

# HOUSE BILL No. 6295

September 29, 2004, Introduced by Reps. Pappageorge, Voorhees, Garfield, Amos, Van Regenmorter, Hoogendyk, O'Neil, Farrah, Plakas, Woodward, Gielegem, DeRoche, Hune, Accavitti, Farhat, Vander Veen, Hart, LaJoy and Walker and referred to the Committee on Land Use and Environment.

A bill to amend 1967 PA 288, entitled  
"Land division act,"  
by amending section 222 (MCL 560.222) and by adding section  
222a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 222. ~~To~~ **Except as provided in section 222a, to**  
2 vacate, correct, or revise a recorded plat or any part of ~~it~~ a  
3 **recorded plat**, a complaint shall be filed in the circuit court by  
4 the owner of a lot in the subdivision, a person of record  
5 claiming under the owner, or the governing body of the  
6 municipality in which the subdivision covered by the plat is  
7 located.

8       Sec. 222a. (1) Notwithstanding section 222, a public  
9 utility easement that is part of a recorded plat may be  
10 relinquished without filing an action in circuit court if a

1 written agreement for that purpose is entered into among all of  
2 the following parties:

3 (a) The public utility or municipal entity that owns the  
4 recorded easement.

5 (b) The owner or owners of record of each platted lot or  
6 parcel of land subject to the easement.

7 (c) A two-thirds majority of the owners of record of each  
8 platted lot or parcel of land within 300 feet of any part of the  
9 recorded easement.

10 (d) The governing board of the municipality in which the  
11 subdivision covered by the plat is located.

12 (2) An agreement described in subsection (1) shall meet all  
13 applicable requirements for recordation and is effective upon  
14 being recorded with the register of deeds.