

POLICY FOR LAND DIVISION

Michigan Public Act 288 of 1967, as amended,
and Act 246 of 1945, as amended

IT IS THE INTENT of the Trout Lake Township Board, to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable statute of said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for health, safety and welfare of the residents and property owners of Trout Lake Township by establishing reasonable standards for prior review and approval of land division within Trout Lake Township. Therefore the Trout Lake Township Board adopts the below stated Land Division Policy:

1. Unplatted Land in Trout Lake Township shall not be divided without prior review and approval of the Trout Lake Township Board, in accordance with the State Land Division Act and applicable ordinances.
2. An applicant shall, for each proposed division, file a completed application form and all required documentation on the Application For Land Division. (See list on application).
3. A non-refundable application Fee of **\$150** (payable to Trout Lake Township) for each proposed parcel division shall be submitted with completed application. **An Investigative Fee of \$100. shall be added, if the completed application is submitted after-the-fact (after the division has been conveyed).**
4. An applicant of a Land Division Request must be the owner of record, as recorded by the Chippewa County Register of Deeds, or the designated agent.
5. Upon receipt of the application fee, a completed land division application, and all required documentation, the Trout Lake Township Board will, within 45 days, review the application package and notify the applicant of the Trout Lake Township Board's decision. If the application package does not conform to the requirements of the State Land Division Act, the application package shall be returned to the applicant for completion and refile in accordance with this policy and the State Land Division Act.
6. A Land Division Request for a parcel designated as not buildable, shall require the owner(s) to execute a notarized Restriction On Real Estate Affidavit. Any parcel with this Restriction On Real Estate Affidavit shall not be eligible for any building permits, or zoning approvals.
7. Any parcel created in noncompliance with the Land Division Act shall not be eligible for any building permits or zoning approvals. Any person who violates any provision of the Land Division Act, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$1000.00 and subject to civil action seeking invalidation of the land division and appropriate injunctive and other relief.
8. A decision of the Trout Lake Township Board approving a land division is effective for **12 months**, after which it is considered revoked unless within such period a Deed is recorded with the Chippewa County Register of Deeds, accomplishing the approved land division or transfer.

CERTIFICATION

I HEREBY CERTIFY that the foregoing resolution is a true and exact copy of a resolution adopted by the Trout Lake Township Board at its regular meeting held on May 14 2019.

Kathleen English
Trout Lake Township Clerk

APPLICATION FOR LAND DIVISION

Applicant(s): _____ Phone: _____

Address: _____ TROUT LAKE TOWNSHIP

Parent Parcel/Tract Property I.D. #(s) 17-015-_____

An applicant shall file all of the following with the Trout Lake Township Board, for review and approval of a proposed land division before making any division.

1. A non-refundable Application Fee of **\$150**, for each proposed division. (Payable to Trout Lake Township)
2. Proof of Recorded Ownership of the land proposed to be divided.
3. An accurate written legal description for each resulting parcel of proposed division.
4. A survey or map, drawn to scale, showing the boundary lines; location of any existing improvements; dimensions of existing parcel and the dimensions of parcels proposed to be created by the division(s); and the accessibility of each division from existing or proposed roads for vehicular traffic and public utility easements.
(Proposed divisions of 10 acres or less must not exceed a 4 to 1 Depth to Width Ratio).
5. Chippewa County Road Commission approval, located at 3949 S. Mackinac Trail. (Signature on back required).

If this division is approved, I understand **this is only a parcel division approval** which complies with State Land Division Act (P.A. 591 of 1996, MCL 560.101 et seq), and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction, wetland, flood plain, drainage or other property regulations and/or permit requirements. **Further**, Trout Lake Township is not liable if a building permit is not issued for an approved division.

Any Parent Parcel lawfully in existence on March 31, 1997, may convey a limited number of Division Rights to a buyer. If you are conveying this resulting parcel to another person, how many Division Rights will you convey to the new owner? _____, or Are you keeping this resulting parcel? ___Yes___No.

The Land Division Act requires that you specify this number on the Deed or specify the number 0'. If you specify All as the number, you will lose your remaining Division Rights for the next 10 years.

I further understand that a Trout Lake Township Board **Land Division Approval is effective for 12 months**, after which it is considered revoked unless within such period a Deed is recorded with Chippewa County Register of Deeds, accomplishing the approved land division or transfer.

Date: _____ Applicants Signature: _____

Trout Lake Township Board Decision will be made within 45 days of receipt of completed application package and fee.

Completed Applications and Fee shall be mailed to: Trout Lake Twp. Assessor, P.O. Box 5161, Kincheloe, MI. 49788

Questions Call Trout Lake Twp. Assessor at 906/240-1011

Land Division Application Attachment 1

CERTIFICATION OF APPROVAL

The Chippewa County Road Commission has reviewed the proposed Land Division request in Trout Lake Township and hereby certify that the proposed Land Division meets the requirements of said agencies for Approving the proposed Land Division:

CHIPPEWA COUNTY ROAD COMMISSION

Owner Name: _____ Phone: _____

Owner Address: _____

Parcel ID Number(s): _____

Description of parcel to be divided: See Attached

[] CERTIFICATION DENIED

The Proposed Division does not provide Proposed Vehicular Access and is **DENIED**.

[] CERTIFICATION APPROVED

The Proposed Division provides Proposed Vehicular Access and is **APPROVED**.

COMMENTS: _____

Certified by: _____ Date Certified: _____
Print Name: _____ Phone #: _____

Land Division Application Attachment 2
Status of taxes, special assessments –
5 year preceding application

**STATUS OF TAXES
CHIPPEWA COUNTY**

**CHIPPEWA COUNTY TREASURER
Land Division Tax Payment Certification Form**

Owner Name: _____ Phone: _____

Owner Address: _____

Parcel ID Number(s): _____

Description of parcel to be divided: See Attached

[] CERTIFICATION DENIED

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

Delinquent Taxes Owed: _____; Years covered: _____
See attached details of taxes owed.

[] CERTIFICATION APPROVED

Pursuant to PA 23 of 2019, the Chippewa County Treasurer's Office certifies that all property taxes and special assessments due on the above parcel subject to the proposed division for the years shown below are paid. This certification does not include taxes, if any, now in the process of collection by the local unit Treasurer, or taxes assessed as a result of BOR, PRE Denials, STC orders or MTT Judgements.

Years reviewed by County Treasurer: _____ to _____

Certified by: _____ Date Certified: _____

TROUT LAKE TOWNSHIP TREASURER
Land Division Tax Payment Certification Form

Owner Name: _____ Phone: _____

Owner Address: _____

Parcel ID Number(s): _____

Description of parcel to be divided: See Attached

[] CERTIFICATION DENIED

The _____ Treasurer's Office has found tax unpaid on the parcel(s) listed above and cannot issue a certification of tax payment.

Tax Owed: _____; Tax Year reviewed: _____
See attached details of taxes owed.

[] CERTIFICATION APPROVED

Pursuant to PA 23 of 2019, the Trout Lake Township Treasurer's Office certifies that all property taxes and special assessments due on the above parcel as of the date shown below subject to the proposed division are paid. This certification does not include taxes, if any, now in the process of collection by the Chippewa County Treasurer, or taxes yet to be assessed as a result of BOR, PRE Denials, STC orders or MTT Judgements.

Year reviewed by Treasurer: _____

Certified by: _____ Date Certified: _____
Print name: _____ Local Unit Name: _____

Land Division Application Attachment 4

**CERTIFICATION OF APPROVAL
TROUT LAKE TOWNSHIP BOARD**

Owner Name: _____ Phone: _____

Owner Address: _____

Parcel ID Number(s): _____

Description of parcel to be divided: See Attached

The Trout Lake Township Board has reviewed this Land Division Application, and has determined:

[] CERTIFICATION DENIED

The Proposed Division does not comply with the State Land Division Act and is **DENIED**.

[] CERTIFICATION APPROVED

The Proposed Division complies with the State Land Division Act and is **APPROVED**.

COMMENTS: _____

and is recorded as part of the Township Board minutes.

Date Certified: _____ Signature: _____

Trout Lake Township Clerk