

MUSKEGON COUNTY

M I C H I G A N

173 E. APPLE AVENUE, MUSKEGON, MICHIGAN 49442
(231) 724-6261 • FAX (231) 724-6549
TREASURER'S OFFICE

TONY MOULATSIOTIS
Treasurer

29 January 2020

Dear Assessors,

An important tax protection 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 a split happens. 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 immediately, the Muskegon 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 Muskegon County Treasurer's office shall include with the certification a notation that the return of current delinquent taxes was not available for examination.

The collection of a fee for the certification under this subdivision will be addressed by the Muskegon County Treasurer's Office in the amount of \$5 per certification.

Attached is a complete House Bill No. 4055.

Please let me know if you have any questions.

Sincerely,



Tony Moulatsiotis
Muskegon County Treasurer



Tony Moulatsiotis
Muskegon County Treasurer
173 E. Apple Ave., Ste 104
Muskegon, MI 49442
Phone: (231) 724-6261

Land Division Tax Payment Certification Form

Name: _____ Phone: _____

Owner Address: _____

Owner City, State, and Zip: _____

Property Address: _____

Property City, State, and Zip: _____

Parcel ID Number: _____

Attach a description of the parcel to be divided.

CERTIFICATION DENIED

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

CERTIFICATION APPROVED

Pursuant to House Bill 4055, the Muskegon 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 local tax collecting unit.

EXCEPTION: This certification being subject to any Board of Review, Tribunal, and / or Principal Resident Exemption denial.

DATED ON OR AFTER MARCH 1st

The current year tax information is not available at this time.

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.

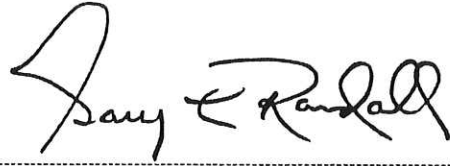
The People of the State of Michigan enact:

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:

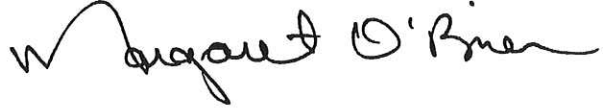
(a) Each resulting parcel has an adequate and accurate legal description and is included in a tentative parcel map showing area, parcel lines, public utility easements, accessibility, and other requirements of this section and section 108. The tentative parcel map shall be a scale drawing showing the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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

**Land Division Application
Fruitland Township**

Application Processed by:
Fruitland Township
4545 Nestrom Road
Whitehall, MI 49461

The applicant must answer ALL questions and include ALL attachments, or this form will be returned to you without consideration.

1. NAME OF TOWNSHIP OR CITY: Where parcel to be split is located:

2. OWNERS NAMES: List names of all owners of parent parcel(s) to be split:

Owner Address:

Owner City:

Owner State:

Owner Zip:

Owner Phone:

3. ADDRESS OF PROPERTY:

4. PARENT PARCEL NUMBER:

5. LEGAL DESCRIPTION OF PARENT PARCEL (attach extra sheets if necessary)

6. PROPOSED LAND DIVISION INFORMATION

A. Number of new parcels requested:

B. Intended Use (residential, agricultural, etc.)

C. Specify which resulting parcel is the parent parcel.

D. Access from each new parcel to an existing public road will be: (must check those that apply below)

Frontage on Existing Public Road

New Public Road Name

New Public Road

New Private Street Name

New Private Easement

Easement L/P:

Recorded Easement

Road or Easement Description:

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7. FUTURE DIVISION RIGHTS AND TRANSFERS

A. Is the owner making all divisions that are allowed for the parent parcel? (Enter Yes or No)

B. If not all divisions are being made, how many remaining divisions are allowed for the parent parcel? (Enter Number here)

C. If there are remaining future divisions that may still be made, is the right to make future divisions being transferred from the parent parcel to any other parcel? (Enter Yes or No)

D. If rights are being transferred, how many rights are transferring? (Enter Number here)

8. DEVELOPMENT SITE STANDARDS: Check each that applies as a condition which exists on the Parent Parcel, or any of the child parcels:

- Is within the DNR Critical Dunes area
- Has Riparian or Littoral Rights
- Lies within the Lake Michigan High Risk Erosion Setback Area
- Includes a Wetland
- Includes a Beach
- Lies within a Flood Plain
- Has a Slope of >25%
- Includes areas of Muck Soils
- Includes an Abandoned Well, Under Ground Storage Tank, or Contaminated Soils

9. PROPERTY TAXES AND ASSESSMENTS: Have all due property taxes and any due installments of special assessments on the parcel been paid? (Note: this application will not be considered if there are unpaid or overdue property taxes or installments of special assessments (Please answer yes/no, and attach statement of paid taxes).

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10. REQUIRED ATTACHMENTS TO THE LAND DIVISION APPLICATION: The following items must be attached in order to proceed with the review of this application. If any needed items are not attached, the application will be returned without consideration.

A. LEGAL DESCRIPTIONS: A complete and accurate legal description of each new proposed division(s) of the parent parcel (including a new description for the remaining parent parcel), and each new proposed easement, road, or shared driveway is required. If these are attached, please check here:

B. SURVEY OF PROPOSED DIVISIONS: A survey sealed, by a professional surveyor, of the proposed divisions of the parent parcel. Note: the Township official may waive the survey map requirement where a tentative parcel map (showing the boundary lines, dimensions, and the accessibility of each division from existing or proposed from existing for auto traffic and/or public utilities) is deemed to contain adequate information to approve a proposed land division considering the size, similar nature of the divisions, and the undeveloped character of the territory within which the proposed divisions are located. An accurate legal description of all the proposed divisions, however, shall at all times be required. The survey must show the following information:

1. The boundaries of the parcel as they existed as of March 31, 1997; and
 2. Any previous divisions made of the parent parcel after March 31, 1997, with indication as to when those divisions were made; and
 3. The location of the proposed division(s) line(s); and
 4. The dimensions of the proposed divided parcels; and
 5. The location of existing, and any proposed roads, driveways, or easements; and
 6. The location of any existing or proposed easements for public utilities from each parcel to existing public utility facilities; and
 7. Any existing improvements such as buildings, wells, septic systems, driveways, garages etc; and
 8. The location of any of the features checked in response to question #8 (Site Development Limitations)
- a survey or map is REQUIRED to process this application. Check here when survey or map is attached.

C. SEPTIC/WATER APPROVAL: Created parcels of One (1) acre or less, shall have approval from the Muskegon County Health Department indicating that each proposed parcel (s) to be created by the division(s) are suitable for installation of a septic system and water well. (note: this requirement is waived as to septic system and well approval for each parcel that will be served by a public water or sewer system). If this approval is attached, please check here.

D. DRIVEWAY APPROVAL: An approval or permit from the Muskegon County Road Commission (or Michigan Department of Transportation) as to driveway and road access for each proposed division. If this approval is attached, please check here:

E. PRIVATE ROAD NAME APPROVAL: Private road name approval from Central Dispatch is required for new private roads. If this is attached, please check here:

F. PROOF OF OWNERSHIP: A copy of the deed, land contract memorandum, or other recorded instrument in which the owner(s) obtained title to the parcel should be attached. If this document is attached, please check here:

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11. STATEMENT OF OWNERS: I (we) agree that the statements made above are true, and if found not to be true, this application and any approval based upon this application will be void. I (we) agree to comply with the conditions and regulation applicable to this application and applicable to the parent parcel division. I (we) hereby give permission for officials of the Township to enter the property at reasonable times where the parcel division is being proposed for purposes of inspection to verify that the information on the application is correct. I (we) further understand that any approval granted by the Township with respect to this Land Division Application applies only to the Township's Land Division Ordinance, the Township's Zoning Ordinance, and the State of Michigan Land Division Act (formerly the Subdivision Control Act) as amended. I (we) understand that approval of this Land Division Application does not include any representation or conveyance of rights. Finally, even if this application is approved, I (we) understand that zoning, local ordinances, and State Acts change from time to time, and if changed, the divisions made here must comply with any applicable new requirements unless deeds, land contracts, leases, or surveys representing the approved divisions are recorded with the Register of Deeds for Muskegon County, or the division is built upon before the changes to such ordinances or laws are made.

12. SIGNATURE OF OWNER

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____

This section for Official Use Only

Received by: _____

Date Received

Payment of \$ _____ Received on _____

Comments :