

LAND DIVISION ACT (EXCERPT)
Act 288 of 1967

ASSESSOR'S PLATS

560.201 Assessor's plat; compliance; conditions for ordering; resolution; report; estimated cost.

Sec. 201. (1) An assessor's plat shall comply with sections 201 to 213 and may be ordered if any 1 of the following conditions exist:

(a) When a parcel or tract of land is owned by 2 or more persons.

(b) When the description of 1 or more of the different parcels within the area cannot be made sufficiently certain and accurate, or are deemed excessively complicated by the governing body, for the purposes of assessment and taxation without a survey or resurvey.

(2) The governing body of a municipality by adoption of a resolution may cause a plat to be made for purposes described in subsection (1) after a report from the assessor or supervisor bringing to its attention an area of land in which the stated conditions exist. It shall include in the resolution the estimated cost assessable to each parcel of land to be included in the plat for the purpose of immediate assessment, subject to final adjustment in accordance with section 203.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1976, Act 431, Imd. Eff. Jan. 11, 1977.

Popular name: Plat Act

Popular name: Subdivision Control

560.201a Assessor's plat; additional conditions for ordering.

Sec. 201a. Notwithstanding the conditions specified in sections 201(1) (a) and (b), an assessor's plat, complying with sections 201 to 213, may also be ordered if there is a person in possession under a lease agreement relating to a parcel or tract of land and all of the following conditions are met:

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

(b) The area of the land affected by the lease is smaller than the minimum lot size or configuration required by this act, or by local ordinance, as the case may be, or if the land is of proper size and configuration but at least 75% of the portion of the boundary not abutted by streets is abutted by lands of insufficient size or configuration.

(c) The leasehold premises has been improved with a permanent structure.

History: Add. 1973, Act 94, Imd. Eff. Aug. 8, 1973.

Popular name: Plat Act

Popular name: Subdivision Control

560.201b Assessor's plat; additional conditions for ordering.

Sec. 201b. Notwithstanding the conditions specified in section 201(1), an assessor's plat complying with sections 201 to 213 may also be ordered by the governing body of a municipality if all of the following conditions are met:

(a) When a parcel or tract of land had been improved by 4 or more permanent residential structures before January 1, 1968.

(b) When division of the parcel or tract into lots for the purpose of selling or leasing the permanent residential structures thereon would result in a lot size or configuration smaller than required by this act or by local ordinance.

(c) Each lot be serviced by a sewage disposal and water supply system approved by the local health department having jurisdiction.

History: Add. 1976, Act 431, Imd. Eff. Jan. 11, 1977.

Popular name: Plat Act

Popular name: Subdivision Control

560.202 Name and boundary description; plat made by surveyor.

Sec. 202. (1) The plat shall be called an assessor's plat and given a name. It shall plainly define the boundary of each parcel, each street, alley or road and dedication to public or private use, as such, shall be evidenced by the records of the register of deeds.

(2) The plat shall be made by a surveyor.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.203 Assessor's plat; payment of costs and expenses; cost charged to land.

Sec. 203. The actual and necessary costs and expenses of making assessor's plats shall be paid out of the general fund of the city, incorporated village, or township whose governing body ordered the plat. All of the cost may be charged to the land so platted. Of the cost charged to the land so platted, 1/2 shall be based on the proportion that the area of each parcel bears to the total area of the plat and 1/2 shall be charged equally to each parcel included in the assessor's plat, as a special assessment on the land, in the manner provided in Act No. 67 of the Public Acts of 1961, being sections 41.921 to 41.925 of the Michigan Compiled Laws.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1969, Act 308, Imd. Eff. Aug. 14, 1969;—Am. 1976, Act 431, Imd. Eff. Jan. 11, 1977.

Popular name: Plat Act

Popular name: Subdivision Control

560.204 Survey requirements; setting of monuments.

Sec. 204. (1) The surveyor making the plat shall survey and lay out the boundaries of each parcel, street, alley or road and dedication to public or private use, according to the records of the register of deeds and whatever other evidence that may be available to show the intent of the buyer and seller, in the chronological order of their conveyance or dedication.

(2) The surveyor shall also:

(a) Set temporary monuments to show the results of the survey.

(b) Make a map of the proposed plat to the scale of not more than 100 feet to 1 inch.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.205 Notice to proprietors.

Sec. 205. The proprietors of record of lands in the plat shall be notified by registered mail to their last known address, in order that they shall have opportunity to examine the map, view the temporary monuments, and make known any disagreement with the boundaries as shown.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.206 Reconciliation of boundaries within plat.

Sec. 206. (1) The surveyor making the plat shall reconcile any discrepancies that may be revealed, so that the plat as certified to the governing body shall be in conformity with the records of the register of deeds as nearly as is practicable.

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

(3) When reconciliation has been completed, the temporary monuments shall be replaced with permanent monuments meeting the specifications and provisions of this act for monuments.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.207 Boundaries and numbering of lots within plat.

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

(2) The provisions of this act as to surveys and monuments and as to form and procedure, insofar as they are applicable to the purposes of assessor's plats shall apply.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.208 Surveyor's certificate.

Sec. 208. The sworn certificate of the surveyor who made the plat and, if a firm of surveyors also by a partner or principal officer, shall appear on the plat and shall state the following:

- (a) The name of the governing body by whose order the plat was made, and the date of the order.
- (b) A statement that the plat is a correct representation of all the exterior boundaries of the land surveyed and each parcel or lot thereof.
- (c) A statement that he has fully complied with the provisions of this act in filing the plat.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.209 Filing; county road commission approval; publication; action to correct plat.

Sec. 209. (1) When completed, the assessor's plat shall be filed with the clerk of the governing body that ordered the plat. In unincorporated areas, the certificate of the county road commission shall first be secured, stating that the public roads shown on the plat were in existence at the time the plat was made.

(2) The clerk shall promptly give notice thereof by publication for 3 successive weeks in a newspaper of general circulation in the city, village, township or county, or if there is none, in a newspaper published in the adjoining county and having general circulation in the locality where the plat is situated.

(3) The plat shall remain on file in the clerk's office for 30 days after the first publication. At any time within the 30-day period any person or public body having an interest in any lands affected by the plat may bring a suit to have such plat corrected.

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

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

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.210 Local authorities approval; acknowledgment; review by director of energy, labor, and economic growth; recording.

Sec. 210. The plat, when completed and certified as provided in this act with the exception of the certification by the county plat board and when approved by the governing body and in unincorporated areas by the board of county road commissioners, shall be acknowledged by the clerk thereof. When so approved and acknowledged, all copies of the plat shall be forwarded to the director of the department of energy, labor, and economic growth together with the recording fee specified in this act for all plats. The director of the department of energy, labor, and economic growth shall review the plat for adherence to the provisions of this act, or may reject it giving his or her reasons in writing. Upon approval, the director of the department of energy, labor, and economic growth shall forward the plat to the register of deeds for recording. On return of the proof of recording the required recording fee shall be sent to the register of deeds and the director of the department of energy, labor, and economic growth shall distribute the copies as required for all other final plats.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 2010, Act 63, Imd. Eff. May 6, 2010.

Popular name: Plat Act

Popular name: Subdivision Control

560.211 Recording; notification of local authorities; apportionment of taxes.

Sec. 211. When an assessor's plat is recorded, the register of deeds shall notify the county treasurer. The county treasurer shall notify the assessor if any part of the lands included in the plat are delinquent for taxes or special assessments for any year prior to the date of recording. The assessor or supervisor shall apportion such taxes or assessments against the individual or several lots in the plat. The apportionment of delinquent taxes and special assessments shall be governed by the provisions of section 53 of Act No. 206 of the Public Acts of 1893, as amended. The apportioned taxes and special assessment shall thereafter become a lien against the individual or several lots in the plat and treated in the same manner as taxes of the year of the original assessment for the purpose of collection and sale for delinquent taxes as provided by Act No. 206 of the Public Acts of 1893, as amended.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.212 References to plat descriptions; use; plats as evidence.

Sec. 212. Reference to any land, as it appears on a recorded assessor's plat is sufficient for purposes of assessment and taxation. Conveyance may be made by reference to the plat and shall be as effective to pass title to the land so described as it would be if the premises had been described by metes and bounds. The plat or record thereof shall be received in evidence in all courts and places as correctly describing the several parcels of land therein designated. After an assessor's plat has been made and recorded with the register of deeds, all conveyances of lands included in the assessor's plat shall be by reference to the plat. Any instrument dated and acknowledged after January 1, 1968, purporting to convey or mortgage any such lands except by reference to such assessor's plat may not be recorded by the register of deeds.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.213 Plat recorded after tax day; substitution of plat description; certification of acquisition of public lands.

Sec. 213. (1) Whenever a parcel of land has been subdivided and platted and the plat recorded after the tax day, the assessing officer shall substitute the recorded plat for the description of the parcel of land on the tax roll of the succeeding tax year, and shall utilize for tax purposes descriptions of property within the platted area by lot number instead of by metes and bounds in carrying out his duties as provided in section 53 of Act No. 206 of the Public Acts of 1893, as amended.

(2) The assessing officer shall certify under his hand and seal that the municipality has acquired the title to the highways, streets, alleys and public places shown on the assessor's plat by reason of purchase, dedication, condemnation or adverse possession for public use, and if there are any roads, streets, alleys or other such places to which the municipality has not acquired title for public use the extent of their use shall be plainly stated in the dedication, and the plat shall be signed and acknowledged by the officer.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

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