

HOUSE BILL No. 5772

September 9, 2014, Introduced by Rep. Zemke and referred to the Committee on Local Government.

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 209 (MCL 560.209).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 209. (1) When **THE ASSESSOR'S PLAT IS** completed, the
2 **SURVEYOR SHALL FILE THE** assessor's plat ~~shall be filed~~ with the
3 clerk of the governing body that ordered the plat. ~~In~~
4 ~~unincorporated areas, the~~ **BEFORE FILING AN ASSESSOR'S PLAT OF AN**
5 **AREA THAT IS NOT LOCATED WITHIN A CITY OR VILLAGE, THE SURVEYOR**
6 **SHALL OBTAIN A** certificate ~~of~~ **FROM** the county road commission ~~shall~~
7 ~~first be secured,~~ stating that the public roads shown on the plat
8 were in existence ~~at the time~~ **WHEN** the plat was made.

9 (2) The clerk shall promptly give notice ~~thereof by~~
10 ~~publication for 3 successive weeks in a newspaper of general~~

1 ~~circulation in the city, village, township or county, or if there~~
 2 ~~is none, in a newspaper published in the adjoining county and~~
 3 ~~having general circulation in the locality where the plat is~~
 4 ~~situated.~~ **OF THE FILING OF THE ASSESSOR'S PLAT BY TIER C PUBLIC**
 5 **NOTICE UNDER THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.**

6 (3) The plat shall remain on file in the clerk's office for 30
 7 days after ~~the first publication.~~ **NOTICE IS GIVEN UNDER SUBSECTION**
 8 **(2).** At any time ~~within~~ **BEFORE** the 30-day period **EXPIRES**, any
 9 person or public body having an interest in any lands affected by
 10 the plat may bring a ~~suit~~ **AN ACTION** to ~~have such~~ **CORRECT THE** plat.
 11 ~~corrected.~~

12 ~~—— (4) If no such suit is brought~~ **IF AN ACTION IS NOT COMMENCED**
 13 ~~within such~~ **THAT** time, the plat may be approved by the governing
 14 body **MAY APPROVE THE PLAT.**

15 ~~—— (5) If suit is brought, approval shall be withheld~~ **IF AN**
 16 **ACTION IS TIMELY COMMENCED, THE GOVERNING BODY SHALL NOT APPROVE**
 17 **THE PLAT** until ~~it~~ **THE CASE** is decided. If necessary, the plat shall
 18 be revised in accordance with ~~such decision,~~ **THE ORDER OF THE COURT**
 19 **AND** then approved by the governing body.

20 Enacting section 1. This amendatory act does not take effect
 21 unless Senate Bill No. ____ or House Bill No. 5560 (request no.
 22 03796'13) of the 97th Legislature is enacted into law.