



# SENATE BILL No. 112

January 17, 1995, Introduced by Senator STILLE  
and referred to the Committee on Local, Urban  
and State Affairs.

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," section 117 as amended by Act No. 150 of the Public Acts of 1993, 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 sections 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 acts and parts of acts.

**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

1 of Act No. 288 of the Public Acts of 1967, section 117 as amended  
 2 by Act No. 150 of the Public Acts of 1993, sections 186 and 243  
 3 as amended by Act No. 214 of the Public Acts of 1992, section 192  
 4 as amended and section 192a as added by Act No. 529 of the Public  
 5 Acts of 1982, and sections 241 and 241a as amended by Act No. 67  
 6 of the Public Acts of 1993, being sections 560.101, 560.103,  
 7 560.104, 560.105, 560.107, 560.111, 560.112, 560.113, 560.114,  
 8 560.115, 560.117, 560.118, 560.119, 560.120, 560.125, 560.126,  
 9 560.131, 560.132, 560.133, 560.134, 560.135, 560.136, 560.137,  
 10 560.138, 560.139, 560.140, 560.141, 560.142, 560.143, 560.144,  
 11 560.145, 560.148, 560.149, 560.151, 560.161, 560.162, 560.163,  
 12 560.164, 560.165, 560.166, 560.167, 560.171, 560.172, 560.173,  
 13 560.181, 560.182, 560.183, 560.184, 560.186, 560.188, 560.190,  
 14 560.192, 560.192a, 560.194, 560.196, 560.198, 560.201a, 560.202,  
 15 560.203, 560.204, 560.205, 560.206, 560.207, 560.208, 560.209,  
 16 560.210, 560.211, 560.212, 560.213, 560.221, 560.224a, 560.226,  
 17 560.227a, 560.229, 560.241, 560.241a, 560.242, 560.243, 560.244,  
 18 560.245, 560.246, 560.247, 560.253, 560.255b, 560.256, 560.257,  
 19 560.259, 560.261, 560.264, 560.265, 560.266, 560.290, and 560.291  
 20 of the Michigan Compiled Laws, are amended and sections 102a,  
 21 102b, 102c, 102d, 102e, 102f, 102g, 102h, 102i, 102j, 108, 108a,  
 22 108b, 108c, 109, 110, 127, 128, 129, 130, 148a, 189, 193, 209a,  
 23 215, 226a, 246a, 259a, 264a, 265a, 270, 271, 272, and 273 are  
 24 added to read as follows:

#### TITLE

26       An act to regulate the ~~subdivision~~ DIVISION of land; to  
 27 promote the public health, safety, and general welfare; to

1 further the orderly layout and use of land; to require that ~~the~~  
2 DIVIDED land be suitable for building sites and public improve-  
3 ments and that there be adequate drainage of ~~the~~ THAT land; to  
4 provide for proper ~~ingress and egress~~ ACCESS to lots AND  
5 PARCELS; to ~~promote~~ REQUIRE proper surveying and monumenting of  
6 land ~~subdivided~~ DIVIDED and conveyed by accurate legal descrip-  
7 tions; to provide for the approvals to be obtained by subdividers  
8 ~~prior to~~ BEFORE the recording and filing of plats; TO PROVIDE  
9 FOR POWERS AND DUTIES OF CERTAIN STATE AGENCIES AND LOCAL GOVERN-  
10 MENTS AND AGENCIES; TO PROVIDE FOR POWERS AND DUTIES OF CERTAIN  
11 PUBLIC OFFICERS AND EMPLOYEES; to provide for the establishment  
12 of special assessment districts and for the imposition of special  
13 assessments to defray the cost of the operation and maintenance  
14 of retention basins; ~~for land within a final plat;~~ to establish  
15 the procedure for vacating, correcting, and revising ~~plats~~ A  
16 PLAT; to control ~~residential~~ building development within flood-  
17 plain areas; to provide for reserving easements for utilities in  
18 vacated ~~streets~~ ROADS and alleys; to provide for the filing of  
19 amended plats; to provide for the making of ~~assessors~~  
20 ASSESSOR'S plats; AND to provide penalties for the violation ~~of~~  
21 ~~the provisions~~ of this act. ~~to repeal certain parts of this~~  
22 ~~act on specific dates; and to repeal certain acts and parts of~~  
23 ~~acts.~~

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

1        SEC. 102A. FOR THE PURPOSES OF THIS ACT, THE WORDS AND  
2 PHRASES DEFINED IN SECTIONS 102B TO 102J HAVE THE MEANINGS  
3 ASCRIBED TO THEM IN THOSE SECTIONS.

4        SEC. 102B. (1) "ABANDON" MEANS TO RELINQUISH CONTROL OF AND  
5 RESPONSIBILITY FOR A ROAD OR ALLEY IN 1 OF THE FOLLOWING  
6 MANNERS:

7        (A) BY A RESOLUTION OF ABSOLUTE ABANDONMENT AND DISCONTINU-  
8 ANCE BY A COUNTY ROAD COMMISSION UNDER SECTION 18 OF CHAPTER IV  
9 OF ACT NO. 283 OF THE PUBLIC ACTS OF 1909, BEING SECTION 224.18  
10 OF THE MICHIGAN COMPILED LAWS.

11        (B) BY THE PROCEDURES ESTABLISHED FOR STATE HIGHWAYS PRO-  
12 VIDED IN ACT NO. 296 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS  
13 247.851 TO 247.861 OF THE MICHIGAN COMPILED LAWS, AND IN ACT  
14 NO. 12 OF THE PUBLIC ACTS OF 1925, BEING SECTIONS 250.111 TO  
15 250.115 OF THE MICHIGAN COMPILED LAWS.

16        (2) "ADMINISTRATOR" MEANS THE DIRECTOR OF COMMERCE OR THE  
17 DIRECTOR'S DESIGNEE.

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

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

25        (5) "APPROVING AUTHORITY" MEANS AN INDIVIDUAL, AGENCY,  
26 OFFICE, OR OTHER ENTITY THAT IS DESIGNATED BY THIS ACT AS HAVING

1 RESPONSIBILITY TO APPROVE, REJECT, OR APPROVE WITH CONDITIONS A  
2 DIVISION, PLAT, OR OTHER SUBMISSION BY A PROPRIETOR.

3 (6) "CAPTION" MEANS INFORMATION AT THE TOP OF A FINAL PLAT  
4 AS REQUIRED BY SECTION 133.

5 (7) "COUNTY DRAIN COMMISSIONER" MEANS THE COUNTY DRAIN COM-  
6 MISSIONER, ANOTHER PUBLIC OFFICIAL WHO HAS THE DUTIES OF THE  
7 COUNTY DRAIN COMMISSIONER, OR A PUBLIC BODY THAT HAS THE DUTIES  
8 OF THE COUNTY DRAIN COMMISSIONER AS PROVIDED FOR IN THE DRAIN  
9 CODE OF 1956, ACT NO. 40 OF THE PUBLIC ACTS OF 1956, BEING SEC-  
10 TIONS 280.1 TO 280.630 OF THE MICHIGAN COMPILED LAWS.

11 SEC. 102C. (1) "DAY" MEANS A CALENDAR DAY UNLESS SPECIFI-  
12 CALLY PROVIDED OTHERWISE.

13 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF COMMERCE.

14 (3) "DEVELOPMENT" MEANS ANY BUILDING OPERATION OR THE MAKING  
15 OF A MATERIAL CHANGE IN THE APPEARANCE OF LAND.

16 (4) "DIVIDE" OR "DIVISION" MEANS THE PARTITIONING OR SPLIT-  
17 TING OF A PARCEL OR TRACT BY A PROPRIETOR OR THE PROPRIETOR'S  
18 HEIRS, EXECUTORS, ADMINISTRATORS, LEGAL REPRESENTATIVES, SUCCES-  
19 SORS, OR ASSIGNS THAT RESULTS IN 1 OR MORE PARCELS OF LESS THAN  
20 40 ACRES OR THE EQUIVALENT WITH THE INTENT OF TRANSFERRING OWNER-  
21 SHIP OR FOR THE PURPOSE OF SALE, GIFT, LEASE OF MORE THAN 1 YEAR,  
22 OR DEVELOPMENT. DIVIDE OR DIVISION DOES NOT MEAN:

23 (A) THE FINANCING OR LEASING OF APARTMENTS, OFFICES, STORES,  
24 OR SIMILAR SPACE WITHIN AN APARTMENT BUILDING, INDUSTRIAL BUILD-  
25 ING, COMMERCIAL BUILDING, OR MOBILE HOME PARK, AS DEFINED IN SEC-  
26 TION 2 OF THE MOBILE HOME COMMISSION ACT, ACT NO. 96 OF THE

1 PUBLIC ACTS OF 1987, BEING SECTION 125.2302 OF THE MICHIGAN  
2 COMPILED LAWS.

3 (B) A MINERAL, OIL, OR GAS LEASE.

4 (C) A CONVEYANCE OF LAND FOR PUBLIC PURPOSES TO A GOVERNMEN-  
5 TAL AGENCY OR PUBLIC ENTITY OR TO A PUBLIC UTILITY FOR PUBLIC  
6 UTILITY PURPOSES.

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

12 (E) COMPLIANCE WITH A COURT ORDER OR JUDGMENT.

13 (5) "EASEMENT" MEANS A GRANT BY THE PROPRIETOR OF THE USE OF  
14 LAND FOR A SPECIFIC PURPOSE.

15 (6) "ENGINEER" MEANS A PROFESSIONAL ENGINEER LICENSED UNDER  
16 ARTICLE 20 OF THE OCCUPATIONAL CODE, ACT NO. 299 OF THE PUBLIC  
17 ACTS OF 1980, BEING SECTIONS 339.2001 TO 339.2014 OF THE MICHIGAN  
18 COMPILED LAWS.

19 SEC. 102D. (1) "FINAL PLAT" MEANS THE MAP AND OTHER INFOR-  
20 MATION CONCERNING A SUBDIVISION AS REQUIRED BY SECTIONS 132 TO  
21 151.

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

25 (3) "FORTY ACRES OR THE EQUIVALENT" MEANS 40 ACRES, A  
26 QUARTER-QUARTER SECTION CONTAINING NOT LESS THAN 30 ACRES, OR A  
27 GOVERNMENT LOT CONTAINING NOT LESS THAN 30 ACRES.

1       (4) "GOVERNING BODY" MEANS THE LEGISLATIVE BODY OF A  
2 MUNICIPALITY.

3       (5) "GOVERNMENT SURVEY" MEANS THE LAND SURVEYED, SUBDIVIDED,  
4 AND MONUMENTED BY THE UNITED STATES PUBLIC LAND SURVEY.

5       (6) "HEALTH DEPARTMENT" MEANS THE STATE, CITY, COUNTY, OR  
6 DISTRICT HEALTH DEPARTMENT HAVING JURISDICTION.

7       (7) "IMPROVEMENT" MEANS AN ADDITION TO THE NATURAL STATE OF  
8 LAND.

9       SEC. 102E. (1) "LAND" MEANS REAL PROPERTY.

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

12       (3) "MICHIGAN COORDINATE SYSTEM" MEANS THE SYSTEM DEFINED IN  
13 ACT NO. 9 OF THE PUBLIC ACTS OF 1964, BEING SECTIONS 54.231 TO  
14 54.239 OF THE MICHIGAN COMPILED LAWS.

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

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

19       (2) "OUTLOT" MEANS A LOT SET ASIDE FOR PURPOSES OTHER THAN A  
20 BUILDING SITE OR PARK, OR OTHER LAND DEDICATED TO PUBLIC USE OR  
21 RESERVED TO PRIVATE USE.

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



1       (2) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION,  
2 LIMITED LIABILITY COMPANY, ASSOCIATION, OR OTHER PRIVATE LEGAL  
3 ENTITY. PERSON DOES NOT INCLUDE A PUBLIC ENTITY.

4       (3) "PLAT" MEANS A MAP OF AND OTHER INFORMATION ABOUT A SUB-  
5 DIVISION OF LAND, WHICH MAP IS DRAWN AND INFORMATION IS COMPILED  
6 IN CONFORMITY WITH THIS ACT.

7       (4) "PLAT REVIEW COMMITTEE" MEANS A COMMITTEE ESTABLISHED  
8 UNDER SECTION 148A.

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

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

15       (7) "PUBLIC FACILITY" MEANS A FACILITY OVER WHICH AN APPROV-  
16 ING AGENCY MAY ULTIMATELY ASSUME THE JURISDICTION OR  
17 RESPONSIBILITY.

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

22       (9) "PUBLIC WATER" MEANS A PUBLIC WATER SUPPLY AS DEFINED BY  
23 THE SAFE DRINKING WATER ACT, ACT NO. 399 OF THE PUBLIC ACTS OF  
24 1976, BEING SECTIONS 325.1001 TO 325.1023 OF THE MICHIGAN  
25 COMPILED LAWS, AND CLASSIFIED AS TYPE 1 UNDER THE RULES PROMUL-  
26 GATED UNDER THE SAFE DRINKING WATER ACT.

1       (10) "PUBLIC SEWER" MEANS A SEWERAGE SYSTEM OPERATING IN  
2 COMPLIANCE WITH ACT NO. 98 OF THE PUBLIC ACTS OF 1913, BEING  
3 SECTIONS 325.201 TO 325.214 OF THE MICHIGAN COMPILED LAWS.

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

7       (2) "REPLAT" MEANS THE PROCESS OF CHANGING THE CONFIGURATION  
8 OR THE BOUNDARIES OF AN EXISTING SUBDIVISION.

9       (3) "RESIDENTIAL LOT" MEANS A LOT INTENDED TO BE USED ON A  
10 TEMPORARY OR PERMANENT BASIS FOR A RESIDENTIAL UNIT.

11       (4) "RESIDENTIAL UNIT" MEANS A HOUSE, APARTMENT, OR OTHER  
12 DOMICILE OCCUPIED BY AN INDIVIDUAL, OR A FAMILY GROUP OR ITS  
13 EQUIVALENT.

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

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

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

22       (2) "SANITARIAN" MEANS A REGISTERED SANITARIAN REGISTERED  
23 UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE  
24 PUBLIC ACTS OF 1978, BEING SECTIONS 333.16101 TO 333.18838 OF THE  
25 MICHIGAN COMPILED LAWS.

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

1       (4) "SURVEYOR" MEANS A LAND SURVEYOR LICENSED UNDER ARTICLE  
2 20 OF THE OCCUPATIONAL CODE, ACT NO. 299 OF THE PUBLIC ACTS OF  
3 1980, BEING SECTIONS 339.2001 TO 339.2014 OF THE MICHIGAN  
4 COMPILED LAWS.

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

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

11       (3) "VACATE" MEANS EITHER OF THE FOLLOWING:

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

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

19       (4) "WALKWAY" MEANS A RIGHT-OF-WAY DEDICATED FOR THE PURPOSE  
20 OF NONMOTORIZED ACCESS.

21       (5) "WETLAND" MEANS LAND DEFINED AS WETLAND UNDER THE  
22 GOEMAERE-ANDERSON WETLAND PROTECTION ACT, ACT NO. 203 OF THE  
23 PUBLIC ACTS OF 1979, BEING SECTIONS 281.701 TO 281.722 OF THE  
24 MICHIGAN COMPILED LAWS.

25       (6) "ZONING ORDINANCE" MEANS AN ORDINANCE ADOPTED UNDER THE  
26 AUTHORITY OF ANY OF THE FOLLOWING:

1 (A) ACT NO. 207 OF THE PUBLIC ACTS OF 1921, BEING SECTIONS  
2 125.581 TO 125.592 OF THE MICHIGAN COMPILED LAWS.

3 (B) THE COUNTY RURAL ZONING ENABLING ACT, ACT NO. 183 OF THE  
4 PUBLIC ACTS OF 1943, BEING SECTIONS 125.201 TO 125.232 OF THE  
5 MICHIGAN COMPILED LAWS.

6 (C) THE TOWNSHIP RURAL ZONING ACT, ACT NO. 184 OF THE PUBLIC  
7 ACTS OF 1943, BEING SECTIONS 125.271 TO 125.301 OF THE MICHIGAN  
8 COMPILED LAWS.

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

14 (2) IF A DIVISION DOES NOT REQUIRE A RECORDED PLAT, BEFORE A  
15 PARCEL RESULTING FROM THAT DIVISION IS RECORDED, THE PROPRIETOR  
16 SHALL HAVE THE PARCEL SURVEYED IN COMPLIANCE WITH SECTIONS 2 AND  
17 3 OF ACT NO. 132 OF THE PUBLIC ACTS OF 1970, BEING SECTIONS  
18 54.212 AND 54.213 OF THE MICHIGAN COMPILED LAWS.

19 (3) ~~(2)~~ Plats of retracement or boundary surveys made BY A  
20 SURVEYOR OR by a department or agency of the United States or of  
21 state-owned lands made by a department or agency of the state for  
22 the retracement and division of public lands according to the  
23 survey instructions issued by the United States department of the  
24 interior may be recorded with the register of deeds of the county  
25 in which the lands represented on ~~such~~ THOSE plats are situated  
26 and need not comply with ~~section 102 and~~ this ~~section~~ ACT,  
27 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 ~~125.83~~  
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 (i) NOTICE to the abutting property owners has been given by  
 9 certified mail. ~~and the~~

10 (ii) 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 AN URBAN renewal ~~plats~~ PLAT  
 17 authorized by the governing body of a municipality, as provided  
 18 in Act No. 344 of the Public Acts of 1945, ~~as amended~~ BEING  
 19 SECTIONS 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 ~~111~~ 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 (1) 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 ~~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 ~~131~~  
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 curvature, points of tangency or points of compound cur-~~

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 ~~,~~  
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 ~~192.~~

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.

1 (B) THE CHAIRPERSON OF THE COUNTY ROAD COMMISSION.

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

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

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

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

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

23 Sec. 171. Within 15 days after ~~receipt of~~ RECEIVING the  
24 FINAL plat FROM THE PLAT REVIEW COMMITTEE, ~~or within 25 days if~~  
25 ~~the plat requires the approval of the state highway commission,~~  
26 ~~the state treasurer~~ THE ADMINISTRATOR shall DO 1 OF THE  
27 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 (e) 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. ~~(1) 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 ~~182~~ 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 , 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 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 (i) THE EXISTENCE, DESCRIPTION, NATURE, CUSTODY, CONDITION,  
17 OR LOCATION OF A BOOK, DOCUMENT, OR OTHER TANGIBLE THING.

18 (ii) 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, 1998 may be processed  
12 under the law in effect at the time of THAT approval ~~,~~ but not  
13 ~~after~~ UNTIL January 1, 2000. ~~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, 1998, OR A  
16 PLAT WHICH HAS SUCH APPROVAL BUT WHICH IS NOT A RECORDED PLAT  
17 BEFORE JANUARY 1, 2000, 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 1998.