

Watertown Township

Parcel Division Application

YOU MUST ANSWER ALL QUESTIONS AND INCLUDE ALL ATTACHMENTS, OR THIS WILL BE RETURNED TO YOU.

APPROVAL OF A DIVISION OF LAND IS REQUIRED BEFORE IT IS SOLD. THIS APPROVAL IS NOT A DETERMINATION THAT THE RESULTING PARCELS COMPLY WITH OTHER ORDINANCES AND REGULATIONS.

1. LOCATION OF PARENT PROPERTY TO BE SPLIT:

ADDRESS: _____

PROPERTY CODE: _____

LEGAL DESCRIPTION: _____

2. PROPERTY OWNER INFORMATION:

NAME: _____ ADDRESS: _____

PHONE: _____

3. PROPOSED DIVISION(S) TO INCLUDE THE FOLLOWING:

A. NUMBER OF NEW PARCELS: _____

B. INTENDED USE (RESIDENTIAL, COMMERCIAL, ETC.) _____

C. EACH RESIDENTIAL PARCEL MUST HAVE 100' FRONTAGE, AG & AG-RES 165'

D. EACH PARCEL HAS A WIDTH OF _____

E. EACH PARCEL HAS A DEPTH OF _____

F. THE DIVISION OF EACH PARCEL PROVIDES ACCESS TO THE FOLLOWING: CHECK ONE:

____ EACH NEW DIVISION HAS FRONTAGE EXISTING OF PUBLIC ROAD,

ROAD NAME: _____

____ EASEMENT

____ DESCRIPTION INCLUDED

____ WIDTH S.3.25.0.06, B/33"

____ FRONTAGE = DISTRICT MINIMUM

____ A NEW PUBLIC ROAD:

ROAD NAME: _____

G. DESCRIPTIONS AND MAPS:

1) AN ADEQUATE AND ACCURATE LEGAL DESCRIPTION OF EACH NEW PARCEL AND A DESCRIPTION OF ANY REMAINING PARENT PARCEL.

2) A TENTATIVE PARCEL MAP MUST BE DRAWN TO SCALE SHOWING:

____ AREA, ____ PARCEL LINES, ____ PUBLIC UTILITIES EASEMENTS,

____ ACCESSIBILITY ____ NUMBER OF PARCELS, ____ PARENT PARCEL

4. FUTURE DIVISIONS BEING TRANSFERRED FROM PARENT PARCEL TO ANOTHER PARCEL.
 INDICATE NUMBER TRANSFERRED _____. IF ASSESSOR IS NOT INFORMED BY PROPERTY, TRANSFER AFFIDAVIT OR REGISTERED DEED OF THE FUTURE DIVISIONS TRANSFERRED THEY WILL REMAIN WITH THE PARENT PARCEL.
5. DEVELOPMENT SITE LIMITS (CHECK EACH WHICH REPRESENT A CONDITION WHICH EXISTS ON THE PARENT PARCEL)
- _____ WATERFRONT PROPERTY (RIVER, LAKE, POND, OTHER, _____)
- _____ INCLUDES WETLANDS
- _____ IS WITHIN A FLOOD PLAIN
- _____ INCLUDES A BEACH
- _____ IS ON MUCK SOILD OR SOILS KNOWN TO HAVE SEVERE LIMITATIONS FOR ON SITE SEWAGE DRAIN
6. ATTACHMENTS: ALL THE FOLLOWING ATTACHMENTS MUST BE INCLUDED BEFORE APPLICATION WILL BE REVIEWED.
- A. A SCALE DRAWING OF NOT LESS THAN 1" = 20 FEET FOR PARENT PARCELS OR PARENT TRACTS OF LESS THAN THREE ACRES, AND OF AT LEAST 1" = 100 FEET FOR PARENT PARCELS OR PARENT TRACTS OF THREE ACRES OR MORE, OR A LEGAL SURVEY. EACH DRAWING MUST SHOW THE FOLLOWING:
- _____ 1) CURRENT BOUNDARIES (AS OF MARCH 31, 1997)
- _____ 2) ALL PREVIOUS DIVISIONS MADE AFTER MARCH 31, 1997 (INDICATE WHEN DONE OR NONE.
- _____ 3) THE PROPOSED DIVISION(S)
- _____ 4) DIMENSIONS OF PROPOSED DIVISIONS
- _____ 5) EXISTING AND PROPOSED ROAD/EASEMENT RIGHT-OF-WAY(S)
- _____ 6) EASEMENTS FOR PUBLIC UTILITIES FROM EACH PARCEL THAT IS A DEVELOPMENT SITE TO EXISTING PUBLIC UTILITY FACILITIES
- _____ 7) EXISTING IMPROVEMENTS (BUILDINGS, WELLS, SEPTIC, ETC.)
- _____ 8) ANY FEATURES CHECKED IN QUESTION NUMBER 5
- B. INDICATION OF APPROVAL OR PERMIT FROM:
- _____ 1) COUNTY ROAD COMMISSION THAT A PROPOSED EASEMENT PROVIDES VEHICULAR ACCESS TO AN EXISTING ROAD OR STREET MEETS APPLICABLE LOCATION STANDARDS.
- _____ 2) ELECTRIC UTILITIES RIGHT OF WAY OFFICE
- _____ 3) TELECOMMUNICATIONS SERVICE RIGHT OF WAY OFFICE
- _____ 4) GAS UTILITIES RIGHT OF WAY OFFICE
- C. A COPY OF RESERVED RIGHTS IN THE PARENT PARCEL, IF PURCHASED AFTER MARCH 31, 1997.
- D. A FEE OF _____ FOR INITIAL SPLIT, _____ FOR EACH ADDITIONAL SPLIT DONE AT THE SAME TIME.

7. AFFIDAVIT AND PERMISSION FOR MUNICIPAL, COUNTY AND STATE OFFICIAL TO ENTER THE PROPERTY FOR INSPECTIONS.

I AGREE THE STATEMENTS MADE ABOVE ARE TRUE, AND IF FOUND NOT TO BE TRUE THIS APPLICATION AND ANY APPROVAL WILL BE VOID. FURTHER, I AGREE TO COMPLY WITH THE CONDITIONS AND REGULATIONS PROVIDED WITH THIS PARENT PARCEL DIVISION. FURTHER, I AGREE TO GIVE PERMISSION FOR OFFICIALS OF THE MUNICIPALITY, COUNTY AND THE STATE OF MICHIGAN TO ENTER THE PROPERTY WHERE THIS PARCEL DIVISION IS PROPOSED FOR PURPOSES OF INSPECTION. FINALLY, I UNDERSTAND THIS IS ONLY A PARCEL DIVISION, WHICH CONVEYS ONLY CERTAIN RIGHTS UNDER THE APPLICABLE LOCAL LAND DIVISION ORDINANCE AND STATE LAND DIVISION ACT (FORMALLY THE SUBDIVISION CONTROL ACT PA 288 OF 1967, AS AMENDED (PARTICULARLY BY PA 591 OF 1966 AND PA 87 OF 1997, MCL 560.101 ET. SEQ.) AND DOES NOT INCLUDE ANY REPRESENTATION OR CONVEYANCE OF RIGHTS IN ANY OTHER STATUE, BUILDING CODE, ZONING ORDINANCE, DEED RESTRICTIONS OR OTHER PROPERTY RIGHTS.

FINALLY, EVEN IF THIS DIVISION IS APPROVED, I UNDERSTAND LOCAL ORDINANCES AND STATE ACTS CHANGE FROM TIME TO TIME, AND IF CHANGED THE DIVISIONS MADE HERE MUST COMPLY WITH THE NEW REQUIREMENTS (APPLY FOR DIVISION AGAIN) UNLESS DEEDS REPRESENTING THE APPROVED DIVISIONS ARE RECORDED WITH THE REGISTER OF DEEDS WITHIN 180 DAYS, OR THE DIVISION IS BUILT UPON THE CHANGES TO THE LAWS MADE.

PROPERTY OWNER/AGENT SIGNATURE _____ DATE _____
(IF SIGNED BY AGENT/WE MUST HAVE A LETTER SIGNED BY PROPERTY OWNER GIVING THE AGENT PERMISSION)

AGENT/CONTACT PERSON PHONE: _____

FOR OFFICE USE ONLY:

APPLICATION RECEIVED:

TOTAL FEES \$ _____

CHECK NUMBER _____

DATE RECEIVED _____

APPROVED/DENIED (please circle one)

ASSESSOR SIGNATURE _____ DATE: _____

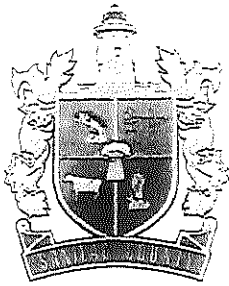
APPROVED/DENIED (please circle one)

ZONING ADMINISTRATOR SIGNATURE _____ DATE _____

APPROVED/DENIED (please circle one)

TOWNSHIP BOARD APPROVAL _____ DATE _____

IF DENIED – GIVE REASON(S)



Trudy M. Bowers
Sanilac County Treasurer
60 W. Sanilac, Room 204
Sandusky, MI 48471
Phone (810) 648-2127 Fax (810) 648-5479
tnicol@sanilaccounty.net

September 16, 2019

Dear Assessors,

Important tax protections for buyers of subdivided land was signed into law recently. House Bill No. 4055 requires a property tax payment certification before any parcel of land is divided. This change ensures that taxes are paid before splits happen. It also creates clarity regarding delinquent tax payments when land is split up, ensuring new owners will not receive the unpleasant surprise of responsibility for unpaid property tax bills of previous owners.

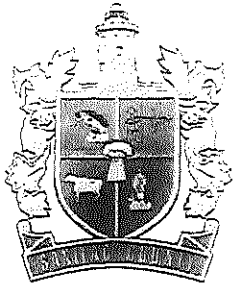
Effective September 16, 2019, the Sanilac County Treasurer's office will supply a certificate that all property taxes and special assessments due on the parcel or tract subject to the proposed land division for the 5 years preceding the date of the application have been paid. If the date of the application is on or after March 1 and before the local treasurer of the local tax collecting unit in which the parcel or tract is located has made his or her return of current delinquent taxes, the Sanilac County Treasurer's office shall include with the certification a notation that the return of current delinquent taxes was not available for examination.

Attached is the complete House Bill No. 4055. The collection of a fee for a certification under this subdivision will be \$5.00. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Trudy M. Bowers".

Trudy M. Bowers
Sanilac County Treasurer



Trudy M. Bowers
Sanilac County Treasurer
60 W. Sanilac, Room 204
Sandusky, MI 48471
Phone (810) 648-2127 Fax (810) 648-5479
tnicol@sanilacounty.net

Land Division Tax Payment Certification Form

Name: _____ Phone: _____

Owner Address: _____

Owner City, State, Zip: _____

Property Address: _____

Property City, State, Zip: _____

Parcel ID Number: _____

Attach a description of the parcel to be divided

CERTIFICATION DENIED

The Sanilac County Treasurer's Office has found delinquent taxes on the parcel listed above and cannot issue a certification of tax payment.

Delinquent Taxes Owed: _____

CERTIFICATION APPROVED

Pursuant to House Bill 4055, the Sanilac County Treasurer's Office certifies that all property taxes and special assessments due on the above parcel subject to the proposed division for the five years preceding the date of the application have been paid. This certification does not include taxes, if any, now in the process of collection by the City, Village or Township Treasurer.

Certified by: _____ Date Certified: _____

Act No. 23
Public Acts of 2019
Approved by the Governor
June 18, 2019
Filed with the Secretary of State
June 18, 2019
EFFECTIVE DATE: September 16, 2019

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2019**

Introduced by Reps. Slagh, Filler, Howell, Brixie, Cherry, Hood, Kennedy, Eisen, Cynthia Johnson, Stone and Brann

ENROLLED HOUSE BILL No. 4055

AN ACT to amend 1967 PA 288, entitled "An act to regulate the division of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots and parcels; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained prior to the recording and filing of plats and other land divisions; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal acts and parts of acts," by amending section 109 (MCL 560.109), as amended by 2017 PA 196.

The People of the State of Michigan enact:

Sec. 109. (1) A municipality shall approve or disapprove a proposed division within 45 days after the filing of a complete application for the proposed division with the assessor or other municipally designated official. However, a municipality with a population of 2,500 or less may enter into an agreement with a county to transfer to the county authority to approve or disapprove a division. An application is complete if it contains information necessary to ascertain whether the requirements of section 108 and this section are met. The assessor or other municipally designated official, or the county official, having authority to approve or disapprove a proposed division, shall provide the person who filed the application written notice whether the application is approved or disapproved and, if disapproved, all the reasons for disapproval. A complete application for a proposed division shall be approved if, in addition to the requirements of section 108, all of the following requirements are met:

(a) Each resulting parcel has an adequate and accurate legal description and is included in a tentative parcel map showing area, parcel lines, public utility easements, accessibility, and other requirements of this section and section 108. The tentative parcel map shall be a scale drawing showing the approximate dimensions of the parcels.

(b) Each resulting parcel has a depth of not more than 4 times the width or, if an ordinance referred to in subsection (5) requires a smaller depth to width ratio, a depth to width ratio as required by the ordinance. The municipality or county having authority to review proposed divisions may allow a greater depth to width ratio than that otherwise required by this subdivision or an ordinance referred to in subsection (5). The greater depth to width ratio shall be based on standards set forth in the ordinance referred to in subsection (5). The standards may include, but need not be limited to, exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands. The depth to width ratio requirements of this subdivision do not apply to a parcel larger than 10 acres, unless an

ordinance referred to in subsection (5) provides otherwise, and do not apply to the remainder of the parent parcel or parent tract retained by the proprietor.

(c) Each resulting parcel has a width not less than that required by an ordinance referred to in subsection (5).

(d) Each resulting parcel has an area not less than that required by an ordinance referred to in subsection (5).

(e) Each resulting parcel is accessible.

(f) The division meets all of the requirements of section 108.

(g) Each resulting parcel that is a development site has adequate easements for public utilities from the parcel to existing public utility facilities.

(h) The division does not isolate a cemetery so that it does not meet the requirements of either section 102(j)(i) or (ii).

(i) One of the following are satisfied:

(i) All property taxes and special assessments due on the parcel or tract subject to the proposed division for the 5 years preceding the date of the application have been paid, as established by a certificate from the county treasurer of the county in which the parcel or tract is located. If the date of the application is on or after March 1 and before the local treasurer of the local tax collecting unit in which the parcel or tract is located has made his or her return of current delinquent taxes, the county treasurer shall include with his or her certification a notation that the return of current delinquent taxes was not available for examination. The official having authority to approve or disapprove the application shall not disapprove the application because the county treasurer's certification includes such a notation. The county treasurer shall collect a fee for a certification under this subdivision in an amount equal to the fee payable under section 1(2) of 1895 PA 161, MCL 48.101, for a certificate relating to the payment of taxes under section 135 of the general property tax act, 1893 PA 206, MCL 211.135.

(ii) If property taxes or special assessments due on the parcel or tract subject to the proposed division have not been paid, the unpaid property taxes or special assessments have been apportioned by the township or city assessing officer as provided by section 53 of the general property tax act, 1893 PA 206, MCL 211.53. Any apportioned property taxes or special assessments are a lien against the parcels or tracts as apportioned by the assessing officer and shall be treated in the same manner as property taxes and special assessments of the year of the original assessment for the purpose of collection and sale for delinquent taxes under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(2) The right to make divisions exempt from the platting requirements of this act under section 108 and this section can be transferred, but only from a parent parcel or parent tract to a parcel created from that parent parcel or parent tract. A proprietor transferring the right to make a division pursuant to this subsection shall within 45 days give written notice of the transfer to the assessor of the city or township where the property is located on a form prescribed by the state tax commission. The form shall include substantially the following questions in the mandatory information portion of the form:

(a) "Did the parent parcel or parent tract have any unallocated divisions under the land division act, 1967 PA 288, MCL 560.101 to 560.293?"

(b) "Were any unallocated divisions transferred to the newly created parcel? If so, state whether all were transferred or, if not, how many?"

(3) A person shall not sell a parcel of unplatted land unless the deed contains a statement as to whether the right to make further divisions exempt from the platting requirements of this act under this section and section 108 is proposed to be conveyed. The statement shall be in substantially the following form: "The grantor grants to the grantee the right to make [insert "zero", a number, or "all"] division(s) under section 108 of the land division act, 1967 PA 288, MCL 560.108." In the absence of a statement conforming to the requirements of this subsection, the right to make divisions under section 108(2), (3), and (4) stays with the remainder of the parent tract or parent parcel retained by the grantor.

(4) All deeds for parcels of unplatted land within this state executed after March 31, 1997 shall contain the following statement: "This property may be located within the vicinity of farm land or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act."

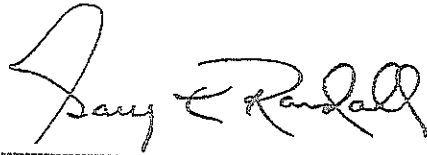
(5) The governing body of a municipality or the county board of commissioners of a county having authority to approve or disapprove a division may adopt an ordinance setting forth the standards authorized in subsection (1)(b), (c), and (d). The ordinance may establish a fee for a review of an application under this section and section 108. The fee shall not exceed the reasonable costs of providing the services for which the fee is charged.

(6) Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.

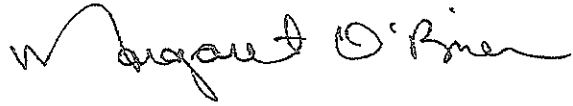
(7) Compliance with this section is not a requirement for a deed to be received for record or recorded by a register of deeds.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor