

D. LAND DIVISION APPLICATION

You **MUST** answer all questions and include all attachments, **and include the application fee in the amount of \$100.00 payable to Ingersoll Township, or this will be returned to you.** Bring or mail to: Ingersoll Township Assessor Frank Roenicke, 8681 Wandering Way, Freeland, MI 48623 or email fjroenicke@gmail.com

Approval of a division of land is required before it is sold, when a new parcel is less than 40 acres and not just a property line adjustment (Sec. 102 e & f).

This form is designed to comply with Sec. 108 and 109 of the Michigan Land Division Act (formerly the subdivision control act P.A. 288 of 1967 as amended (particularly by P.A. 591 of 1996 and P.A. 87 of 1997, MCI 560 et. seq.) **(Approval of a division is not a determination that the resulting parcels comply with ordinances or regulations.)**

1. LOCATION OF PARENT to be split:

Address: _____

Road Name: _____

PARENT PARCEL IDENTIFICATION NUMBER: _____

Parent Parcel Legal Description (Describe or Attach) _____

2. PROPERTY OWNER INFORMATION:

Name: _____

Address: _____

Phone: _____

3. PROPOSED DIVISION(S) TO INCLUDE THE FOLLOWING:

A. Number of new Parcels: _____

B. Intended use (residential, commercial, etc.): _____

C. Each proposed parcel if 10 acres or less, has a depth to a width ratio of 4 to 1 or _____ to _____ as provided by ordinance.

D. Each parcel has a width of _____ (not less than required by ordinance).

E. Each parcel has an area of _____ (not less than required by ordinance).

F. Show how the division of each parcel provides access to a public right of way.

G. Describe or attach a legal description of proposed new road, easement or shared driveway:

H. Describe or attach a legal description for each **proposed new parcel**: _____

4. **FUTURE DIVISIONS** being transferred from the parent parcel to another parcel. Indicate number transferred _____ (See Sec 109 (2) of the Statute. Make sure your deed includes both statements as required in 109 (3 and 4) of the Statute.)

5. **DEVELOPMENT SIZE LIMITS** (Check each which represents a condition which exists on the parent parcel):

_____ Waterfront property (river, lake, pond, etc.)

_____ Is within a flood plain

_____ Is on muck soils or soils known to have severe limitations for onsite sewage system

_____ Includes wetlands

_____ Includes a beach

6. **ATTACHMENTS** – All the following attachments **MUST** be included. Letter each attachment as shown:

- A. A scale drawing that complies with the requirements of PA 132 of 1970 as amended for the 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) and
 - 4. dimensions of the proposed divisions, and
 - 5. existing public utility facilities, and
 - 6. easement for public utilities from each parcel that is a development site to existing public utility facilities, and
 - 7. any existing improvements (buildings, wells, septic system, driveways, etc.)
 - 8. any of the features checked in Questions Number 5.

B. Indication of approval or permit from Midland County Road Commission that a proposed easement provides vehicular access to an existing road or street meets applicable location standards.

C. A copy of any reserved division rights (Sec 109 (4) of the Act) in the parent parcel.

7. **IMPROVEMENTS** – Describe any existing improvements (buildings, wells, septic, etc., which are on the parent parcel or indicate none). _____

8. **AFFIDAVIT** and permission for township, county and state officials to enter property for inspections: I 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 agree to comply with the conditions and regulations provided with this parent parcel division. Further, I agree to give permission for officials of the township, county and State of Michigan to enter the property where this parcel division is proposed for purposes of inspection. Finally, I understand this is only a parcel division which conveys only certain rights under the applicable local land division ordinance and the State Land Division Act (formerly the Subdivision Control Act PA 288 of 1967, as amended (particularly by PA 591 of 1996 and PA 87 of 1997, MCL 560.101 et. Seq.) and does not include any representation or conveyances of rights in any other statute, building code, zoning ordinance, deed restrictions or other property rights.

Finally, even if this division is approved, I understand local 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 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: _____

For Office use only – Reviewer's action: Total Fee \$ _____ *Check #* _____

Signature: _____

Application Completed Date: _____

Approval Date: _____

Denial Date: _____

Reasons for denial _____

See Attached

7.000 LAND DIVISION ORDINANCE TOWNSHIP OF INGERSOLL, MICHIGAN**ord. no. 36 adopt. June 8, 1998**

An Ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to Michigan Public 1967 PA 288, as amended, Act 591 of 1996, as amended, and Act 246 of 1945, as amended; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this ordinance.

TOWNSHIP OF INGERSOLL, MIDLAND COUNTY, MICHIGAN, ORDAINS:

17.001 Title.

Sec. I. This Ordinance shall be known and cited as the Ingersoll Township Land Division Ordinance. (ord. no. 36 adopt. June 8, 1999)

17.002 Purpose.

Sec. II. The purpose of this Ordinance is 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 ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the Township by establishing reasonable standards for prior review and approval of land divisions within the Township. (ord. no. 36 adopt. June 8, 1999)

17.003 Definitions.

Sec. III. For purposes of this Ordinance, certain terms and words used herein shall have the meaning set forth herein. Additionally, where terms and words are set forth in the State Land Division Act, those terms and words shall have the definitions ascribed to them in the State Land Division Act, except as set forth within this section.

A. *Administrator*--The Township Assessor.

B. *Applicant*--A natural person, firm, association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.

C. *Divided or Division*--The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one year, or of building development that results in one or more parcels of less than forty (40) acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the State Land Division Act. "Divide" or "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the State Land Division Act.

D. *Exempt split or exempt division*--The partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than forty (40) acres or the equivalent.

E. *Forty acres or the equivalent*--Either forty (40) acres, a quarter-quarter section containing not less than thirty (30) acres, or a government lot containing not less than thirty (30) acres.

F. *Governing body*--The Township Board of Ingersoll Township, Midland County, Michigan.

G. *Township*--The Township of Ingersoll, Midland County, Michigan.

(ord. no. 36 adopt. June 8, 1999; ord. no. 53 adopt. June 9, 2003)

17.004 Prior approval requirement for land divisions.

Sec. IV. Land in the Township shall not be divided without the prior review and approval of the Administrator, or other official designated by the Township Board, in accordance with this Ordinance and the State Land Division Act; provided that the following shall be exempted from this requirement:

A. A parcel proposed for subdivision through a recorded plat pursuant to the State Land Division Act.

B. A lot in a recorded plat proposed to be divided in accordance with the State Land Division Act.

C. An exempt split as defined in this Ordinance, or other partitioning or splitting that only results in parcels of twenty (20) acres or more where each parcel is not accessible (as defined in the State Land Division Act) and either the parcel was in existence on March 31, 1997, or resulted from exempt splitting under the State Land Division Act.

(ord. no. 36 adopt. June 8, 1999)