

# ALLEN TOWNSHIP LAND DIVISION APPLICATION

**IMPORTANT:** You **MUST** answer all questions **and** include all attachments **or this will be returned to you.** To avoid delays in the Land Division Application process please provide all required documents and payment with this application. Land Division Agent must make a determination of the application within 45 days from date received.

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). This form is designed to comply with §108 and §109 of the Michigan Land Division Act, formally the Subdivision Control Act, PA 288 of 1967, as amended (particularly PA 591 of 1996 and PA 87 of 1997, MCL 560 et seq.)

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

## 1. PROPERTY OWNER Information:

Name: \_\_\_\_\_ Phone: (\_\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## 2. LOCATION of parent parcel to be split:

Address: \_\_\_\_\_

Parent parcel number: 30-05-\_\_\_\_\_

## 3. ATTACHMENTS (all attachments **MUST** be included) Letter each attachment as shown here.

- A. Attach a copy of proof of fee ownership (copy of warranty deed or completed land contract, not a quit claim deed)
- B. Attach a copy of last paid property tax receipt.
- C. A survey and/or scale drawing (aerial with overlay can be purchased from Mapping at the Courthouse) that complies with requirements of PA 59 of 1996 as amended for the proposed division(s) of the parent parcel **showing:** proposed division(s) of the parent parcel showing:
  - (1) current **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) with dimensions each one outlined in a different color and
  - (4) highlight remaining parcel, after division
  - (5) **any existing improvements** (buildings, wells, septic system, driveways, etc), and
- D. Driveway approval, or permit from Hillsdale County Road Commission (or provide information on section 5f)
- E. A copy of any transferred division rights (§109(2) of the Act) of the parent parcel. (**STC Form L-4260a**)
- F. A fee of \$25 for each resulting division. Make check payable to: **Ben Wheeler Company**
- G. Other (please list) \_\_\_\_\_

## 4. IMPROVEMENTS Describe any existing improvements (buildings, well, septic, etc.,)

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## 5. PROPOSAL: Describe the division being proposed:

- A. Number of new Parcels \_\_\_\_\_
- B. Intended use(s) (check all that apply) \_\_Residential\_\_ Agricultural \_\_Commercial/Industrial\_\_ Recreation
- C. Each proposed parcel, if 10 acres or less, has a depth to width ratio not greater than 4 to 1 \_\_Yes\_\_ No
- D. Each parcel has a minimum width of \_\_\_\_\_ feet
- E. Each parcel has a minimum area of \_\_\_\_\_ square feet and/or \_\_\_\_\_ acre(s)
- F. Each new division of the parcel provides access to an existing public or private road \_\_Yes\_\_ No  
(Check all that apply) \_\_Has existing approved driveway\_\_ No egress onto public road \_\_Recorded easement  
\_\_Proposed easement\_\_ A new public road \_\_ A new private road

G. Write here or attach a legal description for EACH proposed new parcel (attach extra sheet if necessary)

H. Write here or attach a legal description for the remaining parent parcel (attach extra sheet if necessary)

6. NUMBER of future divisions being transferred from the parent parcel to another? \_\_\_\_\_  
Identify the other parcel: \_\_\_\_\_ (See §109(2) of the Statute. Make sure your deed includes both statements as required in §109(3) and §109(4) of the Statute.) (see 3.e of this application)

7. ACKNOWLEDGMENT The undersigned acknowledges that any approval of the within application is not a determination that the resulting parcels comply with other applicable ordinances, rules or regulations which may control the use or development of the parcels. Finally even if this division is approved, I understand ordinance, laws, zoning, and regulations are subject to change and that any approved parcel division is subject to such changes that may occur before the recording of the division or the development of the parcels \_\_\_\_\_ (initial after reading.) and,

Public Act 87 of 1997 §(2) further states: The municipality or county approving a proposed division resulting in a parcel less than 1 acre in size and its officers and employees are not liable if a building permit is not issued for the parcel for the reasons set forth in this section. A notice of approval of a proposed division resulting in a parcel of less than 1 acre in size shall include a statement to this effect. \_\_\_\_\_ (initial after reading.) and,

Applicant further acknowledges: The tax bill for the original parcel will not be divided until the following tax year. The Parties involved in a transaction of resulting parcels from this land division shall be in agreement as to the responsibility of payment for the most current tax bill(s). \_\_\_\_\_ (initial after reading.)

PROPERTY OWNER SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

Mail completed application to Ben Wheeler Company, PO Box 541, Reading, MI 49274

**FOR OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE**

FEE \_\_\_\_\_ CASH or CHECK# \_\_\_\_\_ DATE RECEIVED \_\_\_\_\_

APPROVED conditions if any: \_\_\_\_\_

DENIED for reason of: \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
Land Division Agent

EFFECTIVE TAX YEAR \_\_\_\_\_

Allocation of most current assessed values:

<b>COPIES TO:</b>		CHILD#1 _____	_____ %
TWP CLERK	Date: _____	CHILD#2 _____	_____ %
COUNTY MAPPING	Date: _____	CHILD#3 _____	_____ %
APPLICANT	Date: _____	CHILD#4 _____	_____ %
		CHILD#5 _____	_____ %
		CHILD#6 _____	_____ %
		CHILD#7 _____	_____ %

## NOTICE TO ASSESSOR OF TRANSFER OF THE RIGHT TO MAKE A DIVISION OF LAND

Issued under authority of Land Division Act (P.A. 288 of 1967 as amended by P.A. 87 of 1997) . Filing is mandatory.

This form must be filed by an owner of a parent parcel or parent tract of land when the owner creates a parcel from the parent parcel or parent tract and transfers the right to make a further division to the owner of the created parcel. This form must be filed within 45 days of the transfer of the right to make a division. This form must be filed with the assessor of the city or township where the property is located.

1. Street Address of Parent Parcel or Parent Tract	2. County	4. Date of Transfer of Right to Make a Division
3. City/Township/Village Where Real Estate is Located		<b>PIN</b> , this number ranges from 10 to 25 digits. It usually includes hyphens and sometimes includes letters. It is on the property tax bill and on the assessment notice.
<input type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village		
5. Property Identification Number (PIN) of Parent Parcel or Parent Tract. If you don't have a PIN, attach legal description.		
6. Name of Owner of Parent Parcel or Parent Tract	Address of Owner of Parent Parcel or Parent Tract	
7. Property Identification Number (PIN) of Created Parcel if PIN has already been assigned.		
8. Name of Owner of Created Parcel	Address of Owner of Created Parcel	

**THE FOLLOWING QUESTIONS MUST BE ANSWERED.**

1. Did the parent parcel or parent tract have any unallocated divisions under the Land Division Act, P.A. 288 of 1967, MCL 560.101 to 560.293? Check appropriate box below:

YES

NO

If the YES box was checked, go to question 2. If the NO box was checked, go to question 3.

2. How many unallocated divisions did the parent parcel or parent tract have prior to this transfer?

Enter number here \_\_\_\_\_.

3. Were there any unallocated divisions transferred to the newly created parcel?

YES

NO

If the YES box was checked, go to question 4. If the NO box was checked, go to the signature area of the form.

4. How many unallocated divisions were transferred to the newly created parcel? Enter number here \_\_\_\_\_.

**CERTIFICATION**

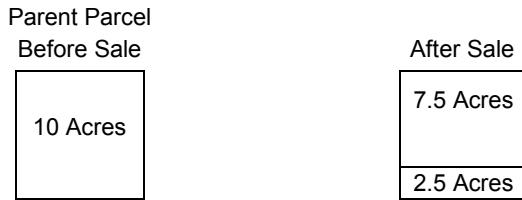
I certify that the information above is true and complete to the best of my knowledge.

Signature of Owner of Parent Parcel or Parent Tract	Date	If Signer is other than the owner, print name and title
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## INSTRUCTIONS

This form must be filed by an owner of a parent parcel or parent tract of land when the owner creates a parcel from the parent parcel or parent tract and transfers the right to make a further division(s) to the owner of the created parcel.

Example: The owner of a parent parcel 10 acres in size is selling off a created parcel 2 1/2 acres in size. In this example the 10 acre parent parcel qualifies under the Land Division Act to make four (4) divisions before platting is required. Therefore, two (2) more divisions may be made before platting is required.



The owner of the parent parcel who sold the 2 1/2 acre parcel can keep the authority to make two (2) additional divisions or may convey the authority to make one or both of the additional divisions to the owner of the created parcel.

If the owner of the parent parcel conveys the authority to make one or both additional divisions to the owner of the 2 1/2 acre created parcel, this form (L-4260a) must be filed with the local assessor within 45 days of that action.

**This form must also be filed when the owner of a parent parcel or parent tract conveys the parent parcel or parent tract, and also transfers the right to make further divisions to the new owner of the parent parcel or parent tract.**

**For more information about the Land Division Act, you may contact the Subdivision Control Section of the Department of Consumer and Industry Services at (517) 334-7750.**

### Excerpt from P.A. 87 of 1997

Sec. 109(2) The right to make divisions exempt from the platting requirements of the 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 the form prescribed by the state tax commission under section 27a of the general property tax act, P.A. 206 of 1893, MCL, 211.27a. The state tax commission shall revise the form to 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, P.A. 288 of 1967, MCL 560.101 to 560.293? If so, how many?"

(b) "Were any unallocated divisions transferred to the newly created parcel? If so, how many?"