

SUBSTITUTE FOR
SENATE BILL NO. 733

A bill to amend 1970 PA 132, entitled

"An act to provide for the filing of surveys in the office of the register of deeds relative to land divisions; and to prescribe the conditions of the survey,"

by amending sections 1 and 3 (MCL 54.211 and 54.213), section 3 as amended by 1992 PA 183.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) ~~Whenever~~**IF** lands are surveyed into ~~4 parcels or~~
2 ~~less, or a greater number when such parcels are of 10 acres or~~
3 ~~more,~~**PARCELS UNDER SECTIONS 108 TO 109B OF THE LAND DIVISION ACT,**
4 **1967 PA 288, MCL 560.108 TO 560.109B,** or any boundary survey where
5 permanent corners are monumented, **THE PROFESSIONAL LAND SURVEYOR**
6 **WHO PREPARED THE SURVEY SHALL RECORD** a certified copy ~~may be~~
7 ~~recorded~~ in the office of the register of deeds in the county in

1 which the land is situated. ~~, if such survey meets the requirements~~
 2 ~~of this act.~~

3 (2) If a survey is made for the purposes of describing ~~the~~**A**
 4 parcel in a conveyance of title **OR DESCRIBING A PARCEL AS CREATED**
 5 **IN A LEASE FOR A YEAR OR MORE**, a certified copy of that survey
 6 shall, ~~be recorded at the time of recording the conveyance of title~~
 7 **WITHIN 90 DAYS AFTER THE DELIVERY OF THE SURVEY TO THE PROFESSIONAL**
 8 **LAND SURVEYOR'S CLIENT, BE FILED FOR RECORDING** with the register of
 9 deeds in the county in which the land is situated. The requirements
 10 of this act are in addition to ~~Act No. 288 of the Public Acts of~~
 11 ~~1967, as amended, being sections 560.101 to 560.923 of the Compiled~~
 12 ~~Laws of 1948.~~ **THOSE OF THE LAND DIVISION ACT, 1967 PA 288, MCL**
 13 **560.101 TO 560.293.** Land platted in ~~accordance with Act No. 288 of~~
 14 ~~the Public Acts of 1967, as amended,~~ **UNDER THAT ACT**, or land
 15 previously surveyed and recorded and for which no change in
 16 boundary description is made from a previously recorded survey,
 17 need not be recorded. ~~Surveys solely for mortgage certificate~~
 18 ~~purposes need not be recorded.~~

19 Sec. 3. (1) The **SURVEY** map **UNDER SECTION 1** shall be prepared
 20 on durable white paper 8-1/2 inches wide by 14 inches long. Lines
 21 on a map shall be made with nonfading black ink on a scale of not
 22 more than 500 feet to an inch. ~~the~~**THE** scale shall be shown on the
 23 map, ~~. The map may instead be prepared on tracing cloth or paper,~~
 24 and a true scale reproduction of the map pursuant to the records
 25 ~~media~~**REPRODUCTION** act, ~~may~~**1992 PA 116, MCL 24.401 TO 24.406,**
 26 **SHALL** be recorded. The map shall ~~include~~**MEET** all of the following
 27 **REQUIREMENTS:**

1 (a) ~~A~~ **INCLUDE A** certificate signed and sealed by the licensed
 2 ~~land~~ **PROFESSIONAL** surveyor who surveyed and ~~mapped~~ the parcel or
 3 parcels. ~~THE CERTIFICATE SHALL MEET ALL OF THE FOLLOWING~~
 4 **REQUIREMENTS:**

5 (i) **BE** typed, lettered, or reproduced legibly with nonfading
 6 ink. ~~giving~~

7 (ii) **GIVE** a clear, concise description of the land surveyed by
 8 bearings and distances, commencing with ~~some~~ **A** corner marked and
 9 established in the United States ~~public land survey,~~ **PUBLIC LAND**
 10 **SURVEY**, or reestablished in accordance with accepted methods. ~~The~~
 11 ~~certificate shall also include the ratio of closure of latitudes~~
 12 ~~and departures,~~

13 (iii) **INCLUDE THE RELATIVE POSITIONAL PRECISION OF EACH**
 14 **CORNER**, which shall be within limits accepted by the ~~profession of~~
 15 ~~land~~ **PRACTICE OF PROFESSIONAL** surveying. ~~and certification~~

16 (iv) **INCLUDE CERTIFICATION** by the licensed ~~land~~ **PROFESSIONAL**
 17 surveyor that the requirements of this section have been met.

18 (b) ~~The~~ **FOR LAND NOT INCLUDED IN A PLATTED SUBDIVISION OR**
 19 **CONDOMINIUM, INCLUDE THE** exterior boundaries of the land surveyed
 20 and divided, together with the line or lines leading to the United
 21 States ~~public land survey~~ **PUBLIC LAND SURVEY** corner, or corners,
 22 from which the land is described. A boundary along a lake or stream
 23 shall be defined by a meander line connecting the side boundaries
 24 of the parcel. If a lot in a recorded **PLATTED** subdivision is
 25 **SURVEYED OR** divided, the exterior boundaries of the lot surveyed
 26 and divided shall be referenced to existing lot corners and the
 27 controlling monuments used for that survey.

1 (c) If the boundary of the parcel follows or parallels a
2 section line, ~~the~~ **ALL OF THE FOLLOWING REQUIREMENTS:**

3 (i) **THE** section line shall be defined at its extremities by a
4 ~~corner~~ **CORNERS** established in the United States ~~public land survey~~
5 **PUBLIC LAND SURVEY** or reestablished pursuant to accepted methods **OR**
6 **PROTRACTED CORNERS MONUMENTED UNDER THE STATE SURVEY AND**
7 **REMONUMENTATION ACT, 1990 PA 345, MCL 54.261 TO 54.279.**

8 (ii) Each corner of the United States ~~public land survey~~
9 **PUBLIC LAND SURVEY** shall be duly witnessed ~~to a permanent object~~
10 ~~and the~~ **UNDER THE CORNER RECORDATION ACT, 1970 PA 74, MCL 54.201 TO**
11 **54.210D.**

12 (iii) **THE MAP SHALL INDICATE THE** kind of object, ~~and the~~
13 bearings and distances to it, ~~together with~~ **THE OBJECT, AND** the
14 kind and material of monumentation marking the corner. ~~, shall be~~
15 ~~shown on the map.~~

16 (d) A curved boundary or a curved highway, street, or lot
17 line, ~~if~~ **SHALL BE DEFINED AS FOLLOWS:**

18 (i) **IF** the curve is contained within the line, ~~shall be~~
19 ~~defined by~~ the points of curvature and tangency and compound
20 curvature, central angle, length of arcs, ~~degree of curvature,~~
21 **RADIUS,** and length and bearing of the long chord. ~~, or, if~~

22 (ii) **IF** the curve is only partially contained within the line,
23 by the length of arc along the curve, ~~degree of curvature,~~ **RADIUS,**
24 and length and bearing of the short chord. ~~, or by~~

25 (iii) **IF THE CURVE IS NOT REGULAR, BY** traverse courses and
26 distances. ~~if the curve is not regular.~~

27 (e) If an exterior boundary line shows a bearing or length

1 that varies from that recorded in an abutting plat or certified
2 survey, the following note shall be placed along the line
3 "**PREVIOUSLY** recorded as (show bearing or length or both)".

4 (F) INCLUDE ALL OF THE FOLLOWING:

5 (i) ~~(f)~~—The length and bearing of each line.

6 (ii) ~~(g)~~—The exact width of each street, highway, alley, and
7 easement.

8 (iii) ~~(h)~~—The distance on a boundary or lot line from the
9 point of intersection with a meander line to **THE** apparent ordinary
10 ~~high water~~ **HIGH-WATER** line of Great Lakes waters and to the water's
11 edge of inland lakes and streams.

12 (iv) ~~(i)~~—A north point ~~ARROW~~ properly located. **ORIENTED.**

13 (2) ~~Certified~~ **THE REGISTER OF DEEDS SHALL ACCEPT CERTIFIED**
14 survey maps prepared pursuant to this section ~~shall be accepted,~~
15 upon payment of the regular fee schedule ~~as provided in section~~
16 2567(1) (a) of the revised judicature act of 1961, ~~Act No. 236 of~~
17 ~~the Public Acts of 1961, being section 600.2567 of the Michigan~~
18 ~~Compiled Laws, shall be numbered consecutively by the register of~~
19 ~~deeds, shall be recorded~~ **1961 PA 236, MCL 600.2567. THE REGISTER OF**
20 **DEEDS SHALL CONSECUTIVELY NUMBER THE MAPS AND RECORD THEM** in bound
21 volumes ~~,~~ or in a manner adapted to a system of preserving records
22 pursuant to the records ~~media~~ **REPRODUCTION** act, ~~and~~ **1992 PA 116,**
23 **MCL 24.401 TO 24.406. THE MAPS SHALL BE** known as the "certified
24 survey maps of county", and shall become a part of
25 the land records of the county. ~~A separate card file shall be kept~~
26 ~~showing by section, township, and range and also by title of~~
27 ~~recorded plat if a resurvey within such plat, the designating~~

1 ~~number, liber, and page of the certified maps filed in the bound~~
2 ~~volume, or other record.~~ THE REGISTER OF DEEDS SHALL KEEP A SEPARATE
3 CARD FILE OR ELECTRONIC FILE OF THE COUNTY LAND RECORDS SYSTEM. THE
4 FILE SHALL BE INDEXED WITHIN THE LAND RECORDS SYSTEM. THE FILE
5 SHALL SPECIFY THE UNIQUE IDENTIFYING NUMBER OR LIBER AND PAGE OF
6 THE RECORDED SURVEYS IN THE BOUND VOLUME OR OTHER RECORD. THE
7 SPECIFICATION SHALL BE BY SECTION, TOWNSHIP, AND RANGE AND, IF THE
8 MAP IS A RESURVEY WITHIN THE PLAT, BY TITLE OF THE RECORDED PLAT.

9 ~~—— (3) If a certified survey map is recorded pursuant to this~~
10 ~~section, the parcels of land in the map may be described with a~~
11 ~~supplemental reference to the number of the survey, the volume and~~
12 ~~page where recorded, and the name of the county, for all purposes,~~
13 ~~including assessment, taxation, devise, descent, and conveyance.~~

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.