

Village of Bear Lake

Parcel Division Application

You **MUST** answer all questions and include all attachments, or this will be returned to you. Bring or mail to Bear Lake Village land division review official at 395 Third Street, Manistee, MI 49660 or call Telephone (231)723-6041. Approval of a division of land is required **before** it is sold, when the new parcel is less than 40 acres and not just a property line adjustment (§102(e&f)).

name

address

city, state, zip

This form is designed for local government review of applicable parts of §108, 109, 109a, and 109b of the Michigan Land Division Act (formerly the Subdivision Control Act), PA 288 of 1967, as amended (particularly by PA 591 of 1996), MCL 560.101 *et. seq.*

1. LOCATION of parent parcel to be split:
 Address: _____, Street/Road Name: _____
 Parent parcel number: 51 - _____
 Legal description of Parent Parcel (attach extra sheets if needed): _____

 Village Name: _____

2. PROPERTY OWNER information:
 Name: _____ Phone: (_____) _____ - _____
 Address: _____ Street/Road Name: _____
 City: _____ State: _____ Zip Code _____ - _____

3. APPLICANT information (if not the property owner)
 Contact Person's Name: _____
 Business Name: _____ Phone: (_____) _____ - _____
 Address: _____ Street/Road Name: _____
 City: _____ State: _____ Zip Code _____ - _____

4A. PROPOSAL: Describe what is being proposed: _____
 Number of new Parcels (and acreage of each): _____
 Intended use (residential, commercial, etc.): _____
 The division of the parcel provides access to an existing public road by (check one):
 Each new division has frontage on an existing public road.
 A new public road, proposed road name: _____
(Road name cannot duplicate an existing road name.)
 A new private road, proposed road name: _____
(Road name cannot duplicate an existing road name.)
 A recorded easement (driveway). (Cannot service more than two potential sites)

4B. Write here, or attach, a legal description of any proposed new road, easement or shared driveway (attach extra sheets if needed): _____

4C. Write here, or attach, a legal description for each proposed new parcel (attach extra sheets if needed): _____

5A. FUTURE DIVISIONS that may be allowed but not included in this application: _____
 5B. Did the parent parcel have any unallocated divisions under the Land Division Act? _____
 5C. Were any unallocated divisions transferred to any (child) parcel(s) created from the parent? _____
 5D. If so, how many? _____
 Identify the other parcel any future divisions are transferred to: _____

(The right to make divisions can be transferred from a parent parcel or parent tract to a parcel created from that parent parcel or parent tract (child parcel). A proprietor transferring the right to make a division shall within 45 days give written notice of the transfer to the assessor on Michigan Department of Treasury Form 3278 (Sec. 109(2)). Make sure your deed includes both statements as required in sections 109(3) and 109(4) of the Land Division Act.)

Parcel Number: _____
 Date: _____
 Name: _____

6. DEVELOPMENT SITE LIMITS Check each that represents a condition that exists on any part of the parcel:

- is in a DNR-designated critical sand dune area.
- is riparian or littoral (it is a river or lake front parcel).
- is affected by a Great Lakes High Risk Erosion Area setback.
- includes a wetland.
- includes land in PA 116 – the state Farmland Preservation Program.
- is within a floodplain.
- includes slopes more than twenty five percent (a 1:4 pitch or 14 angle) or steeper.
- includes poorly and/or very poorly drained soils, a high groundwater table, high bedrock, or other conditions known to have severe limitations for onsite sewage systems.
- is to result in a parcel of less than 1 acre for which onsite water supply and onsite sewage disposal systems must be reviewed and approved by the local health department in accordance with MI Administrative Code before a building permit can be issued. (§109a(1), §105(g), R560.401-428)
- is known or suspected to have an abandoned well, underground storage tank, or soil or groundwater contamination. If yes, is the property subject to environmental restrictions? Y / N

7. ATTACHMENTS (all attachments **must** be included). Letter each attachment as shown here.

- A. Map, drawn to scale of _____ (insert scale), of the proposed division(s) of the parent parcel showing:
 - (1) boundaries as of March 31, 1997, and
 - (2) all previous divisions made after March 31, 1997 (indicate when made or none), and
 - (3) the proposed division(s), and
 - (4) dimensions of the proposed divisions, and
 - (5) existing and proposed road/easement rights-of-way, and
 - (6) easements for public utilities from each parcel to existing public utility facilities, and
 - (7) any existing improvements (buildings, wells, septic system, driveways, etc.), and
 - (8) any of the features checked in Part 6 (above), and
 - (9) any cemetery which is adjacent to, or may have had access through this parcel.
- B. A copy of the proposed deed(s), which includes 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.” (§109(4))
- C. A copy of the proposed deed(s), which includes a statement that substantially reads: “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.” or the right to make further divisions stays with the parent parcel. (§109(3))
- D. A copy of the proposed deed(s) for any parcel that is 20 or more acres in size and is not accessible, which includes the following statement: “This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, MCL 560.101 to 560.293.” (§109b(2))
- E. Indication of approval, or permit from the County Road Commission, MDOT, or respective city/village street administrator, for each proposed new road, easement or shared driveway.
- F. If the division includes a new public or private road, copy of the county address authority approval.
- G. A fee of \$ _____.
- H. Land Division Tax Payment Certificate Form
- I. Other (please list) _____

8. IMPROVEMENTS Describe any existing improvements (buildings, well, septic, etc.) which are on the parent parcel, or indicate none (attach extra sheets if needed): _____

9. AFFIDAVIT and permission for municipal, county, and state officials 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 municipal, county, and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify the information on the application is correct. Finally, I understand this is a parcel division that conveys only certain rights under a municipal land division ordinance and the Michigan Land Division Act (MCL 560.101 *et seq.*) and is not a representation or determination the resulting parcels comply with other ordinances or regulations, and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights.

Further, I understand the municipality granting approval of any division(s) resulting in a parcel less than 1 acre in size is not liable if a building permit is not issued for the parcel due to unsuitable site conditions for onsite sewage systems and/or onsite water supply systems. I understand that site suitability will be reviewed by the local health department under the same standards as set forth in MCL 560.105(g) – the Michigan Administrative Code R560.401-560.428. Checking with the local county or District Health Department for septic and water is the landowner’s responsibility. For environmental concerns with the ownership or purchase of property, information is available from the Department of Environment, Great Lakes, and Energy at: <http://www.michigan.gov/eglerrd>.

Finally, even if this division is approved, I understand zoning, municipal 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 approval again) unless deeds, land contracts, leases or surveys representing the approved divisions are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Property Owner's Signature: _____ Date: _____

DO NOT WRITE BELOW THIS LINE

Reviewer's Action TOTAL \$ _____, _____ . _____ Receipt # _____

Approved: Conditions (per local ordinance standards), if any: _____

Denied: Reasons (cite §): _____

Signature: _____ Zoning Administrator

Approved: Conditions (per local ordinance standards), if any: _____

Denied: Reasons (cite §): _____

Signature: _____ Land Division Officer



Land Division Tax Payment Certification Form

\$5.00 fee must be submitted to the Manistee County Treasurer's Office with this form.

Name: _____ Phone: _____

Owner Address: _____

Owner City, State, Zip: _____

Property Address: _____

Property City, State, Zip: _____

Parent Parcel ID Number: _____

Attach a legal description of the parcel to be divided

CERTIFICATION DENIED

The Manistee 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 Manistee 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 or special assessments, if any, now in the process of collection by the City, Village of Township Treasurer.

**APPLICATION DATED ON OR AFTER MARCH 1 & PRIOR TO LOCAL
TREASURER RETURNING CURRENT DELINQUENT TAXES**

The return of current delinquent taxes not available for examination.

Certified by: _____ Date Certified: _____