

LAND DIVISION ACT (EXCERPT)

Act 288 of 1967

PENALTIES

560.261 Sale of land; written disclosures to buyer; voidability of sale.

Sec. 261. No person shall sell any lot in a recorded plat or any parcel of unplatted land in an unincorporated area if it abuts a street or road which has not been accepted as public unless the seller first informs the purchaser in writing on a separate instrument to be attached to the instrument conveying any interest in such lot or parcel of land of the fact that the street or road is private and is not required to be maintained by the board of county road commissioners. In addition, any contract or agreement of sale entered into in violation of this section shall be voidable at the option of the purchaser.

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

Popular name: Plat Act

Popular name: Subdivision Control

560.262 Monuments; removal or disturbance.

Sec. 262. No person shall knowingly remove or disturb any monument without the permission of the governing body of the municipality in which the subdivision is located.

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

Popular name: Plat Act

Popular name: Subdivision Control

560.263 Lots; further division; regulation.

Sec. 263. No lot, outlot or other parcel of land in a recorded plat shall be further partitioned or divided unless in conformity with the ordinances of the municipality. The municipality may permit the partitioning or dividing of lots, outlots or other parcels of land into not more than 4 parts; however, any lot, outlot or other parcel of land not served by public sewer and public water systems shall not be further partitioned or divided if the resulting lots, outlots or other parcels are less than the minimum width and area provided for in this act.

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

Popular name: Plat Act

Popular name: Subdivision Control

560.264 Sale of land; noncompliance with act; penalty.

Sec. 264. (1) Any person who sells or agrees to sell any lot, piece, or parcel of land without first having recorded a plat thereof when required by this act is guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000.00, or imprisonment for not to exceed 180 days, or both. For each offense under this subsection after a first offense under this subsection, the person shall be punished by a fine of not more than \$1,000.00, or imprisonment for not to exceed 1 year, or both. Agreement to sell under this section does not include an option to buy extended from the seller for a money consideration to the prospective buyer.

(2) Any person who violates section 108, 109, 109b, or the exempt split provision of section 103(1) and sells a resulting parcel of land is responsible for the payment of a civil fine of not more than \$1,000.00 for each parcel sold. A default in the payment of a civil fine or costs ordered under this subsection or an installment of the fine or costs may be remedied by any means authorized under the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to 600.9948.

(3) Any person who violates any provision of this act other than section 108, 109, 109b, or the exempt split provision of section 103(1) is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1997, Act 87, Eff. Oct. 1, 1997.

Popular name: Plat Act

Popular name: Subdivision Control

560.265 Enforcement of act; injunctive proceedings; venue.

Sec. 265. Any municipality, board of county road commissioners or county plat board may bring an action in its own name to restrain or prevent any violation of this act or any continuance of any such violation. Such action shall be brought in the county where the land is located, the defendant resides or has his principal place of business.

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

Popular name: Plat Act

Popular name: Subdivision Control

560.266 Enforcement of act; prosecution, venue.

Sec. 266. The attorney general or the prosecuting attorney of any county may prosecute any violation of this act or may bring an action in the name of the state to restrain or prevent any violation of this act or any continuance of any such violation. Such action, in the case of the attorney general, shall be brought in the circuit court of Ingham county, upon which jurisdiction thereof is conferred, and in the case of the prosecuting attorney, in the county where the land involved is located, the defendant resides, or has his principal place of business or where the purchaser resides.

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

Popular name: Plat Act

Popular name: Subdivision Control

560.267 Sale of lands in violation of act; voidability of sale.

Sec. 267. Any sale of lands subdivided or otherwise partitioned or split in violation of this act is voidable at the option of the purchaser, and shall subject the seller to the forfeiture of all consideration received or pledged therefor, together with any damages sustained by the purchaser, recoverable in an action at law.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1997, Act 87, Imd. Eff. July 28, 1997.

Popular name: Plat Act

Popular name: Subdivision Control

560.290 Department of energy, labor, and economic growth; employee in charge of plat section; qualifications.

Sec. 290. The employee in direct charge of the plat section in the department of energy, labor, and economic growth that performs services for the director of the department of energy, labor, and economic growth under this act, and that employee's chief assistant, shall each be a professional surveyor licensed in this state.

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

560.291 Plats in process, approval.

Sec. 291. Any preliminary or final plat which on January 1, 1968, has been approved by the municipality or county road commission may be processed under the law in effect at the time of approval, but not after January 1, 1970, after which time all plats submitted for approval shall comply with the requirements of this act.

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

Popular name: Plat Act

Popular name: Subdivision Control

560.292 Plat recorded under former 1839 PA 91; conflict or inconsistency.

Sec. 292. A plat recorded under former 1839 PA 91 supersedes an earlier plat to the extent of any conflict or inconsistency regarding the dedication of a parcel restricting or limiting its use for a court house in the earlier plat.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 2017, Act 117, Imd. Eff. July 27, 2017.

Popular name: Plat Act

Popular name: Subdivision Control

560.293 Effective date.

Sec. 293. This act shall take effect on January 1, 1968.

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

Popular name: Plat Act

Popular name: Subdivision Control