h)~~ The distance at the time of the survey from the
 11 traverse line to the water's edge

12 (H) ~~(i)~~ All curved boundaries ~~shall be~~ shown by curve
 13 data as required for public ~~grounds, streets, roads and alleys~~
 14 AND PRIVATE OPEN SPACE AND RIGHTS-OF-WAY in section 137

15 (I) ~~(j)~~ If a replat outlines, numbers, and other identi-
 16 fication of lots of the previous survey ~~shall be~~ shown by
 17 dashed lines figures, or letters

18 Sec 141 ~~When the plat~~ IF THE SUBDIVISION includes or
 19 abuts certain improvements, other than ~~streets,~~ alleys ~~,~~ OR
 20 roads, ~~or highways,~~ such as county drains, lagoons, slips,
 21 waterways, lakes, bays, or canals, which IMPROVEMENTS connect
 22 with or are proposed to connect with or enlarge public waters,
 23 the included or abutting portions of ~~such proposed improvement~~
 24 THESE IMPROVEMENTS shall be shown on the FINAL plat

25 Sec 142 To entitle a final plat to be recorded, the fol-
 26 lowing certificates, in the form prescribed by the ~~state~~
 27 ~~treasurer~~ ADMINISTRATOR, lettered or printed legibly with black,

1 durable ink or typed legibly with black ribbon shall appear on
 2 ~~it and~~ the FINAL PLAT THE certificates shall contain the
 3 statements and information and shall be signed and dated as pre-
 4 scribed in THIS SECTION AND sections ~~141 to 150~~ 143 TO 151

5 THE CERTIFICATES SHALL INCLUDE ALL OF THE FOLLOWING

6 (a) A surveyor's certificate of compliance with ~~the~~
 7 ~~statute~~ THIS ACT

8 (b) A certificate of the proprietor ~~submitting~~ FILING the
 9 plat

10 (c) A certificate of taxes by the treasurer of the county in
 11 which the plat is situated, as required by section 135 of THE
 12 GENERAL PROPERTY TAX ACT, Act No 206 of the Public Acts of 1893,
 13 ~~as amended~~ BEING SECTION 211 135 OF THE MICHIGAN COMPILED
 14 LAWS

15 (d) A certificate of taxes signed by the treasurer of the
 16 municipality in which the plat is located if the municipality
 17 does not return delinquent taxes to the state treasurer, as
 18 required by section 135 of Act No 206 of the Public Acts of
 19 1893 ~~, as amended~~

20 ~~(e) A certificate of approval of the county drain commis-~~
 21 ~~sioner, if there is a county drain commissioner~~

22 ~~(f) A certificate of approval of the board of county road~~
 23 ~~commissioners, if public streets and roads shown on the plat are~~
 24 ~~under its jurisdiction or to come under its jurisdiction and if~~
 25 ~~any private streets or roads shown on the plat are in an unincor-~~
 26 ~~porated area~~

1 (E) ~~(g)~~ A certificate of approval of the governing body of
 2 the municipality The certificate of the governing body of the
 3 municipality ~~may~~ SHALL not be placed on the FINAL plat unless
 4 the proprietor has deposited with the clerk ~~both the filing and~~
 5 ~~recording~~ THE fee required ~~by section 241 and the fee permitted~~
 6 ~~by section 246~~ by the municipality UNDER SECTION 246 for review
 7 and approval of a plat

8 (F) ~~(h)~~ A certificate of approval of the ~~county~~ plat
 9 ~~board~~ REVIEW COMMITTEE The certificate ~~may~~ SHALL not be
 10 placed on the FINAL plat unless the filing and recording fee
 11 required by section 241 has been received ~~by the clerk of the~~
 12 ~~county plat board~~

13 ~~(i) A certificate of approval of the state highway commis-~~
 14 ~~sion when the subdivision includes or abuts state trunk line~~
 15 ~~highways~~

16 (G) ~~(j)~~ A certificate of approval of the ~~state treasurer~~
 17 ADMINISTRATOR The certificate of the ~~state treasurer may~~
 18 ADMINISTRATOR SHALL not be placed on the FINAL plat unless the
 19 ~~portion of the filing and recording~~ REVIEW fee due the state as
 20 provided by section ~~241~~ 241A has been received by ~~him~~ THE
 21 ADMINISTRATOR

22 Sec 143 The certificate of the surveyor who surveyed,
 23 divided, and mapped the land, — and if a firm of surveyors,
 24 ~~also by~~ THE CERTIFICATE OF a partner or principal officer,
 25 shall give the following information, which shall have the same
 26 force and effect as an affidavit

1 (a) By whose direction ~~he~~ THE SURVEYOR made the survey,
2 subdivision, and plat of the land described on the FINAL plat

3 (b) A statement that the FINAL plat is a correct representa-
4 tion of all the exterior boundaries of the land surveyed and the
5 subdivision of ~~it~~ THAT LAND

6 (c) A statement that ~~he~~ THE SURVEYOR has prepared the
7 description of the land shown on the FINAL plat and that ~~he~~ THE
8 SURVEYOR certifies to its correctness

9 (d) A statement that ~~he~~ THE SURVEYOR has caused all of the
10 monuments shown on the FINAL plat to be located in the ground ~~or~~
11 or that the DEPOSIT required ~~cash, certified check or irrevoca-~~
12 ~~ble bank letter of credit~~ UNDER SECTION 125 has been deposited
13 with the clerk of the municipality by the proprietor

14 (e) A statement that the accuracy and closure of survey are
15 within the limits required by section 126

16 (f) A statement that the bearings shown on the FINAL plat
17 are expressed as required by section 126

18 Sec 144 (1) The proprietor's certificate on the FINAL
19 plat shall include EACH OF the following THAT APPLIES TO THAT
20 PLAT

21 ~~(a) The caption of the plat~~

22 (A) ~~(b)~~ A statement that the proprietor has caused the
23 land described on the plat to be surveyed, divided, monumented,
24 mapped, and dedicated as shown on the plat

25 (B) ~~(c)~~ A statement that the ~~streets~~ ROADS, alleys,
26 parks, and other places shown on ~~it which~~ THE PLAT THAT are
27 usually public are dedicated to the use of the public

1 (C) ~~(d)~~ A statement that all public utility easements are
 2 private easements and that all other easements are reserved to
 3 the uses shown on the plat

4 (D) ~~(e)~~ The name of each ~~street~~ ROAD, park, or other
 5 place ~~which~~ THAT is usually public and ~~which~~ THAT is intended
 6 to be reserved to other than public use, and the character and
 7 purpose of ~~such~~ THAT use

8 (E) ~~(f)~~ That the plat includes all land to the water's
 9 edge OR OTHERWISE IF A PROPRIETOR INTENDS TO RETAIN POSSESSION
 10 OF THE AREA BETWEEN THE INTERMEDIATE TRAVERSE AND THE WATER'S
 11 EDGE, A STATEMENT TO THAT EFFECT SHALL BE NOTED ON THE CERTIFI-
 12 CATE AND ON THE PLAT AS PROVIDED IN SECTION 136

13 (2) The proprietor s certificate shall be signed by the fol-
 14 lowing, WITH each signature ~~shall be~~ witnessed by 2 persons ~~,~~
 15 and the signatures ~~shall be~~ acknowledged IN THE SAME MANNER as
 16 SIGNATURES ON deeds conveying lands are required to be witnessed
 17 and acknowledged

18 (a) All persons holding the title by deed of the lands

19 (b) All persons holding any other title of record

20 (c) All persons ~~holding title~~ WITH AN INTEREST as mortga-
 21 gee or vendee under land contract or who are in possession, but
 22 ~~shall not include~~ INCLUDING renters

23 (d) The wives of persons named in subdivisions (a), (b), and
 24 (c)

25 Sec 145 (1) A certificate shall be signed and dated by
 26 the county treasurer relative to paid or unpaid taxes, special
 27 assessments, and tax liens or titles, as required by section 135

1 of THE GENERAL PROPERTY TAX ACT Act No 206 of the Public Acts
2 of 1893, ~~as amended~~ BEING SECTION 211 135 OF THE MICHIGAN
3 COMPILED LAWS

4 (2) The certificate shall be signed and dated by the trea-
5 surer of the municipality, if the municipality does not return
6 delinquent taxes to the state treasurer, as required by section
7 135 of Act No 206 of the Public Acts of 1893 ~~, as amended~~

8 Sec 148 (1) A certificate shall be signed by the clerk of
9 the governing body of the municipality signifying the approval of
10 the FINAL plat by the governing body ~~which~~ THE CERTIFICATE
11 shall show the date of the meeting at which the approval was
12 ~~made~~ GIVEN and the date the certificate was signed by the
13 clerk

14 ~~(2) The certificate shall include a statement that the plat~~
15 ~~was reviewed by the governing body or that the review was made in~~
16 ~~part by persons authorized by the governing body and that the~~
17 ~~plat is in conformance with all applicable provisions of the~~
18 ~~act~~

19 ~~(3) If a copy of the preliminary plat was required to be~~
20 ~~approved by the health department, a statement to the effect that~~
21 ~~such approval was made and the name of the health department and~~
22 ~~the date of its approval shall be included~~

23 (2) ~~(4)~~ If the minimum lot width and area prescribed in
24 this act has been waived and the subdivision is served by public
25 ~~sewers~~ SEWER and public water or ~~is accessible thereto~~
26 CONNECTION TO PUBLIC SEWER AND PUBLIC WATER IS GUARANTEED AS
27 PROVIDED IN SECTION 193, the certificate shall so state and shall

1 also state that the municipality has legally adopted zoning ~~and~~
2 OR subdivision control ordinances which specify lot widths and
3 areas

4 ~~(5) If there is no county drain commissioner, a statement~~
5 ~~that the plat is in compliance with the provisions of section~~
6 ~~+92—~~

7 SEC 148A (1) A PLAT REVIEW COMMITTEE IS ESTABLISHED IN
8 EACH COUNTY CONSISTING OF 6 MEMBERS AS FOLLOWS

9 (A) THE COUNTY REGISTER OF DEEDS AS CHAIRPERSON

10 (B) THE COUNTY DRAIN COMMISSIONER, THE PUBLIC OFFICIAL WHO
11 HAS THE DUTIES OF THE COUNTY DRAIN COMMISSIONER, OR THE CHAIR-
12 PERSON OF THE BODY WHICH HAS THE DUTIES OF THE COUNTY DRAIN
13 COMMISSIONER

14 (C) THE CHAIRPERSON OF THE COUNTY ROAD COMMISSION

15 (D) A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC HEALTH OR,
16 IF A HEALTH DEPARTMENT IS AUTHORIZED BY THE DEPARTMENT OF PUBLIC
17 HEALTH AS PROVIDED IN SECTION 105, A REPRESENTATIVE OF THAT
18 HEALTH DEPARTMENT

19 (E) THE COUNTY TREASURER

20 (F) THE COUNTY CLERK OR, IF THE OFFICES OF COUNTY CLERK AND
21 REGISTER OF DEEDS ARE COMBINED IN THE COUNTY, THE CHAIRPERSON OF
22 THE COUNTY BOARD OF COMMISSIONERS

23 (2) A MEMBER OF THE PLAT REVIEW COMMITTEE MAY DESIGNATE AN
24 ALTERNATE INDIVIDUAL AS A MEMBER THE DESIGNATION SHALL BE IN
25 WRITING AND FILED WITH THE CHAIRPERSON OF THE PLAT REVIEW
26 COMMITTEE A COPY OF THE DESIGNATION SHALL BE SENT TO THE
27 ADMINISTRATOR

1 Sec 149 (1) ~~A certificate shall be signed and dated by~~
 2 ~~the majority of the county plat board signifying its approval of~~
 3 ~~the plat~~ EACH MEMBER OF THE PLAT REVIEW COMMITTEE WHO APPROVES
 4 A FINAL PLAT SHALL SIGN AND DATE A CERTIFICATE ATTACHED TO THE
 5 FINAL PLAT IF A MEMBER FAILS TO REJECT A FINAL PLAT WITHIN THE
 6 TIME AND IN THE MANNER PROVIDED IN SECTION 166, THE CHAIRPERSON
 7 OF THE PLAT REVIEW COMMITTEE SHALL SO STATE ON THE PLAT NOTING
 8 THAT THE PLAT IS CONCLUSIVELY PRESUMED APPROVED BY THAT MEMBER

9 (2) The certificate shall include a statement that the plat
 10 was reviewed BY EACH MEMBER WHO APPROVES THE PLAT for conformance
 11 to ~~all applicable~~ THE provisions of this act ~~by the county~~
 12 ~~plat board, by the county plat engineer, or both~~ WHICH THAT
 13 MEMBER IS RESPONSIBLE FOR ADMINISTERING AND FOR CONFORMANCE WITH
 14 ANY RULES ADOPTED BY THE PLAT REVIEW COMMITTEE

15 Sec 151 ~~(1)~~ A certificate shall be signed and dated by
 16 the ~~state treasurer, or may be signed and dated for him by an~~
 17 ~~officer of the department of treasury, if authorized by the state~~
 18 ~~treasurer~~ ADMINISTRATOR AS PROVIDED IN SECTION 171 ~~(2)~~ The
 19 certificate shall ~~signify~~ CERTIFY that ~~—(a) The~~ THE plat
 20 conforms ~~, in his opinion,~~ to all of the requirements of this
 21 act and to the published rules ~~and regulations of the department~~
 22 ~~of treasury,~~ relative to plats ~~—(b) The~~ AND THAT THE plat
 23 has the ~~state treasurer's~~ ADMINISTRATOR S approval

24 Sec 161 (1) ~~The~~ A final plat shall be ~~submitted~~
 25 FILED, REVIEWED, AND PROCESSED in accordance with the procedure
 26 prescribed in sections 162 to 173

1 (2) IF A FILING OR SUBMISSION FOR FINAL PLAT APPROVAL UNDER
2 SECTIONS 162 TO 173 IS REJECTED, THE APPROVING AUTHORITY HAS 15
3 DAYS AFTER EACH REFILING OR RESUBMISSION TO TAKE AN ACTION

4 REQUIRED BY THOSE SECTIONS ON AN ORIGINAL FILING OR SUBMISSION

5 Sec 162 The proprietor shall ~~submit 5 true copies of~~
6 FILE the final plat ~~to the drain commissioner, if his approval~~
7 ~~was required on the preliminary plat, or 6 true copies if the~~
8 ~~proprietor requests an additional copy to be returned to him~~

9 WITH THE COUNTY TREASURER THE COUNTY TREASURER SHALL CERTIFY
10 THE PLAT AS TO PAID AND UNPAID TAXES, SPECIAL ASSESSMENTS, AND
11 TAX LIENS OR TITLES, AS REQUIRED BY SECTION 135 OF THE GENERAL
12 PROPERTY TAX ACT, ACT NO 206 OF THE PUBLIC ACTS OF 1893, BEING
13 SECTION 211 135 OF THE MICHIGAN COMPILED LAWS

14 Sec 163 (1) ~~Within 10 days, the drain commissioner~~
15 ~~shall~~

16 ~~(a) Certify his approval on all copies of the plat and~~
17 ~~return it to the proprietor or~~

18 ~~(b) Reject the plat, give his reasons in writing, and return~~
19 ~~it to the proprietor~~

20 ~~(c) Send a copy of the letter of rejection to the clerk of~~
21 ~~the governing body~~ WHEN THE FINAL PLAT HAS BEEN CERTIFIED BY
22 THE COUNTY TREASURER, THE TREASURER SHALL RETURN THE PLAT TO THE
23 PROPRIETOR

24 (2) THE SURVEYOR WHO PREPARED THE FINAL PLAT SHALL SIGN AND
25 DATE THE SURVEYOR'S CERTIFICATE AFTER THE SURVEYOR CERTIFIES
26 THE FINAL PLAT, THE PROPRIETOR SHALL FORWARD THE FINAL PLAT TO
27 THE CLERK OF THE MUNICIPALITY, AND THE SURVEYOR SHALL FORWARD

1 COPIES OF THE FINAL PLAT TO EACH APPROVING AUTHORITY AND EACH
2 MEMBER OF THE PLAT REVIEW COMMITTEE THE PROPRIETOR SHALL
3 INCLUDE COPIES OF APPROVALS, BONDS AND SURETIES, AND OTHER AGREE-
4 MENTS AND DOCUMENTS, AS REQUIRED BY THIS ACT OR RULES PROMULGATED
5 UNDER THIS ACT

6 Sec 164 (1) ~~When the plat has been approved by the drain~~
7 ~~commissioner, the proprietor shall submit all copies of the plat~~
8 ~~to the board of county road commissioners, when their approval~~
9 ~~was required on the preliminary plat~~ WITHIN THE TIME SPECIFIED
10 BY THIS SECTION, THE GOVERNING BODY SHALL APPROVE OR REJECT THE
11 FINAL PLAT DURING A TIME PERIOD OF APPROVAL GIVEN TO THE PRE-
12 LIMINARY PLAT UNDER SECTION 120, APPROVAL OR REJECTION OF THE
13 FINAL PLAT SHALL BE BASED ON COMPLIANCE WITH THE GENERAL TERMS
14 AND CONDITIONS UNDER WHICH APPROVAL OF THE PRELIMINARY PLAT WAS
15 GRANTED, AND THE GOVERNING BODY SHALL NOT ENFORCE A CHANGE IN AN
16 ORDINANCE, RULE, OR REGULATION ADOPTED BY THE GOVERNING BODY
17 AFTER THE PRELIMINARY PLAT OF THAT SUBDIVISION IS APPROVED

18 (2) IF THE GOVERNING BODY GRANTS FINAL PLAT APPROVAL, THE
19 CLERK SHALL CERTIFY THE APPROVAL AND THE DATE GRANTED IF THE
20 GOVERNING BODY REJECTS THE FINAL PLAT, THE CLERK SHALL NOTIFY THE
21 PROPRIETOR OF THE REJECTION THE REASONS FOR REJECTION AND, IF
22 APPROVAL IS POSSIBLE, THE REQUIREMENTS FOR APPROVAL SHALL BE
23 GIVEN TO THE PROPRIETOR IN WRITING ATTACHED TO THE PLAT

24 (3) THE GOVERNING BODY SHALL APPROVE OR REJECT A FINAL PLAT
25 AT A REGULAR MEETING SCHEDULED NOT LESS THAN 5 DAYS AND NOT MORE
26 THAN 15 DAYS AFTER THE CLERK RECEIVES THAT FINAL PLAT IF A
27 REGULAR MEETING IS NOT SCHEDULED WITHIN SUCH A TIME PERIOD, THE

1 PROPRIETOR MAY REQUEST THAT A SPECIAL MEETING FOR APPROVAL OR
2 REJECTION BE HELD WITHIN THAT TIME PERIOD AT THE PROPRIETOR'S
3 EXPENSE

4 (4) IF A REGULAR MEETING IS NOT SCHEDULED OR THE PROPRIETOR
5 DOES NOT REQUEST A SPECIAL MEETING WITHIN THAT TIME PERIOD, THE
6 GOVERNING BODY SHALL APPROVE OR REJECT THE FINAL PLAT AT ITS NEXT
7 REGULARLY SCHEDULED MEETING

8 (5) IF THE GOVERNING BODY NEITHER APPROVES NOR REJECTS A
9 FINAL PLAT AT A TIME REQUIRED BY SUBSECTION (3) OR (4), OR
10 REFUSES TO SCHEDULE A REQUESTED SPECIAL MEETING, THE FINAL PLAT
11 IS CONCLUSIVELY PRESUMED TO BE APPROVED BY THAT GOVERNING BODY

12 Sec 165 ~~Within 15 days, a majority of the board of~~
13 ~~county road commissioners shall~~ WITHIN 15 DAYS AFTER THE FILING
14 OF THE FINAL PLAT AND APPLICABLE RESTRICTIVE DEED COVENANTS, THE
15 STATE TRANSPORTATION DEPARTMENT AND DEPARTMENT OF NATURAL
16 RESOURCES SHALL DO THE FOLLOWING

17 (a) ~~Certify their approval on all copies of the plat and~~
18 ~~return it to the proprietor or~~ REVIEW AND EITHER APPROVE OR
19 REJECT THE PLAT

20 (b) ~~Reject the plat, give their reasons in writing, and~~
21 ~~return it to the proprietor~~ IF APPROVED, SEND AN APPROVED FINAL
22 PLAT AND APPLICABLE RESTRICTIVE DEED COVENANTS TO THE
23 ADMINISTRATOR

24 (c) ~~Send a copy of the letter of rejection to the clerk of~~
25 ~~the governing body~~ IF REJECTED, STATE THE REASONS IN WRITING
26 AND SEND A FINAL PLAT AND A LETTER OF REJECTION TO THE
27 ADMINISTRATOR

1 Sec 166 (1) ~~When the plat has been approved by the drain~~
2 ~~commissioner and the county road commissioners, the proprietor~~
3 ~~shall submit all copies of the plat to the clerk of the governing~~
4 ~~body of the municipality, together with the filing fee required~~
5 ~~by section 241~~ UPON APPROVAL OF A FINAL PLAT BY THE MUNICIPALITY,
6 THE PROPRIETOR SHALL FILE THE FINAL PLAT WITH THE CHAIRPERSON
7 OF THE PLAT REVIEW COMMITTEE ALONG WITH THE FEES PROVIDED BY SECTION
8 241 AND A CERTIFICATION THAT EACH MEMBER OF THE PLAT REVIEW
9 COMMITTEE RECEIVED A COPY OF THE PLAT WITHIN 15 DAYS AFTER THIS
10 FILING, THE PLAT REVIEW COMMITTEE SHALL MEET AND DO 1 OF THE
11 FOLLOWING

12 (A) APPROVE THE PLAT AS BEING IN CONFORMANCE WITH ALL APPLICABLE
13 PROVISIONS OF THIS ACT IF APPROVED, SIGNATURES AND CERTIFICATIONS
14 SHALL BE AFFIXED AS PROVIDED IN SECTION 149

15 (B) APPROVE THE PLAT WITH CONDITIONS

16 (C) REJECT THE PLAT THE REASONS FOR REJECTION AND, IF
17 APPROVAL IS POSSIBLE, THE REQUIREMENTS FOR APPROVAL SHALL BE
18 GIVEN TO THE PROPRIETOR IN WRITING ATTACHED TO THE PLAT

19 (2) A FINAL PLAT IS NOT APPROVED BY THE PLAT REVIEW COMMITTEE
20 UNLESS AT LEAST 4 MEMBERS OF THE PLAT REVIEW COMMITTEE
21 APPROVE THE PLAT THOSE MEMBERS APPROVING SHALL INCLUDE ALL OF
22 THE FOLLOWING

23 (A) THE COUNTY DRAIN COMMISSIONER, THE PUBLIC OFFICIAL WHO
24 HAS THE DUTIES OF THE COUNTY DRAIN COMMISSIONER, OR THE CHAIRPERSON
25 OF THE BODY THAT HAS THE DUTIES OF THE COUNTY DRAIN
26 COMMISSIONER

(B) THE CHAIRPERSON OF THE COUNTY ROAD COMMISSION

(C) THE REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC HEALTH
OR, IF A HEALTH DEPARTMENT IS AUTHORIZED BY THE DEPARTMENT OF
PUBLIC HEALTH AS PROVIDED IN SECTION 105, THE REPRESENTATIVE OF
THAT HEALTH DEPARTMENT

Sec 167 ~~At its next regular meeting, or at a meeting
called within 20 days of the date of submission, the governing
body shall~~

~~(a) Approve the plat if it conforms to all of the provi-
sions of this act and instruct the clerk to certify on the plat
to the governing body's approval, showing the date of the govern-
ing body's approval, the approval of the health department, when
required and the date thereof as shown on the approved prelimi-
nary plat or~~

~~(b) Reject the plat, instruct the clerk to give the reasons
in writing as set forth in the minutes of the meeting, and return
the plat to the proprietor~~

~~(c) Instruct the clerk to record all proceedings in the
minutes of the meeting, which shall be open for inspection~~ IF
THE FINAL PLAT IS APPROVED BY THE PLAT REVIEW COMMITTEE THE
CHAIRPERSON SHALL SEND THE FINAL PLAT AND APPLICABLE RESTRICTIVE
DEED COVENANTS TO THE ADMINISTRATOR

Sec 171 Within 15 days after ~~receipt of~~ RECEIVING the
FINAL plat FROM THE PLAT REVIEW COMMITTEE, ~~or within 25 days if~~
~~the plat requires the approval of the state highway commission,~~
~~the state treasurer~~ THE ADMINISTRATOR shall DO 1 OF THE
FOLLOWING

1 (a) Review the plat and ~~when~~ APPROVE it IF THE PLAT AND
 2 PROCEDURE conforms to all of the ~~provisions~~ REQUIREMENTS of
 3 this act ~~, he shall approve it~~ and TO THE PUBLISHED RULES RELA-
 4 TIVE TO PLATS INCLUDING, BUT NOT LIMITED TO, APPROVAL BY ALL
 5 APPROVING AUTHORITIES AND THE FURNISHING OF SECURITY AS REQUIRED
 6 BY SECTION 193 IF APPROVED, THE ADMINISTRATOR SHALL send 1 copy
 7 of the plat to the register of deeds for recording ~~—or—~~

8 (b) Reject the plat and notify the proprietor ~~in writing~~
 9 of the reasons FOR REJECTION AND, IF APPROVAL IS POSSIBLE, THE
 10 REQUIREMENTS FOR APPROVAL IN WRITING ATTACHED TO THE PLAT

11 Sec 172 Upon ~~receipt of~~ RECEIVING the FINAL plat AND
 12 APPLICABLE RESTRICTIVE DEED COVENANTS from the ~~state treasurer~~
 13 ADMINISTRATOR, the register of deeds shall DO ALL OF THE
 14 FOLLOWING

15 (a) Certify on the plat the time of recording and the book
 16 and page where recorded ~~He~~ THE REGISTER OF DEEDS shall not
 17 accept a FINAL plat for recording unless ~~it~~ THE PLAT is sent
 18 ~~to him~~ by the ~~state treasurer~~ ADMINISTRATOR and bears ~~his~~
 19 THE ADMINISTRATOR S certificate of approval

20 (b) Note on the record the time ~~when made~~ OF RECORDING

21 (c) Record the book and page number of any building restric-
 22 tions noted on or filed with the plat

23 (d) ~~Certify and promptly forward~~ PROMPTLY SEND to the
 24 ~~state treasurer~~ ADMINISTRATOR on a form specified by ~~him~~ THE
 25 ADMINISTRATOR CERTIFICATION that the plat has been recorded

1 Sec 173 When notification of recording of 1 copy of THE
2 FINAL plat has been received by the ~~state treasurer, he~~
3 ADMINISTRATOR, THE ADMINISTRATOR shall DO ALL OF THE FOLLOWING

4 (a) Transcribe the certificate of recording on all other
5 copies

6 (b) Retain 1 copy for ~~his~~ THE ADMINISTRATOR'S files

7 (c) Mail 1 copy of the FINAL plat to the county treasurer, 1
8 copy to the clerk of the municipality in which the ~~plat~~
9 SUBDIVISION is located, 1 copy to the county road commission or
10 the city planning commission, and 1 copy to the proprietor if ~~he~~
11 ~~has submitted~~ THE PROPRIETOR FILES an extra copy for certifica-
12 tion and mailing

13 Sec 181 ~~All streets, alleys,~~ ALLEYS AND roads ~~and~~
14 ~~highways~~ shown, or required to be shown, on a plat shall comply
15 with the requirements of sections ~~181~~ 182 to ~~185~~ 184 as a
16 condition of approval of the final plat

17 Sec 182 (1) ~~The~~ IF A SUBDIVISION ABUTS A ROAD OR ALLEY
18 UNDER ITS JURISDICTION IF A SUBDIVISION INCLUDES A ROAD OR ALLEY
19 TO COME UNDER ITS JURISDICTION, OR IF A PRIVATE ROAD IS WITHIN A
20 SUBDIVISION, AS A CONDITION OF APPROVAL OF THE FINAL PLAT THE
21 governing body of a municipality, ~~in which the subdivision is~~
22 ~~situated~~ THE COUNTY ROAD COMMISSION, OR THE STATE TRANSPORTATION
23 DEPARTMENT may require ANY OF the following ~~as a condition of~~
24 ~~approval of final plat, for all public and private streets,~~
25 ~~alleys and roads in its jurisdiction~~

26 (a) Conformance to the general plan ~~, width~~ and location
27 requirements that THE AGENCY ADOPTS ~~it may have adopted and~~

~~1 published, and greater width than shown on a county or state~~
~~2 plan, but may not require conformance to a municipal plan that~~
~~3 conflicts with a general plan adopted by the county or state for~~
~~4 the location and width of certain streets, roads and highways~~

5 (B) IMPROVEMENTS FOR TRAFFIC SAFETY, INCLUDING, BUT NOT
6 LIMITED TO, TRAFFIC CONTROL SIGNS, IN LAYING OUT AND CONSTRUCTING
7 A PUBLIC OR PRIVATE ROAD OR ALLEY WITHIN OR AFFECTED BY A PRO-
8 POSED SUBDIVISION, AS PROVIDED IN PROMULGATED RULES OR ADOPTED
9 AND PUBLISHED STANDARDS SAFETY PROVISIONS MAY BE REQUIRED FOR A
10 REASONABLE DISTANCE BEYOND THE SUBDIVISION BOUNDARY, BUT NOT MORE
11 THAN 500 FEET FROM THE INTERSECTION OF A SUBDIVISION ROAD WITH AN
12 EXISTING PUBLIC ROAD THE RULES AND STANDARDS FOR TRAFFIC SAFETY
13 IMPROVEMENT OUTSIDE THE BOUNDARIES OF A SUBDIVISION ARE LIMITED
14 TO PROVISIONS FOR SIGHT DISTANCES AND FOR ACCELERATION, DECELERA-
15 TION, AND PASSING LANES FOR ENTRANCE TO AND EXIT FROM THE PRO-
16 POSED SUBDIVISION AN IMPROVEMENT OUTSIDE OF THE BOUNDARIES OF A
17 SUBDIVISION SHALL NOT BE REQUIRED UNLESS ADEQUATE RIGHT-OF-WAY
18 FOR THE IMPROVEMENT IS PROVIDED BY AND AT THE EXPENSE OF THE
19 AGENCY REQUIRING THE IMPROVEMENTS THE RIGHT-OF-WAY SHALL BE
20 OBTAINED BY THE AGENCY NOT MORE THAN 90 DAYS AFTER FINAL PLAT
21 APPROVAL IF THE AGENCY DOES NOT OBTAIN A NEEDED RIGHT-OF-WAY
22 BEFORE ACTUAL CONSTRUCTION OF SUBDIVISION ROADS BEGINS, THE PRO-
23 PRIETOR SHALL DEPOSIT WITH THAT AGENCY THE ESTIMATED COST AT THAT
24 TIME OF THE REQUIRED TRAFFIC SAFETY IMPROVEMENTS IF THE
25 RIGHT-OF-WAY IS OBTAINED WITHIN THE 90-DAY TIME LIMIT AND THE
26 AGENCY MAKES THE REQUIRED SAFETY IMPROVEMENTS, THE AGENCY SHALL

1 KEEP THE DEPOSIT, OTHERWISE THE AGENCY SHALL RETURN THE DEPOSIT
2 TO THE PROPRIETOR

3 (C) ~~(b)~~ Proper drainage, grading, and construction of
4 approved materials of a thickness and width provided in ~~its~~ THE
5 AGENCY S current published construction AND DESIGN standards AND
6 IN ACCORDANCE WITH APPROVED IMPROVEMENT PLANS

7 (D) ~~(c)~~ Installation of bridges, ~~and~~ culverts, ~~where it~~
8 ~~deems necessary~~ AND DRAINAGE STRUCTURES

9 ~~(d) Submission of complete plans for grading, drainage and~~
10 ~~construction to be prepared and sealed by a civil engineer regis-~~
11 ~~tered in the state~~

12 (e) Completion of all required improvements relative to
13 ~~streets, alleys and roads or a deposit by the proprietor~~
14 ~~with the clerk of the municipality in the form of cash, a certi-~~
15 ~~fied check or irrevocable bank letter of credit, whichever the~~
16 ~~proprietor selects, or a surety bond acceptable to the governing~~
17 ~~body, in an amount sufficient to insure completion within the~~
18 ~~time specified~~

19 (F) DEDICATION BY THE PROPRIETOR, FOR PUBLIC PURPOSES OF
20 THAT PORTION OF THE PROPOSED SUBDIVISION THAT IS ADJACENT TO AN
21 EXISTING PUBLIC ROAD OR IS LOCATED IN A PROPOSED RIGHT-OF-WAY
22 ADOPTED BY A GOVERNING BODY, A COUNTY ROAD COMMISSION, OR THE
23 STATE TRANSPORTATION DEPARTMENT, AND THAT IS REQUIRED FOR THE
24 MAINTENANCE AND CONSTRUCTION OF AN EXISTING OR NEW ROAD, FOR
25 APPURTENANCES TO A ROAD NECESSARY FOR VEHICULAR AND PEDESTRIAN
26 TRAFFIC SAFETY, OR FOR NECESSARY PUBLIC FACILITIES OR UTILITIES

1 (2) As a condition of approval of the FINAL plat, ~~the~~
 2 ~~governing body~~ AN AGENCY WITH JURISDICTION OVER ROADS may
 3 require a ~~deposit to be made in the same manner as provided in~~
 4 ~~subdivision (c) of subsection (1), to insure performance of any~~
 5 ~~of the obligations of the proprietor to make required~~
 6 ~~improvements~~ PERMIT IN ACCORDANCE WITH SECTION 184

7 (3) ~~The governing body shall rebate to the proprietor, as~~
 8 ~~the work progresses, amounts of any cash deposits equal to the~~
 9 ~~ratio of the work completed to the entire project~~ AS A CONDI-
 10 TION OF APPROVAL OF THE FINAL PLAT, AN AGENCY WITH JURISDICTION
 11 OVER ROADS MAY REQUIRE AN AGREEMENT TO COMPLETE IMPROVEMENTS
 12 UNDER SUBSECTION (1) IN ACCORDANCE WITH SECTION 193 IN ADDI-
 13 TION, THE ROAD AGENCY MAY REQUIRE A SECURITY DEPOSIT TO BE HELD
 14 AFTER COMPLETION OF THE IMPROVEMENTS EQUAL TO NOT MORE THAN 10%
 15 OF A ROAD AGENCY'S ESTIMATED COST OF ALLEY AND ROAD
 16 IMPROVEMENTS THIS DEPOSIT SHALL BE RETURNED 1 YEAR AFTER COM-
 17 PLETION OF THE IMPROVEMENTS MINUS THE COST TO THE ROAD AGENCY TO
 18 CORRECT ANY LATENT DEFECT IN THE IMPROVEMENTS WHICH DEFECT
 19 BECOMES APPARENT WITHIN THAT TIME

20 (4) ~~The governing body~~ AN AGENCY WITH JURISDICTION OVER
 21 ROADS shall

22 (a) Reject a plat ~~which~~ THAT is isolated from or ~~which~~
 23 THAT isolates other lands from existing public ~~streets~~ ROADS,
 24 unless ~~suitable~~ APPROVED access is provided

25 (b) Reject a plat showing a ~~street or~~ road name duplicat-
 26 ing one already in use in the municipality, except in continuing
 27 a ~~street or~~ road

1 (c) Reject a plat showing the name of a new ~~street,~~ alley
2 or road that is so similar to the one already in existence in the
3 municipality that permitting ~~such~~ use OF THAT NAME in the sub-
4 division may be confusing for purposes of assessing, mail
5 delivery, ~~and~~ OR locating by the public

6 (5) A ROAD DEDICATED TO THE PUBLIC IN A PLAT BUT NOT OPEN TO
7 PUBLIC TRAVEL IS NOT A PUBLIC ROAD UNTIL CONSTRUCTION IS COM-
8 PLETED BY THE PROPRIETOR AND THE ROAD IS ACCEPTED BY THE AGENCY
9 HAVING JURISDICTION

10 Sec 183 (1) ~~The county road commission may require the~~
11 ~~following as a condition of approval of final plat for all high-~~
12 ~~ways, streets and alleys in its jurisdiction or to come under its~~
13 ~~jurisdiction and also for all private roads in unincorporated~~
14 ~~areas~~ AN AGENCY WITH JURISDICTION OVER ROADS MAY ADOPT REASON-
15 ABLE RIGHT-OF-WAY AND CONSTRUCTION STANDARDS THAT MAY INCLUDE
16 MORE THAN 1 SET OF ROAD CONSTRUCTION AND DESIGN STANDARDS TO
17 SERVE IN A REASONABLY SAFE, CONVENIENT, AND ECONOMICAL MANNER THE
18 VEHICULAR TRAFFIC PROJECTED TO BE GENERATED BY THE VARIOUS TYPES
19 AND DENSITIES OF LAND DEVELOPMENT THE PUBLISHED ROAD CONSTRUC-
20 TION AND DESIGN STANDARDS SHALL CONTAIN THE CRITERIA TO BE UTI-
21 LIZED IN SELECTING THE PARTICULAR SET OF ROAD CONSTRUCTION AND
22 DESIGN STANDARDS TO BE REQUIRED

23 ~~(a) Conformance to the general plan, width and location~~
24 ~~requirements that the board may have adopted and published~~

25 ~~(b) Adequate provision for traffic safety in laying out~~
26 ~~drives which enter county roads and streets, as provided in the~~
27 ~~board's current published construction standards~~

1 ~~(c) Proper drainage, grading and construction of approved~~
 2 ~~materials of a thickness and width provided in its current pub-~~
 3 ~~lished construction standards~~

4 ~~(d) Submission of complete plans for grading, drainage and~~
 5 ~~construction, to be prepared and sealed by a civil engineer reg-~~
 6 ~~istered in the state~~

7 ~~(e) Installation of bridges, culverts and drainage struc-~~
 8 ~~tures where it deems necessary~~

9 ~~(f) Completion of all required improvements relative to~~
 10 ~~streets, alleys and roads, or a deposit by the proprietor with~~
 11 ~~the board in the form of cash, a certified check or irrevocable~~
 12 ~~bank letter of credit, whichever the proprietor selects, or a~~
 13 ~~surety bond acceptable to the board, in an amount sufficient to~~
 14 ~~insure completion within the time specified~~

15 ~~(2) As a condition of approval of the final plat, the board~~
 16 ~~may require a deposit to be made in the same manner as provided~~
 17 ~~in subdivision (f) of subsection (1), to insure performance of~~
 18 ~~any of the obligations of the proprietor to make required~~

19 ~~improvements~~ AN AGENCY SHALL NOT ADOPT A STANDARD UNLESS A
 20 PUBLIC HEARING IS HELD ON THE PROPOSED STANDARD IN ACCORDANCE
 21 WITH PRESCRIBED PROCEDURES A STANDARD SHALL NOT BE EFFECTIVE
 22 UNTIL ADOPTION AND PUBLICATION

23 ~~(3) The board shall rebate to the proprietor, as the work~~
 24 ~~progresses, amounts of any cash deposits equal to the ratio of~~
 25 ~~the work completed to the entire project~~

26 ~~(4) The board shall reject a final plat isolating lands from~~
 27 ~~existing public streets or roads, unless suitable access is~~

~~1 provided, and shall also require that such access be granted by
2 easement or dedicated to public use—~~

3 Sec 184 BEFORE APPROVING A FINAL PLAT, THE COUNTY ROAD
4 COMMISSION COUNTY DRAIN COMMISSIONER, MUNICIPALITY, STATE TRANS-
5 PORTATION DEPARTMENT, DEPARTMENT OF NATURAL RESOURCES, OR STATE
6 OR LOCAL HEALTH DEPARTMENT MAY REQUIRE THE PROPRIETOR TO SECURE A
7 PERMIT TO BEGIN CONSTRUCTION OR IMPROVEMENTS ~~—(+) The department
8 of state highways may require, where a plat abuts a state trunk
9 line highway, if the existing right of way was not previously
10 dedicated to public use or acquired in fee simple, that there be
11 included within the plat boundary and description the area within
12 the existing right of way and that such area be dedicated to
13 public use if it is the proprietor's land—The department of
14 state highways may also require the following as a condition of
15 approval for highways and streets shown on the final plat—~~

16 ~~(a) Conformance in width and location to the plan on file at
17 its main and district offices for state trunk line highways—~~

18 ~~(b) Adequate provision for traffic safety in laying out
19 roads, streets and alleys which enter state trunk line highways,
20 as provided in the department's then currently published stan-
21 dards and specifications—~~

22 ~~(c) That those portions of connecting streets and roads
23 within state trunk line highway right of way be graded and sur-
24 faced in accordance with the department's then currently pub-
25 lished standards and specifications—~~

26 ~~(d) Completion of all required improvements, or a deposit by
27 the proprietor with the department in the form of cash, a~~

~~1 certified check or irrevocable bank letter of credit whichever
2 the proprietor selects, or a surety bond acceptable to the
3 department, in an amount sufficient to insure completion of all
4 required improvements within the time specified~~

~~5 (2) Following approval of the final plat, the department may
6 require a deposit to be made in the same manner as provided in
7 subdivision (d) of subsection (1), to insure performance of any
8 of the obligations of the proprietor to make required
9 improvements. If a cash deposit is required, the department
10 shall rebate to the proprietor as the work progresses an amount
11 of cash equal to the ratio of the work completed to the entire
12 project~~

13 Sec 186 (1) Except as otherwise provided in this section,
14 as a condition of approval of the final plat, all lots and out-
15 lots ~~subdivided as defined in section 102~~ shall comply with all
16 of the following

17 (a) Lots shall be numbered consecutively. If more than 1
18 subdivision is intended to be known by the same name, ~~or~~
19 ~~caption,~~ the lots in those subdivisions shall be numbered con-
20 secutively throughout the several subdivisions bearing the same
21 name

22 (b) A residential lot shall ~~not~~ be NOT less than 65 feet
23 wide at the distance of 25 feet from its front line. If a lot
24 diminishes in width from front to rear, ~~it~~ THE LOT shall ~~not~~
25 be NOT less than 65 feet wide at a distance of 50 feet from its
26 front line

1 (c) A residential lot shall ~~not~~ have an area of NOT less
 2 than 12,000 square feet AND SHALL CONTAIN AREAS SUITABLE FOR THE
 3 CONSTRUCTION OF A RESIDENCE AND FOR THE INSTALLATION OF AN
 4 ON-SITE SEWER SYSTEM AND WATER SYSTEM

5 ~~(d) If required by the governing body outlots designated on~~
 6 ~~the plat shall be of a size, extent, and location that will not~~
 7 ~~impair the intent of this act or any applicable municipal rules,~~
 8 ~~regulations or policies for land development adopted and pub-~~
 9 ~~lished by the governing body~~

10 (D) ~~(e)~~ Each lot and outlot shown on a plat shall have
 11 direct access to a ~~street or~~ road or SHALL BE assured permanent
 12 access ~~is~~ AS provided for in accordance with ~~a~~ AN APPLICABLE
 13 local ~~subdivision control~~ ordinance ~~or a zoning ordinance~~
 14 ~~with subdivision control provisions~~

15 (E) IF REQUIRED BY THE GOVERNING BODY, OUTLOTS DESIGNATED ON
 16 THE PLAT SHALL BE OF A SIZE AND EXTENT AND IN A LOCATION THAT
 17 DOES NOT IMPAIR THE INTENT OF THIS ACT OR ANY APPLICABLE MUNICI-
 18 PAL RULES, ORDINANCES, OR POLICIES FOR LAND DEVELOPMENT ADOPTED
 19 AND PUBLISHED BY THE GOVERNING BODY

20 (2) ~~Minimum~~ THE MINIMUM width and MINIMUM area require-
 21 ments ~~provided for in subsection (1) for residential lots may be~~
 22 ~~waived in any subdivision~~ OF THIS ACT AND THE OTHER REQUIREMENTS
 23 OF SUBSECTION (1)(C) FOR A RESIDENTIAL LOT DO NOT APPLY TO A RES-
 24 IDENTIAL LOT if connection to a public water and a public sewer
 25 system is ~~available and accessible~~ PROVIDED or if the
 26 proprietor, before approval of the plat, posts security with the
 27 clerk of the municipality as provided in section ~~+82-~~ 193, and

1 if the municipality in which the subdivision is proposed has
2 ~~legally~~ adopted A zoning ~~and~~ OR subdivision control
3 ~~ordinances~~ ORDINANCE that ~~include~~ INCLUDES minimum lot width
4 and lot area provisions for residential buildings

5 (3) The minimum width and area requirements provided for in
6 subsection (1) for a residential lot may be waived if all of the
7 following requirements are met

8 (a) The residential lot has a public sewer system available
9 and accessible and the sewer system will serve that residential
10 lot

11 (b) The residential lot consists of an area of not less than
12 7,200 square feet

13 (c) The municipality in which the subdivision is proposed
14 has ~~legally~~ adopted A zoning ~~and~~ OR subdivision control
15 ~~ordinances~~ ORDINANCE that ~~include~~ INCLUDES minimum lot width
16 and lot area provisions for residential buildings

17 (d) The ground water supply on that residential lot meets or
18 exceeds the water supply rules of the department of public health
19 for subdivisions not served by public water

20 (e) Except for a plat approved pursuant to subsection (5),
21 the plat for the proposed subdivision in which the residential
22 lot is located is submitted to the state for final plat approval
23 before January 1, 1993

24 (4) Subsection (3) does not apply to a final plat approved
25 after December 31, 1994

26 (5) Notwithstanding subsection (4), a waiver shall be
27 granted under subsection (3) for a plat that meets the criteria

1 in subsection (3)(a) through (d) and is contiguous to and, since
2 September 1, 1992 has been owned by the same person as a plat
3 that has received a waiver under subsection (3)

4 (6) The register of deeds shall maintain the recorded plat
5 pursuant to section 243

6 Sec 188 (1) If the subdivision includes or abuts certain
7 improvements other than ~~streets~~ ROADS and alleys, such as
8 county drains, lagoons, slips, waterways, lakes, bays, or canals,
9 which IMPROVEMENTS connect with or are proposed to connect with
10 or enlarge public waters, and ~~such~~ THOSE improvements are not
11 in existence at the time of consideration by the governing body
12 of the municipality, ~~it~~ THE GOVERNING BODY may require, as a
13 condition of approval of the final plat, the proprietor to enter
14 into an agreement to construct ~~such~~ THE improvements within a
15 reasonable time IN ACCORDANCE WITH SECTION 193

16 (2) ~~The governing body may require a cash deposit, certi-~~
17 ~~fied check or irrevocable bank letter of credit whichever the~~
18 ~~proprietor selects, or surety bond acceptable to the municipali-~~
19 ~~ty, covering the estimated cost of construction, to be deposited~~
20 ~~with the clerk of the municipality to insure the faithful per-~~
21 ~~formance of the agreement~~ Outlots or parks used as buffer
22 strips, if between the boundary of the subdivision and ~~such~~
23 ~~improvements~~ AN IMPROVEMENT LISTED IN SUBSECTION (1), shall not
24 alter the requirements of this section

25 (3) ~~Any~~ A municipality may provide by ordinance for the
26 installation of other improvements in addition to those required
27 by this act The governing body of the municipality, as a

1 condition of approval of the plat, may require the proprietor to
2 enter into an agreement, as provided in this section

3 SEC 189 A MUNICIPALITY MAY REQUIRE DEDICATION OF PUBLIC
4 PARKS OR OPEN SPACE OR AT THE PROPRIETOR S OPTION, CASH IN LIEU
5 OF PARKS OR OPEN SPACE AS A CONDITION OF APPROVAL OF THE PLAT IF
6 BOTH OF THE FOLLOWING CONDITIONS ARE MET

7 (A) THE REQUIREMENT IS AUTHORIZED BY A SUBDIVISION OR ZONING
8 ORDINANCE

9 (B) THE AUTHORIZING ORDINANCE STATES THE SPECIFIC LOCAL CON-
10 DITIONS THAT WARRANT THE REQUIREMENT FOR PUBLIC PARKS OR OPEN
11 SPACE, WHICH CONDITIONS ARE SUFFICIENT TO BALANCE THE
12 PROPRIETOR'S EQUITY IN THE LAND DEDICATED FOR PUBLIC PARKS OR
13 OPEN SPACE

14 Sec 190 (1) The proprietor shall provide public utility
15 easements in accordance with the provisions of section 139

16 ~~The~~ ALL OF THE following ~~shall~~ apply to ~~all~~ A public util-
17 ity ~~easements~~ EASEMENT included in a subdivision

18 (a) ~~Easements~~ AN EASEMENT intended for use of public util-
19 ities shall not be ~~deemed~~ CONSIDERED to be dedicated to the
20 public but shall be A private ~~easements~~ EASEMENT for public
21 utilities and shall be equitably shared among ~~such~~ THE PUBLIC
22 utilities

23 (b) The public utilities first using an easement shall be
24 reimbursed by later users for all rearrangement or relocation
25 costs

26 (c) Permanent structures may not be erected within easement
27 limits by the owner of the fee but ~~he shall have~~ THE OWNER HAS

1 the right to make any other use of the land not inconsistent with
2 the rights of public utilities, or the other uses as noted on the
3 plat

4 (d) The public utilities shall have the right to trim or
5 remove trees that interfere with their use of ~~easements~~ AN
6 EASEMENT

7 (2) ~~(e) Nothing in this~~ THIS act shall NOT be construed to
8 limit ~~any~~ regulatory powers possessed by municipalities with
9 respect to public utilities

10 Sec 192 The county drain commissioner or the governing
11 body of the municipality in which the subdivision is situated,
12 whichever has jurisdiction, shall require ~~the following~~
13 ADEQUATE DRAINAGE as a condition of approval of the final plat
14 —

15 ~~(a) That the proprietor provide for adequate storm water~~
16 ~~facilities within the lands proposed for platting and outlets~~
17 ~~thereto~~

18 ~~(b) If adequate storm water facilities within the land pro-~~
19 ~~posed for platting are~~ DRAINAGE IS not installed before approval
20 of the final plat, the proprietor shall enter into an agreement
21 with the governing body or county drain commissioner IN ACCORD-
22 ANCE WITH SECTION 193 ~~and shall post a cash deposit, certified~~
23 ~~check or irrevocable bank letter of credit whichever the propri-~~
24 ~~etor selects, or a surety bond acceptable to the approving~~
25 ~~authority, in an amount sufficient for the faithful performance~~
26 ~~of the agreement. A rebate shall be made to the proprietor, as~~

1 ~~the work progresses, of amounts of any cash deposits equal to the~~
2 ~~ratio of the work completed to the entire project~~

3 ~~(c) The county drain commissioner, or where there is no~~
4 ~~drain commissioner the body having jurisdiction shall require the~~
5 ~~proprietor at his or her expense to establish~~ IF A DRAIN IS
6 REQUIRED TO BE CONSTRUCTED, THE DRAIN SHALL BE a county or inter-
7 county drain ESTABLISHED according to the procedure provided in
8 THE DRAIN CODE OF 1956, Act No 40 of the Public Acts of 1956,
9 ~~as amended,~~ being sections 280 1 to 280 630 of the Michigan
10 Compiled Laws ~~, if deemed necessary to insure adequate mainte-~~
11 ~~nance of storm water outlet facilities~~

12 ~~(d) That the proprietor provide adequate storm water reten-~~
13 ~~tion basins where deemed necessary for all or a specified part of~~
14 ~~the lands proposed for platting and, if approved by the munici-~~
15 ~~pality in which these lands are located, that the municipality~~
16 ~~assume the cost of operation and maintenance of the retention~~
17 ~~basins~~ IN AGREEMENT WITH THE COUNTY DRAIN COMMISSIONER, A MUNIC-
18 IPALITY MAY ASSUME THE RESPONSIBILITY FOR THE OPERATION AND MAIN-
19 TENANCE OF RETENTION BASINS ESTABLISHED UNDER THIS SECTION

20 Sec 192a (1) If, AS PROVIDED IN SECTION 192, approval of
21 the final plat was conditioned ~~pursuant to section 192~~ upon the
22 operation and maintenance of retention basins for all or a por-
23 tion of the area encompassed by the final plat, the cost of which
24 may be defrayed by special assessments against the property bene-
25 fited by the retention basins, AND THE MUNICIPALITY AGREES TO
26 ASSUME THE RESPONSIBILITY FOR THE OPERATION AND MAINTENANCE OF
27 THE RETENTION BASINS, the municipality ~~in which this area is~~

1 ~~located~~ may provide annually for the appropriation of funds for
2 this purpose and create a special assessment district pursuant to
3 subsection (2)

4 (2) The governing body of a municipality electing to defray
5 the cost of operating and maintaining a retention basin by means
6 of a special assessment shall establish, by resolution, the
7 boundaries of the special assessment district and fix a day for a
8 hearing on the question of creation of the special assessment
9 district and on defraying the cost of operating and maintaining a
10 retention basin by special assessment on the property benefited
11 ~~thereby~~ BY THE RETENTION BASIN

12 (3) If, after the hearing conducted pursuant to subsection
13 (2) a special assessment district is created, the governing body
14 creating the district shall determine the annual cost of the
15 operation and maintenance of the retention basin, determine the
16 annual special assessment levy, prepare a special assessment
17 roll, and direct the spread of the assessment levy on all prop-
18 erty in the district Before approval of the special assessment
19 roll, the governing body shall hold a hearing on objections to
20 the cost roll or spreading of the special assessment on the
21 roll After the hearing, the governing body, at the same or a
22 subsequent meeting, shall confirm or amend, or revise and then
23 confirm, the cost projections on which the roll was developed and
24 the spread of special assessments pursuant to this cost, and the
25 special assessment roll

26 (4) Special assessments imposed pursuant to this section
27 shall become due, be collected, and be returned for nonpayment in

1 the same manner and at the same time as ad valorem property tax
2 levies of the municipality imposing the special assessment

3 (5) Notice for any hearing held or required ~~pursuant to~~
4 ~~this act~~ UNDER THIS SECTION shall be given pursuant to Act
5 No 162 of the Public Acts of 1962, being sections 211 741 to
6 ~~211 745~~ 211 746 of the Michigan Compiled Laws

7 ~~(6) Any property encompassed by the final plat for which~~
8 ~~adequate storm water facilities have been provided or extended to~~
9 ~~include, shall be excluded from a special assessment district~~
10 ~~created under this act~~

11 SEC 193 (1) AN IMPROVEMENT REQUIRED BY THE COUNTY ROAD
12 COMMISSION, COUNTY DRAIN COMMISSIONER, MUNICIPALITY, STATE TRANS-
13 PORTATION DEPARTMENT, OR DEPARTMENT OF NATURAL RESOURCES SHALL BE
14 COMPLETED BEFORE THE FINAL PLAT IS APPROVED BY THE APPROVING
15 AUTHORITY OR SHALL BE SUBJECT TO A WRITTEN AGREEMENT BETWEEN THE
16 PROPRIETOR AND THE APPROVING AUTHORITY FOR COMPLETION OF THE
17 REQUIRED IMPROVEMENT UNDER THE TERMS AND BY THE DATE STATED IN
18 THAT AGREEMENT THE PROPRIETOR SHALL FURNISH SEPARATE SECURITY
19 TO EACH APPROVING AUTHORITY GUARANTEEING THAT AN IMPROVEMENT
20 UNDER THAT AUTHORITY'S JURISDICTION WILL BE COMPLETED IN ACCORD-
21 ANCE WITH THE WRITTEN AGREEMENT AT THE OPTION OF THE PROPRI-
22 ETOR, THE SECURITY SHALL CONSIST OF 1 OF THE FOLLOWING

23 (A) CASH

24 (B) CERTIFIED CHECK

25 (C) PERFORMANCE BOND ACCEPTABLE TO THE APPROVING AUTHORITY

26 (D) ESCROW AGREEMENT ACCEPTABLE TO THE APPROVING AUTHORITY

1 (E) IRREVOCABLE LETTER OF CREDIT ISSUED BY A STATE OR
2 FEDERALLY REGULATED FINANCIAL INSTITUTION ACCEPTABLE TO THE
3 APPROVING AUTHORITY

4 (2) IF A REQUIRED IMPROVEMENT IS NOT COMPLETED IN ACCORDANCE
5 WITH THE WRITTEN AGREEMENT, THE SECURITY PROVIDED TO AN APPROVING
6 AUTHORITY WITH JURISDICTION SHALL BE USED BY THAT APPROVING
7 AUTHORITY TO COMPLETE THE IMPROVEMENTS DURING CONSTRUCTION OF
8 AN IMPROVEMENT, THE APPROVING AUTHORITY SHALL REDUCE OR REBATE TO
9 THE PROPRIETOR THE AMOUNT OF THE DEPOSIT EQUAL TO THE RATIO OF
10 THE WORK COMPLETED BY THE PROPRIETOR TO THE ENTIRE IMPROVEMENT

11 (3) AN APPROVING AUTHORITY WITH JURISDICTION OVER AN
12 IMPROVEMENT MAY REQUIRE A SECURITY DEPOSIT TO BE HELD AFTER COM-
13 PLETION OF THE IMPROVEMENT EQUAL TO NOT MORE THAN 10% OF THE
14 APPROVING AUTHORITY'S ESTIMATED COST FOR THE IMPROVEMENT THIS
15 DEPOSIT SHALL BE RETURNED 1 YEAR AFTER COMPLETION OF THE IMPROVE-
16 MENT MINUS THE COST TO THE APPROVING AUTHORITY TO CORRECT ANY
17 LATENT DEFECT IN THE IMPROVEMENT WHICH DEFECT BECOMES APPARENT
18 WITHIN THAT TIME

19 Sec 194 (1) If any part of a proposed subdivision lies
20 within ~~the~~ A floodplain, ~~of a river, stream, creek or lake,~~
21 approval of the final plat shall be conditioned on the
22 following

23 (a) ~~No buildings~~ A BUILDING for residential purposes and
24 occupancy shall NOT be located on any portion of a lot lying
25 within a floodplain, unless approved in accordance with the rules
26 of ~~the water resources commission of~~ the department of
27 ~~conservation~~ NATURAL RESOURCES

1 (b) Restrictive deed covenants shall be ~~filed and~~ recorded
2 with the final plat that the floodplain ~~area~~ will be left
3 essentially in its natural state

4 (c) The natural floodplain may be altered if its original
5 discharge capacity is preserved and the stream flow is not
6 revised so as to affect the riparian rights of other owners

7 (2) IF ANY PART OF A PROPOSED SUBDIVISION LIES WITHIN OR
8 INCLUDES A LAND AREA SUBJECT TO A STATUTE THAT IS ADMINISTERED BY
9 THE DEPARTMENT OF NATURAL RESOURCES AND THAT IMPOSES LIMITATIONS
10 ON CONSTRUCTION ACTIVITIES, THE DEPARTMENT OF NATURAL RESOURCES
11 MAY CONDITION APPROVAL OF THE FINAL PLAT ON THE RECORDING OF
12 RESTRICTIVE DEED COVENANTS OR ON THE PLACEMENT OF LOTS ON THE
13 PLAT IN A MANNER THAT PERMITS THE CONSTRUCTION OF BUILDINGS IN
14 COMPLIANCE WITH THE APPLICABLE STATUTE CONDITIONS IMPOSED BY
15 THE DEPARTMENT OF NATURAL RESOURCES SHALL BE BASED UPON THE
16 APPLICABLE STATUTE AND RULES PROMULGATED UNDER THIS ACT

17 Sec 196 The following shall apply to ~~all subdivisions~~ A
18 SUBDIVISION as a condition of approval

19 (a) The name of a subdivision as included in the caption of
20 the plat shall not use the name of a previously recorded subdivi-
21 sion within the same county unless it is an addition ~~thereto~~ TO
22 THE RECORDED SUBDIVISION

23 (b) The first subdivision bearing the name ~~may~~ SHALL be
24 numbered 1 and all additions shall be numbered consecutively
25 beginning with number 2

1 (c) A plat duplicating the name of any existing subdivision
 2 within the same county shall be rejected by the governing body or
 3 ~~county~~ plat ~~board~~ REVIEW COMMITTEE

4 (d) The governing body or ~~county~~ plat ~~board~~ REVIEW
 5 COMMITTEE may also reject ~~plats submitted~~ A PLAT FILED with A
 6 subdivision ~~names~~ NAME so closely approximating A previously
 7 recorded ~~plats~~ PLAT that ~~such~~ use OF THE NAME might easily
 8 lead to misunderstanding or confusion for purposes such as
 9 assessment and description of land

10 Sec 198 Subject to review and approval ~~at a meeting~~ of
 11 the ~~county plat board~~ REGISTER OF DEEDS of the county in which
 12 the subdivision is located, an affidavit by the surveyor who cer-
 13 tified the plat OR BY ANOTHER SURVEYOR IF THE SURVEYOR WHO
 14 SIGNED THE PLAT IS DECEASED OR NO LONGER IS LICENSED, may be
 15 recorded in the office of the register of deeds in which the plat
 16 is recorded but only for the purpose of correcting minor and
 17 typographical errors in distances, angles, directions, bearings,
 18 chords, lot numbers, ~~street numbers~~ ROAD NAMES, or other
 19 details shown on a recorded plat as follows

20 (a) The affidavit shall explain the purpose, exact nature,
 21 and details of the correction

22 (b) If the ~~county plat board~~ REGISTER OF DEEDS rejects the
 23 request for recording of the affidavit, ~~it~~ THE REGISTER OF
 24 DEEDS shall give ~~its~~ THE reasons in writing

25 (c) The register of deeds ~~, after approval of the county~~
 26 ~~plat board,~~ shall note on the plat a reference to the book and
 27 page in which the affidavit is recorded and shall send a

1 certified copy to the ~~state treasurer~~ ADMINISTRATOR, who shall
2 note or reference ~~it on his~~ THE AFFIDAVIT ON THE
3 ADMINISTRATOR S copy of the plat The ~~state treasurer~~
4 ADMINISTRATOR shall send copies to all agencies ~~which~~ THAT
5 received a copy of the plat

6 (d) A recorded affidavit, or a certified copy ~~thereof~~ OF
7 THE AFFIDAVIT, shall be prima facie evidence of the facts
8 ~~therein~~ stated IN THE AFFIDAVIT

9 (e) ~~Affidavits~~ AN AFFIDAVIT of correction ~~may~~ SHALL not
10 be used to change the boundaries or shape of lots, outlots, or
11 parcels of land in a subdivision

12 Sec 201a Notwithstanding the conditions specified in
13 ~~sections 201(1)(a) and (b)~~ SECTION 201(1), an assessor's plat,
14 complying with sections 201 to 213, may also be ordered UNDER
15 SECTION 201(2) if there is a person in possession under a lease
16 agreement relating to a parcel or tract of land and all of the
17 following conditions are met

18 (a) There is in effect a lease which was executed prior to
19 January 1, 1968

20 (b) The area of the land affected by the lease is smaller
21 than the minimum lot size or configuration required by this act
22 ~~, or by local ordinance, as the case may be, or if~~ the land
23 is of proper size and configuration, but at least 75% of the por-
24 tion of the boundary not abutted by ~~streets~~ ROADS is abutted by
25 lands of insufficient size or configuration

26 (c) The leasehold premises ~~has been~~ ARE improved with a
27 permanent structure

1 Sec 202 (1) ~~The~~ A plat ORDERED UNDER SECTION 201 OR
 2 201A shall be called an assessor's plat and given a name ~~It~~
 3 AN ASSESSOR'S PLAT shall plainly define the boundary of each
 4 parcel ~~—~~ AND each ~~street,~~ alley or road ~~and~~ EACH dedica-
 5 tion to public or private use, as such, shall be evidenced by the
 6 records of the register of deeds

7 (2) The ASSESSOR'S plat shall be made by a surveyor

8 Sec 203 The actual and necessary costs and expenses of
 9 making AN assessor's ~~plats~~ PLAT shall be paid out of the gen-
 10 eral fund of the ~~city, incorporated village, or township~~
 11 MUNICIPALITY whose governing body ordered the plat ~~All of the~~
 12 ~~cost~~ THE COSTS AND EXPENSES may be charged to the land so
 13 platted Of the cost charged to the land so platted, 1/2 shall
 14 be based on the proportion that the area of each parcel bears to
 15 the total area of the plat and 1/2 shall be charged equally to
 16 each parcel included in the assessor's plat, as a special assess-
 17 ment on the land, in the manner provided in SECTIONS 19B AND 19C
 18 OF Act No ~~67~~ 246 of the Public Acts of ~~1961~~ 1931, being sec-
 19 tions ~~41 921 to 41 925~~ 41 289B AND 41 289C of the Michigan
 20 Compiled Laws

21 Sec 204 (1) The surveyor making the ASSESSOR'S plat shall
 22 survey and lay out the boundaries of each parcel, ~~street,~~
 23 alley, or road, and dedication to public or private use, accord-
 24 ing to the records of the register of deeds and whatever other
 25 evidence ~~that may be~~ available to show the intent of the buyer
 26 and seller, in the chronological order of their conveyance or
 27 dedication

1 (2) The surveyor shall also

2 (a) Set temporary ~~monuments~~ SURVEY POINTS to show the
3 results of the survey

4 (b) Make a map of the proposed plat to the scale of not more
5 than 100 feet to 1 inch OR A DIFFERENT SCALE IF APPROVED IN WRIT-
6 ING BY THE ADMINISTRATOR

7 Sec 205 The proprietors of record of lands, AND ROAD
8 AUTHORITIES WITH LAND UNDER THEIR JURISDICTION, DRAWN in the
9 ASSESSOR'S plat shall be notified by registered mail to their
10 last known address, ~~in order~~ SO that ~~they shall~~ THE PROPRI-
11 ETORS AND ROAD AUTHORITIES have THE opportunity to examine the
12 map, view the temporary ~~monuments~~ SURVEY POINTS, and make known
13 any disagreements with the boundaries as shown

14 Sec 206 (1) The surveyor making the ASSESSOR'S plat shall
15 reconcile any discrepancies that may be revealed, so that the
16 plat as certified to the governing body ~~shall be~~ IS in con-
17 formity with the records of the register of deeds as nearly as is
18 practicable

19 ~~(2) When boundary lines between adjacent parcels, as evi-~~
20 ~~denced on the ground, are mutually agreed to in writing by the~~
21 ~~proprietors of record or in possession, such lines may be the~~
22 ~~true boundaries for all purposes thereafter, even though they~~
23 ~~vary from the metes and bounds descriptions previously of~~
24 ~~record The written agreements shall be recorded in the office~~
25 ~~of the register of deeds~~

26 (2) ~~(3)~~ When reconciliation has been completed, the
27 temporary ~~monuments~~ SURVEY POINTS shall be replaced with

1 permanent monuments meeting the specifications and provisions of
2 ~~this act for monuments~~ SECTION 125

3 Sec 207 (1) On every assessor's plat, as certified to the
4 governing body, shall appear the bearings and distances of lines
5 of each parcel ~~recorded in the office of the register of~~
6 ~~deeds, and each lot~~ LOTS shall ~~also~~ be numbered as provided in
7 ~~this act for final plats~~ SECTION 132

8 (2) The provisions of this act as to surveys and monuments
9 and as to form and procedure, insofar as ~~they~~ THOSE PROVISIONS
10 are applicable to the purposes of assessor's plats, shall apply
11 TO AN ASSESSOR'S PLAT

12 (3) THE ASSESSING OFFICER SHALL CERTIFY THAT THE MUNICIPAL-
13 ITY HAS ACQUIRED THE TITLE TO THE ROADS, ALLEYS, AND PUBLIC
14 PLACES SHOWN ON THE ASSESSOR S PLAT BY MEANS OF PURCHASE, DEDICA-
15 TION, CONDEMNATION, OR ADVERSE POSSESSION FOR PUBLIC USE IF
16 THERE IS LAND TO WHICH THE MUNICIPALITY HAS NOT ACQUIRED TITLE,
17 THE EXTENT OF THAT LAND S USE SHALL BE PLAINLY STATED IN THE CER-
18 TIFICATE AND NOTED ON THE PLAT THE PLAT SHALL BE SIGNED AND
19 ACKNOWLEDGED BY THE ASSESSING OFFICER

20 Sec 208 The sworn certificate of the surveyor who made
21 the ASSESSOR'S plat, and ~~—~~ if a firm of surveyors, ~~also by~~
22 THE SWORN CERTIFICATE OF a partner or principal officer, shall
23 appear on the plat and shall state the following

24 (a) The name of the governing body by whose order the plat
25 was made, and the date of the order

1 (b) A statement that the plat is a correct representation of
 2 all the exterior boundaries of the land surveyed and each parcel
 3 or lot ~~thereof~~ OF THE PLAT

4 (c) A statement that ~~he~~ THE SURVEYOR has fully complied
 5 with ~~the provisions of~~ this act in filing the plat

6 Sec 209 (1) When completed, ~~the~~ AN assessor's plat
 7 shall be filed with the clerk of the ~~governing body~~
 8 MUNICIPALITY that ordered the plat In unincorporated areas, the
 9 certificate of the county road commission shall first be secured,
 10 stating that the public roads shown on the plat were in existence
 11 at the time the plat was made AFTER THE FILING OR AFTER A
 12 REQUIRED APPROVAL BY THE COUNTY ROAD COMMISSION THE CLERK SHALL
 13 FORWARD THE ASSESSOR'S PLAT TO THE PLAT REVIEW COMMITTEE FOR
 14 APPROVAL AFTER APPROVAL, THE PLAT REVIEW COMMITTEE SHALL RETURN
 15 THE PLAT TO THE CLERK

16 (2) The clerk shall promptly give notice ~~thereof~~ OF THE
 17 ASSESSOR S PLAT by publication for 3 successive weeks in a news-
 18 paper of general circulation in the ~~city, village, township~~
 19 MUNICIPALITY or county or if there is none, in a newspaper pub-
 20 lished in ~~the~~ AN adjoining county and having general circula-
 21 tion in the locality where the plat is situated

22 (3) The plat shall remain on file in the clerk s office for
 23 30 days after the first publication At any time ~~within~~ AFTER
 24 the 30-day period THE GOVERNING BODY SHALL CONSIDER THE
 25 ASSESSOR'S PLAT FOR APPROVAL ~~any person or public body having~~
 26 ~~an interest in any lands affected by the plat may bring a suit to~~
 27 ~~have such plat corrected~~

1 ~~(4) If no such suit is brought within such time, the plat~~
2 ~~may be approved by the governing body~~

3 ~~(5) If suit is brought, approval shall be withheld until it~~
4 ~~is decided. If necessary, the plat shall be revised in accord-~~
5 ~~ance with such decision, then approved by the governing body~~

6 SEC 209A (1) AFTER APPROVAL BY THE GOVERNING BODY, THE
7 MUNICIPAL CLERK SHALL FILE A PETITION WITH THE CIRCUIT COURT FOR
8 THE PURPOSE OF QUIETING TITLE TO THE PROPERTY LOCATED WITHIN THE
9 ASSESSOR'S PLAT

10 (2) THE CLERK SHALL NOTIFY ALL OF THE FOLLOWING OF THE
11 FILING OF THE PETITION

12 (A) OWNERS OF RECORD TITLE OF EACH LOT OR PARCEL INCLUDED
13 WITHIN THE ASSESSOR'S PLAT

14 (B) OWNERS OF RECORD TITLE OF PROPERTY ABUTTING THE
15 ASSESSOR S PLAT

16 (C) THE ADMINISTRATOR

17 (D) THE DIRECTOR OF THE STATE TRANSPORTATION DEPARTMENT IF
18 THE ASSESSOR S PLAT INCLUDES OR ABUTS A STATE HIGHWAY

19 (E) THE COUNTY DRAIN COMMISSIONER AND THE CHAIRPERSON OF THE
20 BOARD OF COUNTY ROAD COMMISSIONERS HAVING JURISDICTION OVER ANY
21 OF THE LANDS INCLUDED IN THE PLAT

22 (F) EACH PUBLIC UTILITY THAT IS KNOWN TO SERVE THE AREA

23 (3) UNLESS THE PARTIES NAMED IN SUBSECTION (2)(A) AND (B)
24 TOTAL MORE THAN 20, SERVICE OF PROCESS SHALL BE MADE IN ACCORD
25 WITH GENERAL RULES GOVERNING SERVICE IN CIVIL ACTIONS IF THE
26 PARTIES NAMED IN SUBSECTION (2)(A) AND (B) TOTAL MORE THAN 20,
27 THEY MAY BE SERVED BY REGISTERED MAIL

1 (4) IF AN ASSESSOR S PLAT IS APPROVED BY THE CIRCUIT COURT,
 2 THE CLERK OF THE MUNICIPALITY SHALL SEND THE ASSESSOR'S PLAT AND
 3 THE APPLICABLE FEE TO THE ADMINISTRATOR FOR A REVIEW OF COMPLI-
 4 ANCE WITH THE COURT ORDER

5 Sec 210 ~~The plat, when completed and certified as pro-~~
 6 ~~vided in this act with the exception of the certification by the~~
 7 ~~county plat board and when approved by the governing body and in~~
 8 ~~unincorporated areas by the board of county road commissioners,~~
 9 ~~shall be acknowledged by the clerk thereof When so approved and~~
 10 ~~acknowledged, all copies of the plat shall be forwarded to the~~
 11 ~~state treasurer together with the recording fee specified in this~~
 12 ~~act for all plats~~ The ~~state treasurer~~ ADMINISTRATOR shall
 13 review the ASSESSOR'S plat for adherence to ~~the provisions of~~
 14 THE COURT ORDER AND this act, or may reject ~~it~~ THE PLAT giving
 15 ~~his~~ THE reasons in writing Upon approval, the ~~state~~
 16 ~~treasurer~~ ADMINISTRATOR shall forward the plat to the register
 17 of deeds for recording On return of the proof of recording TO
 18 THE ADMINISTRATOR, THE ADMINISTRATOR SHALL SEND the required
 19 recording fee ~~shall be sent~~ to the register of deeds ~~and the~~
 20 ~~state treasurer~~ THE ADMINISTRATOR shall distribute ~~the~~ copies
 21 OF THE ASSESSOR'S PLAT IN THE SAME MANNER as required for ~~all~~
 22 ~~other~~ A final ~~plats~~ PLAT

23 Sec 211 When an assessor's plat is recorded, the register
 24 of deeds shall notify the county treasurer The county treasurer
 25 shall notify the assessor if any part of the lands included in
 26 the plat are delinquent for taxes or special assessments for any
 27 year ~~prior to~~ BEFORE the date of recording The assessor or

1 supervisor shall apportion ~~such~~ THOSE taxes or assessments
 2 against the individual or several lots in the plat The appor-
 3 tionment of delinquent taxes and special assessments shall be
 4 governed by the provisions of section 53 of THE GENERAL PROPERTY
 5 TAX ACT, Act No 206 of the Public Acts of 1893, ~~as amended~~
 6 BEING SECTION 211 53 OF THE MICHIGAN COMPILED LAWS The appor-
 7 tioned taxes and special assessment shall thereafter become a
 8 lien against the individual or several lots in the plat and
 9 treated in the same manner as taxes of the year of the original
 10 assessment for the purpose of collection and sale for delinquent
 11 taxes as provided by Act No 206 of the Public Acts of 1893 ~~—~~
 12 ~~as amended—~~

13 Sec 212 Reference to any land ~~—~~ as ~~it appears~~ THAT
 14 LAND IS DESCRIBED on a recorded assessor's plat is sufficient for
 15 purposes of CONVEYANCE, assessment, and taxation ~~—Conveyance~~
 16 ~~may be made by reference to the plat and shall be as effective to~~
 17 ~~pass title to the land so described as it would be if the~~
 18 ~~premises had been described by metes and bounds—~~ The ASSESSOR'S
 19 plat or record ~~thereof~~ OF THE PLAT shall be received in evi-
 20 dence in all courts and places as correctly describing the sev-
 21 eral parcels of land ~~therein~~ designated IN THE PLAT After an
 22 assessor's plat has been made and recorded with the register of
 23 deeds, ~~all conveyances~~ A CONVEYANCE of ~~lands~~ LAND included in
 24 the assessor's plat shall be by reference to ~~the~~ THAT plat
 25 ~~Any instrument dated and acknowledged after January 1, 1968,~~
 26 ~~purporting to convey or mortgage any such lands except by~~
 27 ~~reference to such assessor's plat may not be recorded by the~~ THE

1 register of deeds SHALL NOT RECORD A CONVEYANCE OR MORTGAGE OF
2 LAND IF THE CONVEYANCE OR MORTGAGE DOES NOT COMPLY WITH THIS
3 SECTION

4 Sec 213 ~~(1) Whenever a parcel of land has been~~ IF LAND
5 IS subdivided and platted and the plat recorded after the tax
6 day, the assessing officer shall substitute the recorded plat for
7 the description of the parcel of land on the tax roll of the suc-
8 ceeding tax year ~~—~~ and shall utilize for tax purposes descrip-
9 tions of property within the platted area by lot number instead
10 of by metes and bounds in carrying out his OR HER duties as pro-
11 vided in section 53 of THE GENERAL PROPERTY TAX ACT, Act No 206
12 of the Public Acts of 1893, ~~as amended~~ BEING SECTION 211 53 OF
13 THE MICHIGAN COMPILED LAWS

14 ~~(2) The assessing officer shall certify under his hand and~~
15 ~~seal that the municipality has acquired the title to the high-~~
16 ~~ways, streets, alleys and public places shown on the assessor's~~
17 ~~plat by reason of purchase, dedication, condemnation or adverse~~
18 ~~possession for public use, and if there are any roads, streets,~~
19 ~~alleys or other such places to which the municipality has not~~
20 ~~acquired title for public use the extent of their use shall be~~
21 ~~plainly stated in the dedication, and the plat shall be signed~~
22 ~~and acknowledged by the officer—~~

23 SEC 215 (1) IF THE REGISTER OF DEEDS IS AWARE THAT A PLAT
24 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IS TORN, MUTI-
25 LATED, OR LIKELY TO BECOME ILLEGIBLE FOR SOME OTHER REASON, THE
26 REGISTER OF DEEDS SHALL ASCERTAIN THE FACTS IN RELATION TO THE
27 PLAT IF THE REGISTER OF DEEDS CONSIDERS IT NECESSARY TO

1 PRESERVE A PLAT FROM FURTHER DETERIORATION, THE REGISTER OF DEEDS
2 SHALL EMPLOY A SURVEYOR TO TRANSCRIBE AND DRAW A DUPLICATE OF THE
3 ORIGINAL PLAT

4 (2) A DUPLICATE PLAT SHALL BE AS NEAR AS POSSIBLE A COMPLETE
5 TRANSCRIPTION OF THE ORIGINAL PLAT THE SURVEYOR AND REGISTER OF
6 DEEDS SHALL CERTIFY THAT THE DUPLICATE IS A COMPLETE TRANSCRIP-
7 TION OF THE ORIGINAL PLAT THE DUPLICATE PLAT AND CERTIFICATES
8 SHALL BE RECORDED IN THE SAME MANNER AS OTHER PLATS THE REGIS-
9 TER OF DEEDS SHALL NOTE ON THE ORIGINAL PLAT THE BOOK AND PAGE IN
10 WHICH THE DUPLICATE PLAT IS RECORDED AND ON THE DUPLICATE PLAT
11 THE BOOK AND PAGE IN WHICH THE ORIGINAL PLAT IS RECORDED THE
12 REGISTER OF DEEDS SHALL SEND COPIES OF THE RECORDED DUPLICATE
13 PLAT AND CERTIFICATES TO THE ADMINISTRATOR

14 (3) A DUPLICATE PLAT RECORDED UNDER THIS SECTION SHALL BE
15 CONSIDERED THE SAME AS THE ORIGINAL PLAT RECORDED IN THE REGISTER
16 OF DEEDS OFFICE FOR ALL PURPOSES THE DUPLICATE PLAT IS PRIMA
17 FACIE EVIDENCE OF THE MAKING AND RECORDING OF THE ORIGINAL PLAT
18 AND OF THE FACTS CONTAINED IN THE DUPLICATE PLAT

19 Sec 221 (1) The circuit court may ~~, as provided in sec-~~
20 ~~tions 222 to 229~~ vacate, correct, or revise all or a part of a
21 recorded plat AS PROVIDED IN SECTIONS 222 TO 229

22 (2) AS USED IN SECTIONS 222 TO 229 AND SECTION 256, "OWNER"
23 MEANS A PERSON, A MUNICIPALITY, A COUNTY, A PUBLIC CORPORATION OR
24 AUTHORITY, OR THE STATE WHICH HOLDS AN INTEREST IN LAND

25 Sec 224a (1) ~~The~~ IN AN ACTION UNDER SECTION 222, THE
26 plaintiff shall join as parties defendant each of the following

1 (a) The owners of record title of each lot or parcel of land
 2 included in or located within 300 feet of the lands described in
 3 the petition and persons of record claiming under those owners

4 (b) The municipality in which the subdivision covered by the
 5 plat is located

6 (c) The ~~state treasurer~~ ADMINISTRATOR

7 (d) The COUNTY drain commissioner and the chairperson of the
 8 board of county road commissioners having jurisdiction over any
 9 of the land included in the plat

10 (e) Each public utility ~~which~~ THAT is known to the plain-
 11 tiff to have installations or equipment in the subdivision or
 12 ~~which~~ THAT has a recorded easement or franchise right ~~which~~
 13 THAT would be affected by the proceedings

14 (f) The director of the state transportation department if
 15 any of the subdivision includes or borders a state highway or
 16 federal aid road

17 (2) ~~Service~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSEC-
 18 TION, SERVICE of process upon the joined parties defendant shall
 19 be made in accord with the general rules governing service of
 20 process in civil actions ~~except that the~~ THE parties
 21 defendant specified in ~~subdivision (b) and~~ SUBSECTIONS (1)(B)
 22 AND (F) and this ~~subdivision~~ SUBSECTION may be served by regis-
 23 tered OR CERTIFIED mail ~~and the~~ THE parties defendant speci-
 24 fied in ~~subdivision (a)~~ SUBSECTION (1)(A) may be served by reg-
 25 istered OR CERTIFIED mail if there are more than 20 persons that
 26 must be joined ~~pursuant to subdivision (a)~~ UNDER SUBSECTION

1 (1)(A) IF THE STATE IS A PARTY DEFENDANT, SERVICE OF PROCESS
2 SHALL BE MADE ON THE ATTORNEY GENERAL

3 Sec 226 (1) ~~Upon~~ EXCEPT AS PROVIDED IN SUBSECTION (2),
4 UPON trial and hearing of ~~the~~ AN action FILED UNDER
5 SECTION 222, the court may order a recorded plat or any part of
6 it to be vacated corrected or revised ~~, with the following~~
7 ~~exceptions~~ IF A REASONABLE OBJECTION IS MADE TO VACATING, COR-
8 RECTING, OR REVISING A RECORDED PLAT, THE COURT SHALL NOT VACATE,
9 CORRECT, OR REVISE THE RECORDED PLAT UNLESS IT IS NECESSARY FOR
10 THE HEALTH, WELFARE, COMFORT, OR SAFETY OF THE PUBLIC

11 (2) THE CIRCUIT COURT SHALL NOT VACATE, CORRECT, OR REVISE
12 ANY OF THE FOLLOWING

13 (a) A part of a state highway ~~or federal aid road shall not~~
14 ~~be vacated, corrected, or revised except by the department of~~
15 ~~state highways and~~ UNLESS THE STATE transportation DEPARTMENT
16 CONSENTS TO THE VACATION CORRECTION, OR REVISION

17 (b) A part of a county road ~~shall not be vacated, cor-~~
18 ~~rected, or revised except by~~ UNLESS the county road commission
19 having jurisdiction ABANDONS THAT PART OF THE COUNTY ROAD

20 (c) A part of a ~~street~~ ROAD or alley under the jurisdic-
21 tion of a ~~city, village, or township and a part of any public~~
22 ~~walkway, park, or public square or any other land dedicated to~~
23 ~~the public for purposes other than pedestrian or vehicular travel~~
24 ~~shall not be vacated, corrected, or revised under this section~~
25 ~~except by both a resolution or other legislative enactment duly~~
26 ~~adopted by~~ MUNICIPALITY UNLESS BEFORE ENTRY OF AN ORDER the
27 governing body of the municipality ~~and by court order~~ However,

1 ~~neither~~ CONSENTS BY RESOLUTION TO THE VACATION, CORRECTION, OR
 2 REVISION OR VACATES BY RESOLUTION THE LAND INVOLVED IN THE VACA-
 3 TION, CORRECTION, OR REVISION NEITHER this section nor any
 4 other section ~~shall limit or restrict~~ LIMITS OR RESTRICTS the
 5 right of a municipality under sections 256 and 257 to vacate the
 6 whole or ~~any~~ A part of a ~~street~~ ROAD, alley, or other land
 7 UNDER THAT MUNICIPALITY'S JURISDICTION dedicated to the use of
 8 the public

9 (D) A PART OF A PUBLIC WALKWAY, PARK PUBLIC SQUARE, OR
 10 OTHER LAND THAT IS DEDICATED TO THE USE OF THE PUBLIC FOR A PUR-
 11 POSE OTHER THAN A ROAD OR ALLEY AND THAT IS UNDER THE JURISDIC-
 12 TION OF A MUNICIPALITY, UNLESS, BEFORE ENTRY OF A JUDGMENT OR
 13 ORDER, THE GOVERNING BODY OF THE MUNICIPALITY CONSENTS BY RESOLU-
 14 TION TO THE VACATION, CORRECTION, OR REVISION OR VACATES BY RESO-
 15 LUTION THE LAND INVOLVED IN THE VACATION, CORRECTION, OR
 16 REVISION

17 (E) A PART OF A PUBLIC ROAD OR ALLEY THAT IS ACCEPTED BY THE
 18 APPROPRIATE AGENCY, EVEN IF THAT ROAD OR ALLEY HAS NEVER BEEN
 19 IMPROVED, TRAVELED UPON, OR USED FOR ANY TRAFFIC PURPOSE, UNLESS
 20 THE GOVERNING BODY OF THE AGENCY HAVING JURISDICTION FOLLOWS A
 21 FORMAL ABANDONMENT PROCEDURE THAT INCLUDES A PUBLIC HEARING

22 (3) ~~(2)~~ A judgment OR ORDER under this section vacating,
 23 correcting, or revising a ~~highway,~~ road, ~~street~~ ALLEY, or
 24 other land dedicated to the public and being used by a public
 25 utility for public utility purposes shall reserve an easement
 26 ~~therein~~ IN THAT LAND for the use of public utilities, and may
 27 reserve an easement in other cases

1 SEC 226A (1) A JUDGMENT OR ORDER GRANTING A COMPLAINT
 2 FILED UNDER SECTION 222 SHALL STATE THAT A REASONABLE OBJECTION
 3 WAS NOT MADE TO THE VACATION CORRECTION, OR REVISION IF A REA-
 4 SONABLE OBJECTION IS MADE, A JUDGMENT OR ORDER GRANTING A COM-
 5 PLAINT SHALL STATE THE BASIS ON WHICH THE COURT DETERMINED THAT
 6 THE VACATION, CORRECTION, OR REVISION WAS NECESSARY FOR THE
 7 HEALTH, WELFARE, COMFORT, OR SAFETY OF THE PUBLIC

8 (2) A JUDGMENT OR ORDER DENYING A COMPLAINT SHALL STATE THE
 9 REASONABLE OBJECTION AND THE BASIS ON WHICH THE COURT DETERMINED
 10 THAT THE VACATION, CORRECTION OR REVISION WAS NOT NECESSARY FOR
 11 THE HEALTH, WELFARE, COMFORT, OR SAFETY OF THE PUBLIC

12 Sec 227a (1) IF LAND IS VACATED AS PUBLIC LAND, TITLE
 13 VESTS AS FOLLOWS

14 (A) Title to ~~any~~ A part of ~~the~~ A plat vacated by the
 15 court's judgment or order, other than a ~~street~~ ROAD or alley,
 16 shall vest in the rightful ~~proprietor~~ OWNER of that part
 17 Title to a ~~street~~ ROAD or alley the full width of which is
 18 vacated by the court s judgment OR ORDER shall vest in the right-
 19 ful ~~proprietors~~ OWNERS of the lots, within the subdivision cov-
 20 ered by the plat, abutting the ~~street~~ ROAD or alley

21 (B) ~~(2)~~ If the lots abutting the vacated ~~street~~ ROAD or
 22 alley on both sides belong to the same ~~proprietor~~ OWNER, title
 23 to the vacated ~~street~~ ROAD or alley shall vest in that
 24 ~~proprietor~~ OWNER If the lots on opposite sides of the vacated
 25 ~~street~~ ROAD or alley belong to different ~~proprietors~~ OWNERS,
 26 title up to the center line of the vacated ~~street~~ ROAD or alley

1 shall vest in the respective ~~proprietors~~ OWNERS of the abutting
2 lots on each side

3 (C) ~~(3)~~ If only part of the width of a ~~street~~ ROAD or
4 alley, not extending beyond the center line, is vacated, title to
5 the vacated part of the ~~street~~ ROAD or alley shall vest in the
6 ~~proprietor~~ OWNER of the lots abutting the ~~same~~ VACATED PART

7 (2) ~~(4) When~~ IF title to ~~any~~ A part of a vacated
8 ~~street~~ ROAD or alley vests in an abutting ~~proprietor, any~~
9 OWNER, A future legal description of the abutting lot or lots
10 shall include that part of the vacated ~~street~~ ROAD or alley

11 Sec 229 (1) If the court orders a plat to be vacated,
12 corrected, or revised in whole or in part, the court shall also
13 direct THE plaintiff to prepare, in the form required by this act
14 for a final plat, either a new plat of the part of the subdivi-
15 sion affected by the judgment OR ORDER or a new plat of the
16 entire subdivision if the court's judgment OR ORDER affects a
17 major part of the subdivision

18 (2) Five true copies of the new plat, accompanied by a copy
19 of the court's judgment OR ORDER, shall be filed with the ~~state~~
20 ~~treasurer~~ ADMINISTRATOR The caption of the new plat shall
21 include a statement that it is a corrected or revised plat of all
22 or part of the same subdivision covered by the original plat

23 (3) After the ~~state treasurer has examined~~ ADMINISTRATOR
24 EXAMINES the new or amended plat for compliance with the court
25 judgment OR ORDER and WITH the provisions of this act for the
26 making and filing of original final plats and ~~has approved~~
27 APPROVES the new or amended plat, the ~~state treasurer~~

1 ADMINISTRATOR shall distribute 1 copy each to the register of
2 deeds, clerk of the municipality ~~country~~ COUNTY treasurer and
3 county road commission One copy shall be filed in the office of
4 the ~~state treasurer~~ ADMINISTRATOR

5 (4) Fees for recording and filing documents as required by
6 this section shall be the same as for an original final plat

7 Sec 241 (1) ~~Beginning October 1, 1998, when~~ WHEN a
8 final plat is submitted to the ~~clerk of the governing body of~~
9 ~~the municipality~~ PLAT REVIEW COMMITTEE, the proprietor shall
10 deposit with the plat a filing and recording fee ~~of \$20.00~~
11 The filing and recording fee is in addition to any fee the munic-
12 ipality may charge under this act

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

16 (2) ~~(3)~~ The ~~clerk~~ CHAIRPERSON of the ~~county~~ plat
17 ~~board~~ REVIEW COMMITTEE shall deposit the RECORDING fee in the
18 county trust and agency fund for subsequent payments by county
19 warrant from this fund to ~~both of the following~~

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

22 ~~(b) The~~ THE county register of deeds in the amount of
23 ~~\$10.00, upon submission of proof to the clerk of the county plat~~
24 ~~board that the plat has been duly recorded~~ \$20.00 FOR THE FIRST
25 PLAT SHEET AND \$5.00 FOR EACH ADDITIONAL SHEET UPON RECORDING OF
26 THE PLAT in the office of the county register of deeds

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

4 ~~(5) The state administrator may also charge an additional~~
5 ~~\$10 00 fee if he or she is of the opinion that the review time is~~
6 ~~extraordinary~~

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

10 ~~(a) A filing and recording fee of \$20 00 The filing and~~
11 ~~recording fee is in addition to any fee the municipality may~~
12 ~~charge under the provisions of this act~~

13 ~~(b) A state plat review fee of \$150 00, plus \$15 00 for each~~
14 ~~lot over 4 lots included in the plat The state plat review fee~~
15 ~~shall be paid by check or money order payable to the state of~~
16 ~~Michigan~~ WHEN THE FINAL PLAT IS FILED WITH THE ADMINISTRATOR,
17 THE PROPRIETOR SHALL DEPOSIT WITH THE PLAT THE REQUIRED REVIEW
18 FEE WHICH IS SEPARATE FROM ANY OTHER FEE

19 (2) ~~On approval of the plat by the governing body, the~~
20 ~~clerk shall send the filing and recording fee and the state plat~~
21 ~~review fee with the plat to the clerk of the county plat board~~
22 BEFORE OCTOBER 1, 1998, THE AMOUNT OF THE FEE FOR PLAT REVIEW
23 SHALL BE \$150 00, PLUS \$15 00 FOR EACH LOT OVER 4 LOTS INCLUDED
24 IN THE PLAT

25 (3) ~~The clerk of the county plat board shall deposit the~~
26 ~~filing and recording fee in the county trust and agency fund for~~
27 ~~subsequent payment by county warrant from this fund to the county~~

~~1 register of deeds in the amount of \$20 00, upon submission of~~
~~2 proof to the clerk of the county plat board that the plat has~~
~~3 been duly recorded in the office of the county register of~~
~~4 deeds—~~ BEGINNING OCTOBER 1, 1998, THE AMOUNT OF THE FEE FOR PLAT
5 REVIEW SHALL BE \$10 00 HOWEVER, THE ADMINISTRATOR MAY CHARGE AN
6 ADDITIONAL FEE OF \$10 00 IF HE OR SHE CONCLUDES THAT THE REVIEW
7 TIME IS EXTRAORDINARY

8 ~~(4) If a final plat is forwarded to the state administra-~~
9 ~~tor, the clerk of the county plat board shall forward the state~~
10 ~~plat review fee with the plat—~~

11 ~~(5) A state plat review fee collected by this state shall be~~
12 ~~deposited in the state treasury for use in the administration of~~
13 ~~this act— A fund in which state plat review fees shall be depos-~~
14 ~~ited is created in the state treasury— This fund is a revolving~~
15 ~~fund, and money remaining in the fund at the end of the fiscal~~
16 ~~year shall be carried over in the fund to the next and succeeding~~
17 ~~fiscal years for use in the administration of this act—~~

18 ~~(6) This section is repealed effective October 1, 1998—~~

19 Sec 242 (1) The ~~state treasurer~~ ADMINISTRATOR shall
20 maintain a permanent file of plats and the index shall contain
21 all pertinent information necessary to facilitate reference

22 (2) A fee established by the ~~state treasurer~~ ADMINISTRATOR
23 shall be collected for copies of plats

24 Sec 243 (1) The register of deeds shall maintain a per-
25 manent file of recorded plats

26 (2) The expense of maintaining the file, such as for
27 binders, cabinets, supplies, and reproduction pursuant to the

1 records media act, Act No 116 of the Public Acts of 1992, being
2 sections 24 401 to 24 403 of the Michigan Compiled Laws, shall be
3 provided from the general fund of the county

4 (3) A fee of not less than ~~-\$1.00-~~ \$2 00 per sheet shall be
5 collected by the register of deeds for copies of plats recorded
6 in his or her office

7 Sec 244 (1) If the proprietor of a subdivision desires to
8 retain a copy of the final plat, ~~he-~~ THE PROPRIETOR shall for-
9 ward a sixth copy of ~~it-~~ THE PLAT to the ~~state treasurer-~~
10 ADMINISTRATOR for certification as an exact copy of the approved
11 and recorded plat

12 (2) The true copy requested may be made upon tracing linen
13 or some similar material

14 (3) ~~No-~~ A charge shall NOT be made for certification of the
15 sixth copy

16 Sec 245 The proprietor submitting the plat for approval
17 shall furnish to the governing body AND ADMINISTRATOR an abstract
18 of title certified to date of the proprietor's certificate to
19 establish recorded ownership interests and any other information
20 ~~deemed-~~ CONSIDERED necessary for the purpose of ascertaining
21 whether the proper parties have signed the plat, or a policy of
22 title insurance currently in force, covering all of the land
23 included within the boundaries of the proposed subdivision The
24 governing body AND ADMINISTRATOR, in lieu of an abstract of
25 title, may accept on ~~its-~~ THEIR own responsibility an attorney's
26 opinion based on the abstract of title as to ownership and
27 marketability of title of the land

1 Sec 246 (1) ~~The governing body of a municipality may~~
2 ~~adopt by ordinance a reasonable schedule of fees, based on the~~
3 ~~number of lots in the proposed subdivision. The fee charged~~
4 ~~shall be in addition to the filing and recording fee, and shall~~
5 ~~be for the examination and inspection of plats and the land pro-~~
6 ~~posed to be subdivided, and related expenses.~~ AN APPROVING
7 AUTHORITY MAY ESTABLISH A REASONABLE SCHEDULE OF FEES BY PUB-
8 LISHED RULE OR ORDINANCE, WHICH FEES SHALL NOT EXCEED THE NECES-
9 SARY AND ACTUAL COST FOR EACH OF THE FOLLOWING

10 (A) REVIEW OF A PLAT

11 (B) REVIEW OF AN IMPROVEMENT PLAN

12 (C) INSPECTION OF A SUBDIVISION

13 (D) INSPECTION OF AN IMPROVEMENT

14 (E) REVIEW OF A DIVISION

15 (2) ~~A proprietor submitting a plat for approval shall be~~
16 ~~required to deposit the established fee with the clerk of the~~
17 ~~municipality and until the fee is paid, the plat shall not be~~
18 ~~considered or reviewed.~~ AN APPROVING AUTHORITY NEED NOT BEGIN A
19 REVIEW UNTIL THE PROPER REVIEW FEE IS PAID OR AN INSPECTION UNTIL
20 THE PROPER INSPECTION FEE IS PAID. A TIME LIMIT FOR APPROVAL
21 SHALL NOT BEGIN TO RUN UNTIL THE PROPER FEE IS PAID.

22 ~~(3) The governing body may employ a surveyor as an~~
23 ~~assistant. If it is deemed more practical in a county for the~~
24 ~~county to employ a surveyor to assist governing bodies of munici-~~
25 ~~palities within the county, then the board of supervisors, by~~
26 ~~resolution, may employ the surveyor and may establish a~~

1 ~~reasonable schedule of fees for his services to be charged to the~~
 2 ~~governing body receiving his assistance~~

3 ~~(4) Until an ordinance is adopted by the governing body~~
 4 ~~establishing a schedule of fees, the governing body may require~~
 5 ~~the payment of a fee not to exceed \$100.00~~

6 SEC 246A (1) A SEPARATE LAND DIVISION CONTROL ACT ADMIN-
 7 ISTRATION FUND IS CREATED IN THE STATE TREASURY FOR EACH STATE
 8 DEPARTMENT WHICH COLLECTS A FEE UNDER THIS ACT A FEE COLLECTED
 9 BY A STATE DEPARTMENT UNDER THIS ACT SHALL BE DEPOSITED IN THE
 10 STATE TREASURY TO THE CREDIT OF THAT DEPARTMENT'S FUND

11 (2) EACH FUND ESTABLISHED UNDER THIS SECTION IS A REVOLVING
 12 FUND AND MONEY REMAINING IN SUCH A FUND AT THE END OF THE FISCAL
 13 YEAR SHALL BE CARRIED OVER IN THE FUND TO THE NEXT AND SUCCEEDING
 14 FISCAL YEARS A FUND ESTABLISHED UNDER THIS SECTION SHALL BE
 15 USED SOLELY FOR THE ADMINISTRATION OF THIS ACT

16 Sec 247 ~~(1) Each~~ A member of the ~~county~~ plat ~~board~~
 17 REVIEW COMMITTEE shall NOT be ~~paid compensation and mileage~~
 18 COMPENSATED for attendance at plat ~~board~~ REVIEW COMMITTEE
 19 meetings ~~equal to compensation and mileage paid to supervisors~~
 20 ~~for attendance at meetings of the board of supervisors~~ The com-
 21 pensation shall be payable from the general fund of the county

22 ~~(2) The duties of the county plat board shall not be con-~~
 23 ~~sidered as being~~ REVIEW COMMITTEE ARE a part of the duties of
 24 the regular offices of the members ~~thereof~~ OF THE PLAT REVIEW
 25 COMMITTEE

26 Sec 253 (1) ~~When~~ IF a plat is certified, signed,
 27 acknowledged, and recorded as prescribed in this act, every

1 dedication, gift, or grant to the public or any person, society,
2 or corporation marked or noted as such on the plat shall be
3 ~~deemed~~ CONSIDERED sufficient conveyance to vest the fee simple
4 of all parcels of land so marked and noted, and shall be consid-
5 ered a general warranty against the donors, AND their heirs and
6 assigns, to the donees for ~~their~~ THE DONEES' use for the pur-
7 poses ~~therein~~ expressed and no other

8 (2) BEGINNING ON THE DATE A PLAT IS RECORDED, A MUNICIPALITY
9 IS CONCLUSIVELY PRESUMED TO HAVE ACCEPTED, ON BEHALF OF THE
10 PUBLIC, LAND WHICH LIES WITHIN THE BOUNDARIES OF THAT MUNICIPAL-
11 ITY DEDICATED IN THE PLAT TO THE USE OF THE PUBLIC The land
12 intended for ~~the streets, alleys, commons, parks or other~~
13 public uses as designated on the plat shall be held by the munic-
14 ipality in which the plat is situated in trust to and for such
15 uses and purposes

16 (3) A reservation or an ownership interest in mineral rights
17 or underground gas storage rights in land shall not constitute
18 the holding of title for the purpose of signing the proprietor s
19 certificate

20 Sec 255b (1) ~~Ten~~ IF A PLAT IS RECORDED BEFORE
21 JANUARY 1, 1996, 10 years after the date the plat is first
22 recorded, land dedicated to the use of the public in or upon the
23 plat shall be presumed to have been accepted on behalf of the
24 public by the municipality within whose boundaries the land
25 lies

26 (2) The presumption prescribed in subsection (1) ~~shall be~~
27 IS conclusive of an acceptance of dedication unless rebutted by

1 competent evidence before the circuit court in which the land is
2 located, establishing either of the following

3 (a) That, BEFORE DECEMBER 22, 1978, AND BEFORE ACCEPTANCE,
4 the dedication ~~, before the effective date of this act and~~
5 ~~before acceptance,~~ was withdrawn by the plat proprietor

6 (b) That, WITHIN 10 YEARS AFTER THE DATE THE PLAT OF THE
7 LAND IS FIRST RECORDED AND BEFORE ACCEPTANCE OF THE DEDICATED
8 LANDS, notice of the withdrawal of the dedication is recorded by
9 the plat proprietor with the office of the register of deeds for
10 the county in which the land is located and a copy of the notice
11 ~~was~~ IS forwarded to the state treasurer ~~, within 10 years~~
12 ~~after the date the plat of the land was first recorded and before~~
13 ~~acceptance of the dedicated lands~~

14 Sec 256 (1) ~~Subject to the restrictions prescribed in~~
15 ~~section 255a, when~~ IF the governing body of a municipality by
16 resolution or ordinance opens or vacates ALL OR A PORTION OF a
17 ~~street~~ ROAD or alley ~~or a portion of a street or alley~~ A
18 WALKWAY PARK OR SQUARE OR OTHER LAND DEDICATED TO THE PUBLIC
19 or extends widens, or changes the name of an existing ~~street~~
20 ROAD or alley, AND IF THE ROAD OR ALLEY WALKWAY, PARK, OR
21 SQUARE OR OTHER LAND IS UNDER THE JURISDICTION OF THAT MUNICI-
22 PALITY, WITHIN 30 DAYS, the clerk of the municipality ~~within 30~~
23 ~~days~~ shall record a certified copy OF THE RESOLUTION OR
24 ORDINANCE with the register of deeds, giving the name of the plat
25 or plats affected, and shall send a copy to the ~~state treasurer~~
26 ADMINISTRATOR Until recorded, the RESOLUTION OR ordinance ~~or~~
27 ~~resolution~~ shall not have force or effect

1 (2) THE GOVERNING BODY OF A MUNICIPALITY SHALL HOLD AT LEAST
2 1 PUBLIC HEARING BEFORE ADOPTION OF A RESOLUTION OR ORDINANCE
3 UNDER SUBSECTION (1)

4 (3) IF LAND IS VACATED AS PUBLIC LAND, TITLE VESTS AS
5 FOLLOWS

6 (A) TITLE TO A PART OF A PLAT VACATED BY MUNICIPAL ACTION,
7 OTHER THAN A ROAD OR ALLEY SHALL VEST IN THE RIGHTFUL OWNER OF
8 THAT PART TITLE TO A ROAD OR ALLEY THE FULL WIDTH OF WHICH IS
9 VACATED BY MUNICIPAL ACTION SHALL VEST IN THE RIGHTFUL OWNERS OF
10 THE LOTS, WITHIN THE SUBDIVISION COVERED BY THE PLAT, ABUTTING
11 THE ROAD OR ALLEY

12 (B) IF THE LOTS ABUTTING THE VACATED ROAD OR ALLEY ON BOTH
13 SIDES BELONG TO THE SAME OWNER, TITLE TO A VACATED ROAD OR ALLEY
14 SHALL VEST IN THAT OWNER IF THE LOTS ON OPPOSITE SIDES OF A
15 VACATED ROAD OR ALLEY BELONG TO DIFFERENT OWNERS, TITLE UP TO THE
16 CENTER LINE OF THE VACATED ROAD OR ALLEY SHALL VEST IN THE
17 RESPECTIVE OWNERS OF THE ABUTTING LOTS ON EACH SIDE

18 (C) IF ONLY PART OF THE WIDTH OF A ROAD OR ALLEY NOT
19 EXTENDING BEYOND THE CENTER LINE, IS VACATED, TITLE TO THE
20 VACATED PART OF THE ROAD OR ALLEY SHALL VEST IN THE OWNER OF THE
21 LOTS ABUTTING THE VACATED PART

22 (4) IF TITLE TO A PART OF A VACATED ROAD OR ALLEY VESTS IN
23 AN ABUTTING OWNER, A FUTURE LEGAL DESCRIPTION OF THE ABUTTING LOT
24 OR LOTS SHALL INCLUDE THAT PART OF THE VACATED ROAD OR ALLEY

25 (5) VACATION OF A PUBLIC RIGHT-OF-WAY OR PUBLIC LAND IN A
26 SUBDIVISION DOES NOT AFFECT THE RIGHTS OF OWNERS OF LOTS WITHIN
27 THAT SUBDIVISION TO UTILIZE THE ROAD, ALLEY, THOROUGHFARE, PARK,

1 SQUARE, OR PLACE AS SUCH THESE RIGHTS ARE TERMINABLE ONLY BY
 2 ENTRY OF A JUDGMENT IN ACCORDANCE WITH PROVISIONS OF SECTION 226
 3 WHICH JUDGMENT SPECIFICALLY TERMINATES THESE RIGHTS

4 Sec 257 (1) ~~Subject to the restrictions prescribed in~~
 5 ~~section 255a, when~~ IF the governing body of a municipality
 6 determines that it is necessary for the health, welfare, comfort,
 7 and safety of the people of the municipality to discontinue, AS
 8 PROVIDED IN SECTION 256, an existing ~~street~~ ROAD, alley, or
 9 other public land shown on a plat, by resolution or ordinance
 10 the governing body may reserve an easement in the ~~street~~ ROAD,
 11 alley, or land for public utility purposes and other public pur-
 12 poses within the right-of-way of the ~~street~~ ROAD, alley, or
 13 other public land vacated

14 (2) ~~The~~ WITHIN 30 DAYS AFTER ADOPTION OF A RESOLUTION OR
 15 ORDINANCE UNDER THIS SECTION, THE resolution or ordinance shall
 16 be recorded ~~within 30 days~~ with the register of deeds and a
 17 copy shall be sent to the ~~state treasurer~~ ADMINISTRATOR

18 Sec 259 ~~The standards for approval of plats prescribed~~
 19 ~~in this act are minimum standards and any municipality, by ordi-~~
 20 ~~nance, may impose stricter requirements and may reject any plat~~
 21 ~~which does not conform to such requirements~~ AN APPROVING
 22 AUTHORITY MAY ADOPT A RULE OR ORDINANCE TO CARRY OUT THIS ACT A
 23 RULE OR ORDINANCE SHALL NOT CONFLICT WITH A PROVISION OR TIME

24 LIMIT OF THIS ACT

25 SEC 259A (1) A MUNICIPALITY OR COUNTY MAY ADOPT AN ORDI-
 26 NANCE TO CARRY OUT THIS ACT A COUNTY SUBDIVISION ORDINANCE
 27 APPLIES ONLY IN A MUNICIPALITY IN THAT COUNTY THAT DOES NOT ADOPT

1 A SUBDIVISION ORDINANCE A COUNTY SUBDIVISION ORDINANCE MAY
2 IMPLEMENT ON THE COUNTY LEVEL ALL OR PART OF THE AUTHORITY
3 GRANTED TO A MUNICIPALITY UNDER THIS ACT A COUNTY SUBDIVISION
4 ORDINANCE SHALL PROVIDE AT LEAST ALL OF THE FOLLOWING

5 (A) THE OFFICE TO WHICH AN INITIAL PLAT APPLICATION IS
6 MADE

7 (B) THE BODY WHICH IS THE APPROVING AUTHORITY FOR PLATS
8 OTHER THAN FOR THE FINAL PLAT APPROVING AUTHORITY FOR THE FINAL
9 PLAT IS RETAINED BY THE MUNICIPALITY AND SHALL BE EXERCISED AS
10 PROVIDED IN SECTION 164

11 (C) A PROCEDURE FOR NOTIFICATION OF AND INPUT BY THE MUNICI-
12 PALITY IN WHICH THE SUBDIVISION IS LOCATED

13 (2) A MUNICIPALITY OR COUNTY MAY INCLUDE SUBDIVISION REGULA-
14 TIONS IN A ZONING ORDINANCE BY CITING THE AUTHORITY OF THIS ACT
15 AND FOLLOWING THE ADOPTION OR AMENDMENT PROCEDURES OF THE APPRO-
16 PRIATE ZONING ENABLING STATUTE FOR THAT MUNICIPALITY OR COUNTY,
17 MAY ADOPT SEPARATE SUBDIVISION REGULATIONS UNDER THE GENERAL
18 ORDINANCE PROCEDURES APPLICABLE TO THAT MUNICIPALITY OR COUNTY,
19 OR MAY DO BOTH A SUBDIVISION OR ZONING ORDINANCE MAY PROVIDE
20 FOR REVIEW OF A PROPOSED LAND DIVISION OR SUBDIVISION CONCUR-
21 RENTLY WITH REQUIRED ZONING REVIEWS

22 (3) A COUNTY MAY ESTABLISH A COORDINATING COMMITTEE FOR THE
23 PURPOSES OF SIMULTANEOUS CONSIDERATION AND DISCUSSION OF A PRE-
24 LIMINARY PLAT BY APPROVING AUTHORITIES AND OF AUTHORIZING A PRO-
25 CEDURE TO CONVENE, RECEIVE COPIES OF THE PRELIMINARY PLAT, AND
26 CONDUCT BUSINESS A COORDINATING COMMITTEE SHALL NOT BE AN
27 APPROVING AUTHORITY, AND ITS FUNCTION IS LIMITED TO COORDINATION

1 BETWEEN VARIOUS AGENCIES FOR THE BENEFIT OF EXPEDITING AND
 2 COORDINATING REVIEW BY APPROVING AUTHORITIES AND GOVERNING
 3 BODIES

4 Sec 261 (1) ~~No~~ A person shall NOT sell ~~any~~ A lot in a
 5 recorded plat or ~~any~~ A parcel of unplatted land in an unincor-
 6 porated area if ~~it~~ EITHER OF THE FOLLOWING ARE TRUE

7 (A) THE LOT OR PARCEL abuts a ~~street or~~ road ~~which~~ THAT
 8 has not been accepted as public, unless the seller first informs
 9 the purchaser in writing ~~on a separate instrument to be attached~~
 10 ~~to the instrument conveying any interest in such lot or parcel of~~
 11 ~~land of the fact~~ that the ~~street or~~ road is private and ~~is~~
 12 ~~not required to be maintained by the board of county road~~
 13 ~~commissioners~~ In addition, ~~any~~ HAS NOT BEEN ACCEPTED AS A
 14 PUBLIC ROAD

15 (B) THE LOT OR PARCEL ABUTS A ROAD THAT HAS BEEN DEDICATED
 16 BUT IS NOT MAINTAINED AT PUBLIC EXPENSE, UNLESS THE SELLER FIRST
 17 INFORMS THE PURCHASER IN WRITING THAT THE ROAD IS NOT MAINTAINED
 18 AT PUBLIC EXPENSE

19 (2) A contract or agreement of sale entered into in viola-
 20 tion of this section ~~shall be~~ IS voidable at the option of the
 21 purchaser

22 Sec 264 (1) ~~Any person, firm or corporation who shall~~
 23 ~~hereafter sell or agree to sell, any~~ A PERSON WHO SELLS OR
 24 AGREES TO SELL A lot, piece, or parcel of land without first
 25 having recorded a plat ~~thereof when~~ OF THAT LAND IF required by
 26 ~~the provisions of~~ this act ~~7 shall be deemed~~ IS guilty of a
 27 misdemeanor ~~and upon conviction shall be punished~~ PUNISHABLE by

1 a fine of not more than \$1000 00 ~~or~~ or imprisonment in the
2 county jail FOR not ~~to exceed~~ MORE THAN 180 days, or both, for
3 the first offense ~~and for each~~ EACH subsequent offense ~~a~~
4 ~~like~~ IS PUNISHABLE BY A fine OF NOT MORE THAN \$1,000 00 or
5 imprisonment in the county jail FOR not ~~to exceed~~ MORE THAN
6 1 year, or both ~~Provided, however, That~~ THE COURT MAY
7 ORDER A PERIOD OF PROBATION FOR A VIOLATION OF THIS SUBSECTION
8 THAT IS CONDITIONED ON MAKING AND FILING A PLAT AS REQUIRED BY
9 THIS ACT AS USED IN THIS SUBSECTION, AN agreement to sell does
10 not include an option to buy extended from the seller for a money
11 consideration to the prospective buyer ~~Any~~

12 (2) IF THE PURCHASE AGREEMENT REQUIRES THAT THE SALE CANNOT
13 BE CONSUMMATED UNTIL THE PLAT IS RECORDED COVERING UNPLATTED
14 LAND, A PURCHASE AGREEMENT FOR THE SALE OF UNPLATTED LAND TO A
15 PURCHASER WHO IS A RESIDENTIAL BUILDER LICENSED UNDER ARTICLE 24
16 OF THE OCCUPATIONAL CODE ACT NO 299 OF THE PUBLIC ACTS OF 1980,
17 BEING SECTIONS 339 2401 TO 339 2412 OF THE MICHIGAN COMPILED
18 LAWS, IS NOT A VIOLATION OF THIS ACT

19 (3) A person who violates any other provision of this act is
20 guilty of a misdemeanor ~~and upon conviction shall be punished~~
21 ~~as provided by law~~

22 SEC 264A A PERSON OWNING OR IN POSSESSION OF A PARCEL
23 CREATED IN VIOLATION OF THIS ACT MAY BE JOINED AS A PARTY IN AN
24 ACTION TO ENJOIN A VIOLATION OF THIS ACT

25 Sec 265 ~~Any municipality, board of county road commis-~~
26 ~~sioners or county plat board~~ AN APPROVING AUTHORITY may bring an
27 action in its own name to ~~restrain or prevent any~~ ENJOIN A

1 violation of this act or any continuance of ~~any such~~ A
 2 violation ~~Such~~ THE action shall be brought in the county
 3 ~~where~~ IN WHICH the land is located ~~,~~ OR IN WHICH the
 4 defendant resides or has ~~his~~ A principal place of business

5 SEC 265A A PURCHASER OF A PARCEL CREATED IN VIOLATION OF
 6 THIS ACT MAY BRING AN ACTION IN THE PURCHASER'S NAME TO ENJOIN A
 7 VIOLATION OF THIS ACT OR ANY CONTINUANCE OF A VIOLATION THE
 8 ACTION SHALL BE BROUGHT IN THE COUNTY IN WHICH THE LAND IS
 9 LOCATED OR IN WHICH THE DEFENDANT RESIDES OR HAS A PRINCIPAL
 10 PLACE OF BUSINESS

11 Sec 266 The attorney general or the prosecuting attorney
 12 of any county may prosecute ~~any~~ A violation of this act or may
 13 bring an action in the name of the state to ~~restrain or prevent~~
 14 ~~any~~ ENJOIN A violation of this act ~~or any continuance of any~~
 15 ~~such violation~~ Such action, in the case of the THE attorney
 16 general ~~,~~ shall ~~be brought~~ BRING SUCH AN ACTION in the cir-
 17 cuit court ~~of~~ FOR Ingham county, ~~upon~~ which SHALL HAVE juris-
 18 diction ~~thereof is conferred, and in the case of the~~ UNDER
 19 THIS ACT THE prosecuting attorney ~~,~~ SHALL BRING SUCH AN
 20 ACTION in the county ~~where~~ IN WHICH the land involved is
 21 located, IN WHICH the defendant resides ~~,~~ or has ~~his~~ A prin-
 22 cipal place of business or ~~where~~ IN WHICH the ~~purchaser~~
 23 PROPRIETOR resides

24 SEC 270 THE ADMINISTRATOR HAS THE POWER TO DO ANY OF THE
 25 FOLLOWING

26 (A) INVESTIGATE TO DETERMINE IF A PERSON HAS VIOLATED THIS
 27 ACT OR A RULE PROMULGATED UNDER THIS ACT DURING AN

1 INVESTIGATION THE ADMINISTRATOR MAY APPLY TO THE CIRCUIT COURT
2 FOR INGHAM COUNTY FOR AN ORDER TO COMPEL COMPLIANCE OR ATTENDANCE
3 BY A PARTY OR WITNESS

4 (B) AID IN THE ENFORCEMENT OF THIS ACT

5 (C) ASSIST IN THE DRAFTING AND PROMULGATION OF RULES UNDER
6 THIS ACT

7 (D) REQUIRE OR PERMIT A PERSON TO FILE A STATEMENT IN WRIT-
8 ING, UNDER OATH OR OTHERWISE AS THE DEPARTMENT DETERMINES, AS TO
9 ALL FACTS AND CIRCUMSTANCES CONCERNING A MATTER TO BE
10 INVESTIGATED

11 (E) FOR THE PURPOSE OF AN INVESTIGATION OR OTHER PROCEEDING
12 UNDER THIS ACT, ADMINISTER OATHS OR AFFIRMATIONS, INTERVIEW WIT-
13 NESSES, TAKE EVIDENCE, OR REQUIRE THE PRODUCTION OF ANY MATTER
14 THAT IS RELEVANT TO THE INVESTIGATION, INCLUDING ANY OF THE
15 FOLLOWING

16 (1) THE EXISTENCE, DESCRIPTION, NATURE, CUSTODY, CONDITION,
17 OR LOCATION OF A BOOK, DOCUMENT, OR OTHER TANGIBLE THING

18 (2) THE IDENTITY AND LOCATION OF PERSONS HAVING KNOWLEDGE
19 OF THE RELEVANT FACTS OR ANY OTHER MATTER REASONABLY CALCULATED
20 TO LEAD TO THE DISCOVERY OF MATERIAL EVIDENCE

21 SEC 271 (1) AFTER NOTICE AND AN OPPORTUNITY FOR HEARING,
22 THE ADMINISTRATOR MAY ISSUE AN ORDER REQUIRING A PERSON TO CEASE
23 AND DESIST FROM A VIOLATION OF THIS ACT AND TO TAKE ANY AFFIRMA-
24 TIVE ACTION AS IN THE JUDGMENT OF THE ADMINISTRATOR WILL CARRY
25 OUT THE PURPOSES OF THIS ACT, IF THE ADMINISTRATOR DETERMINES
26 THAT A PERSON HAS DONE ANY OF THE FOLLOWING

1 (A) VIOLATED A PROVISION OF THIS ACT

2 (B) VIOLATED AN ORDER ISSUED OR RULE PROMULGATED UNDER THIS
3 ACT

4 (2) IF THE ADMINISTRATOR MAKES A FINDING OF FACT IN WRITING
5 THAT THE PUBLIC INTEREST WILL BE IRREPARABLY HARMED BY DELAY IN
6 ISSUING AN ORDER, THE ADMINISTRATOR MAY ISSUE A TEMPORARY CEASE
7 AND DESIST ORDER BEFORE A HEARING IS HELD WHENEVER POSSIBLE,
8 BEFORE ISSUING A TEMPORARY CEASE AND DESIST ORDER, THE ADMINIS-
9 TRATOR SHALL GIVE NOTICE BY TELEPHONE OR OTHERWISE OF THE PRO-
10 POSAL TO ISSUE A TEMPORARY CEASE AND DESIST ORDER TO THE PERSON
11 AFFECTED BY THE ORDER A TEMPORARY CEASE AND DESIST ORDER SHALL
12 INCLUDE A PROVISION THAT UPON REQUEST A HEARING WILL BE HELD
13 WITHIN 30 DAYS TO DETERMINE WHETHER OR NOT THE ORDER BECOMES
14 PERMANENT

15 SEC 272 WITH OR WITHOUT PRIOR ADMINISTRATIVE PROCEEDINGS,
16 IF A PERSON HAS COMMITTED AN ACT OR IS ABOUT TO COMMIT AN ACT
17 CONSTITUTING A VIOLATION OF THIS ACT, A RULE PROMULGATED UNDER
18 THIS ACT, OR AN ORDER ISSUED UNDER THIS ACT, THE ADMINISTRATOR
19 MAY BRING AN ACTION IN THE CIRCUIT COURT FOR INGHAM COUNTY TO
20 ENJOIN THE ACT AND TO ENFORCE COMPLIANCE WITH THIS ACT, THE RULE,
21 OR THE ORDER THE COURT SHALL NOT REQUIRE THE ADMINISTRATOR TO
22 POST A BOND IN A COURT PROCEEDING UNDER THIS SECTION

23 SEC 273 EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, A RULE
24 PROMULGATED OR A PROCEEDING UNDER THIS ACT SHALL COMPLY WITH THE
25 ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO 306 OF THE PUBLIC
26 ACTS OF 1969, BEING SECTIONS 24 201 TO 24 328 OF THE MICHIGAN
27 COMPILED LAWS

1 Sec 290 The ~~employee in direct charge of the plat~~
 2 ~~section in the office of the state treasurer which performs serv~~
 3 ~~ices for the state treasurer under this act, and such employee's~~
 4 ADMINISTRATOR AND THE ADMINISTRATOR S chief assistant ~~—~~ shall
 5 be ~~a registered land surveyor registered in this state~~
 6 SURVEYORS THE ADMINISTRATOR AND THE ADMINISTRATOR S CHIEF
 7 ASSISTANT SHALL NOT BE OFFICERS OF A TRADE OR PROFESSIONAL ASSO-
 8 CIATION WHILE SERVING IN THOSE POSITIONS

9 Sec 291 ~~Any~~ A preliminary ~~or final~~ plat which ~~on~~
 10 ~~January 1, 1968,~~ has been approved by the municipality ~~or~~
 11 ~~county road commission~~ BEFORE JANUARY 1, 1996 may be processed
 12 under the law in effect at the time of THAT approval ~~—, but not~~
 13 ~~after~~ UNTIL January 1, 1998 ~~1970, after which time all plats~~
 14 ~~submitted for approval~~ A PLAT WHICH DOES NOT HAVE PRELIMINARY
 15 PLAT APPROVAL FROM THE MUNICIPALITY BEFORE JANUARY 1, 1996, OR A
 16 PLAT WHICH HAS SUCH APPROVAL BUT WHICH IS NOT A RECORDED PLAT
 17 BEFORE JANUARY 1, 1998 shall comply with the requirements of
 18 this act

19 Section 2 Sections 102, 116 146, 147, 150, 168, 169,
 20 169a, 170, 248, 249, and 292 of Act No 288 of the Public Acts of
 21 1967, being sections 560 102, 560 116, 560 146, 560 147, 560 150,
 22 560 168, 560 169, 560 169a, 560 170, 560 248, 560 249, and
 23 560 292 of the Michigan Compiled Laws, are repealed

24 Section 3 This amendatory act shall take effect January 1,
 25 1996