



# HOUSE BILL No. 4079

January 11, 1995, Introduced by Rep. Hammerstrom and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend section 253 of Act No. 288 of the Public Acts of 1967, entitled as amended "Subdivision control act of 1967," being section 560.253 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 253 of Act No. 288 of the Public Acts of  
2 1967, being section 560.253 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 253. (1) When a plat is certified, signed,  
5 acknowledged, and recorded as prescribed in this act, every dedi-  
6 cation, gift, or grant to the public or any person, society, or  
7 corporation marked or noted as such on the plat shall be ~~deemed~~  
8 CONSIDERED A sufficient conveyance to vest the fee simple of all  
9 parcels of land so marked and noted, and shall be considered a  
10 general warranty against the donors, their heirs and assigns to

1 the donees for their use for the purposes therein expressed and  
2 no other.

3       (2) The land intended for the streets, alleys, commons,  
4 parks, or other public uses as designated on the plat shall be  
5 held by the municipality in which the plat is situated in trust  
6 ~~to and~~ for ~~such~~ THOSE uses and purposes.

7       (3) A PLAT THAT INCLUDES STREETS DEDICATED FOR PUBLIC USE  
8 THAT TERMINATE AT THE EDGE OF NAVIGABLE WATER IS PRESUMED TO  
9 INCLUDE THE RIGHT TO PUBLIC ACCESS TO THAT WATER, THE RIGHT TO  
10 SHORELINE ACTIVITIES INCLUDING, BUT NOT LIMITED TO, SUNBATHING,  
11 LOUNGING, OR PICNICKING, AND THE BUILDING OF STRUCTURES TO AID IN  
12 PUBLIC ACCESS. HOWEVER, THIS PRESUMPTION DOES NOT INCLUDE THE  
13 RIGHT OF THE PUBLIC TO ERECT BOAT HOISTS OR TO ALLOW THE PER-  
14 MANENT MOORING OR ANCHORING OF BOATS.

15       (4) ~~-(3)-~~ A reservation or an ownership interest in mineral  
16 rights or underground gas storage rights in land shall not con-  
17 stitute the holding of title for the purpose of signing the  
18 proprietor's certificate.