

CHARTER TOWNSHIP OF YPSILANTI

DIVISION PROCESS POLICY & PROCEDURES

INTRODUCTION:

All land transactions that involve the division of land within the Charter Township of Ypsilanti must now be approved by the Township before they may be consummated. This approval process is a result of various amendments to the Subdivision Control Act of 1967, PA 288, 1967, C.L. 560.101 et al (the "ACT"), now known as the Land Division Act P.A. 591 of 1996 which introduced sweeping changes into law and became effective on March 31, 1997.

LOCAL APPROVAL:

Local approval is required whenever a parcel or tract of unplatted land is divided and the division creates at least one (1) parcel (a "resulting parcel") which is less than 40 acres or the equivalent in size. Qualification as a "division" means that the land may be divided without the necessity of preparing and filing a plat. Approval of a division does not imply or signify compliance with other ordinances or regulations of the Charter Township of Ypsilanti.

The Charter Township of Ypsilanti also requires approval whenever a parcel or tract of land is combined and is required under a separate application.

PRELIMINARY DIVISION PROCESS:

- A. All preliminary division or combine applications must be submitted to the Assessor's Office with a copy of the drawings, to scale, and new descriptions.
- B. The division application is date stamped by the Assessor's Office and will be processed for preliminary approval/denial. The forty-five (45) day time limit is **waived**.
- C. Final division process must be completed before any building permit(s) are issued.
- D. Certificate from Washtenaw County Treasurer that all taxes and Special Assessments are paid for preceding 5 years.

FINAL DIVISION PROCESS:

- A. Preliminary division process may be eliminated if the applicant wishes to go directly to the final division process.
- B. A **certified survey** and new legal description for each resulting parcel must be received. If a division results in more than four (4) parcels, the applicant must provide this information on a disk in a form that will interface with the GIS system of Ypsilanti Township. If there is a change of ownership, legal documents must be provided verifying the change. All sales agreements, land contracts and deeds for the new parcels must be submitted at time of application.
- C. Completed division applications for the final division process must be date stamped by the Assessor's Office and will be processed for final approval/denial within 45 days of receipt. Complete application includes the application, survey, payment of fees, certificate from Washtenaw County Treasurer that taxes are paid, and Principle Residence Exemption forms for new parcels if applicable.

DATE GUIDELINES:

To assure that a division will appear on the following year assessment roll, the final certified survey, new descriptions, and paperwork must be submitted by December 31 of each year. Division received after December 31 of any year will not have the assurance of being placed in the upcoming assessment roll.

CHARTER TOWNSHIP OF YPSILANTI
ASSESSORS OFFICE
7200 S. HURON RIVER DRIVE
YPSILANTI, MICHIGAN 48197

PROPERTY DIVISION APPLICATION

Metes and Bounds, *combines* also

This form is designed to comply with applicable local zoning, land division ordinances and §109 of the Michigan Land Division Act (P.A. 591 of 1996.) MCL 560. 101 et. seq.

The applicant **MUST** answer all questions and include **ALL** attachments, or this application will be returned with no further action. Bring or mail to the Assessors Office a copy of all drawings/surveys and attachments. If you chose to do a preliminary division first, you must supply a copy of your drawings and dimensions, and the 45-day limit is waived.

Fees for Division Application:	<u>Division Fees</u>	<u>Review Fees</u>
Metes and Bounds:		
One (1) to four (4) Divisions	\$100.00	\$25.00 Each Resulting Parcel
Five (5) divisions and over	\$200.00	\$25.00 Each Resulting Parcel

Approval of a division of land is required before it is sold when the newly created parcel is less than 40 acres (§102(e&f)). Property line adjustments or corrections shall be reviewed in the same manner as a property division. On the lines below, please indicate where the applicant wants this form sent when the review of the application is completed.

Name: _____

Address: _____

City - State - Zip: _____

E-mail Address: _____

1. LOCATION of parent parcel to be divided:

Property Address: _____

Parent Parcel #: _____

Note: If there is a Principal Residence Exemption on the parent parcel after the division or combination has been approved, a new Principal Residence Exemption must be completed for the new parcel number assigned to the Homestead Site. You must notify your mortgage company of the change for tax purposes.

Legal description of Parent Parcel (attach extra sheet if necessary)

2. PROPERTY OWNER:

Name: _____ Phone No.: () _____

Address: _____

City: _____ State: _____ Zip Code: _____

Is this property subject to Land Contract? _____

If so, the seller of the Land Contract must sign off on the last page agreeing to this division/combination.

3. APPLICANT INFORMATION (if not property owner)

Contact Person's Name: _____ Business Name: _____

Address: _____ Phone No.: _____

City: _____ State: _____ Zip Code: _____

4. PROPOSAL - Describe the division (s) being proposed:

1. Number of new parcels: _____

2. Intended use (residential, commercial, etc.) _____

3. 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 name)

_____ A new private road 66 feet in width, for one or more buildable lot(s) proposed road name: _____
(Road name cannot duplicate an existing name)

_____ A recorded easement (driveway). (Not less than 33 feet in width. (Which does not create a buildable lot.)

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

5. Attach a legal description for each ***proposed new parcel and the remaining portion of the parent parcel***. (Two separate descriptions added together are not acceptable.)

5. FUTURE DIVISIONS

1. Number of divisions allowed by Land Division Act? _____

2. Number of divisions requested in this application? _____

3. Remaining divisions allowed by Land Division Act? _____

4. The number of future divisions being transferred to new parcel? _____

3. Identify the new parcels: _____
(See section 109(2) of the Statute. Make sure your deed includes both statements as required in section 109(4) of the Statute.)

6. DEVELOPMENT SITE LIMITS:

Check each that represents a condition, which exists on the parent parcel of any part of the parcel:

- _____ Is riparian or littoral (it is a river or lake front parcel).
- _____ Includes a wetland.
- _____ Is property within a flood plain.
- _____ Includes slopes more than twenty five percent or steeper.
- _____ Is on muck soils or soils known to have severe limitation for on site sewage systems.
- _____ Is known or suspected to have an abandoned well, underground storage tank or contaminated.

7. ATTACHMENTS:

Please Note: The Charter Township of Ypsilanti has 45 days after filing to approve or deny a proposed division if all of the following requirements are met (Sec 109 of PA 591)

- _____ A. 1. **Final Division Process:**
A **certified survey**, sealed by a professional surveyor at a scale of no less than 1" = 200' of proposed division(s) of parent parcel;

OR

2. **Preliminary Division Process:**
A map/drawing to scale of no less than 1" = 200', of proposed division(s) of parent parcel **and waive the 45 day time limit by signing here:**

Signature: _____

The survey or map must show all of the following:

- (1) Current boundaries (as of March 31, 1997)
- (2) All previous divisions made after March 31, 1997 (indicate when made or none)
- (3) The proposed division(s)
- (4) Dimensions of the proposed divisions
- (5) Existing and proposed road/easement rights-of-way
- (6) Easements for public utilities from each parcel to existing public utility facilities
- (7) Any existing improvements (buildings, wells, septic system, driveways ..)
- (8) Show existing improvements distance from parcel boundaries.
- (9) Any of the features checked in **question number 6.**

MUST ALSO INCLUDE

- (a) Each resulting parcel must have an adequate and accurate legal description.
- (b) Each resulting parcel is included in a tentative parcel map showing parcel areas, parcel widths, parcel depths, parcel lines, public utility easements, and accessibility (road, etc).
- (c) Each resulting parcel smaller than ten (10) acres has a depth of not more than four (4) times the width.
- (d) Each resulting parcel has a width and an area not less than required by the Township Zoning Ordinance.
- (e) The division meets all Section 108, PA 591 requirements (number of resulting parcels).
- (f) Each resulting parcel that is a development site must have the following: adequate public utility easements from parcel to existing facilities.

- _____B. A soil evaluation or septic system permit for each proposed ***parcel of less than one acre*** prepared by the Health Department, or an indication that approval will occur for service by public sewer system. **Otherwise** attach a letter of agreement that the divided parcel is “unbuildable” and the following phrase must be included as part of the legal description on the deed or land contract. ***“It has been determined and agreed to that the hereto described property is to be forever considered to be an unbuildable site as is defined by the Charter Township of Ypsilanti Land Division Ordinance.”***

Public Sewer? _____ Septic System? _____
(INCLUDE WASHTENAW COUNTY HEALTH DEPT PERMIT)

Owners signature of agreement: _____ Dated: _____

- _____C. An evaluation/indication that approval will occur for service by a public water system, or a well permit for potable water if public water is not available, **for each proposed parcel**, if building construction is intended. **Otherwise** attach a letter of agreement that the divided parcel is “unbuildable” and the following phrase must be included as part of the legal description on the deed or land contract. ***“It has been determined and agreed to that the hereto described property is to be forever considered to be an unbuildable site as is defined by the Charter Township Land Division Ordinance.”***

Public Water? _____ Well? _____
(INCLUDE WASHTENAW COUNTY HEALTH DEPT PERMIT)

Owners Signature of Agreement: _____ Date: _____

- _____D. A copy of any transferred division rights (§109(4) of the Act) in the parent parcel.

- _____E. A Total Fee of \$_____ is included with this application.

- _____F. Proof of ownership or letter of authorization as agent. Including all Land Contracts and Purchase Agreements.

- _____G. A **certified survey** and new legal description for each resulting parcels.

- _____H. Certificate from Washtenaw County Treasurer that all taxes and/or special assessments are paid.

- _____I. Principal Residence Exemption re-filed under New Property Identification Number.
(To be issued if application is approved)

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

AFFIDAVIT and **PERMISSION** for municipal, county and state officials to enter the property for inspections:

I/We hereby agree that the statements made above are true, and if found not to be true this application and any approval will be void.

Further, I/We agree to comply with the condition and regulations provided with the parent parcel division.

Further, I/We 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 to verify that the information of the application is correct at a time mutually agreed with the applicant.

Further, I/We understand this is only a parcel division which conveys only certain rights under the applicable local land division ordinance, the local zoning ordinance, and the State Land Division Act (formerly the Subdivision Control Act P.A. 288 of 1967, as amended (particularly by 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 or other property rights.

Further, I/We understand that all future special assessments will transfer to the new parcels. Existing special assessments must be paid with the parent parcel in full before the land division is approved. I/We also understand, that taxes will not be prorated by the Treasurers office.

Further, I/We hereby request approval for the Charter Township Assessors Office and the Community and Economic Development to divide the parcel(s) as described herein and to change the Township assessment roll accordingly.

Further, I/we am/are the legal owner(s) and prospective purchaser(s) of the parcel(s) described herein, and to the best of my/our knowledge, the decision of land requested does not violate the State Land Division Act (PA 591 of 1997, as amended), and it is understood that approval to divide this parcel does not change the obligations of present or future owners to comply with all of the applicable ordinances of the Charter Township of Ypsilanti.

Finally, even if this division is approved, I/we understand zoning, local ordinances and State Acts change from time to time, and if changed, the divisions made here must comply with the new requirements 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 the law are made. (If the above is not accomplished I/We realize there will be a need for the land division to be processed again.)

Property owner's Signature: _____ **Date:** _____

Co-owner's Signature: _____ **Date:** _____

Land Contract Seller's Signature: _____ **Date:** _____

(SUBMIT ADDITIONAL COPIES OF THIS PAGE FOR ADDITIONAL OWNERS SIGNATURES. ALL OWNERS MUST SIGN)

DO NOT WRITE BELOW THIS LINE

Reviewer's Action: _____ **Total \$** _____ **Receipt No.** _____

Number of divisions allowed by Statute: _____ **Number of divisions requested:** _____

_____ **Approved:** _____ **Conditions, if any:** _____

_____ **Denied:** _____ **Reasons :** _____