



# City of East Jordan

201 Main Street • P.O. Box 499  
East Jordan, Michigan 49727-0499  
[www.eastjordancity.org](http://www.eastjordancity.org)

**City Hall**  
Tel: (231) 536-3381  
Fax: (231) 536-3383

## LAND DIVISION / RECONFIGURATION

**DATE RECEIVED BY CITY CLERK:** \_\_\_\_\_

**1<sup>st</sup> Parcel Code:** 15-053-\_\_\_\_-\_\_\_\_-\_\_\_\_ **2<sup>nd</sup> Parcel Code:** 15-053-\_\_\_\_-\_\_\_\_-\_\_\_\_

You MUST answer all questions and include all attachments or this application will be returned to you. Bring or mail this application, any attachments & a check for the \$150 processing fee to the City Clerk's Office at City Hall at the address above. **No facsimiles accepted.**

Approval of a division of land is required **before** land is sold when the new parcel is less than 40 acres.

**1. LOCATION OF PARENT PARCEL(S) TO BE SPLIT or COMBINED:**

Street Address(es): \_\_\_\_\_

**2. APPLICANT INFORMATION:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**3. PROPERTY OWNER INFORMATION:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**4. EXISTING USE/ZONING DISTRICT CLASSIFICATION (check one):**

Residential: R-A \_\_\_ R-1 \_\_\_ R-2 \_\_\_ R-2A \_\_\_ R-3 \_\_\_  
Commercial/Industrial: C-1 \_\_\_ C-2 \_\_\_ I \_\_\_  
Other: W-F \_\_\_ P-O \_\_\_ R-4 \_\_\_ C-R \_\_\_ PUD \_\_\_

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

**5. DESCRIBE THE DIVISION(S) BEING PROPOSED:**

Number of new parcels: \_\_\_\_\_

The division of the parcel provides access to an existing public or private road by one of the following:

- \_\_\_ An existing public or private road. Name: \_\_\_\_\_
- \_\_\_ A new public road. Proposed road name: \_\_\_\_\_
- \_\_\_ A new private road. Proposed road name: \_\_\_\_\_
- \_\_\_ New division(s) will have access by easement (attach copy of the easement agreement.)

(continued on reverse side)

**6. DEVELOPMENT SITE LIMITS:**

Check each known condition that exists on the parent parcel. Any part of the parcel:

- Is riparian or littoral (it is a river or lakefront parcel) or adjacent to a drain.
- Includes a wetland.
- Is within a flood plain.
- Has an abandoned well, underground storage tank, or contaminated soils.
- Other (please list): \_\_\_\_\_

**7. ATTACHMENTS (all attachments must be included):**

- A. Survey of the proposed division(s) of the parent parcel (maximum size 11” x 17”), drawn to scale, showing:
  - (1) the division(s) proposed by this application.
  - (2) dimensions of the proposed divisions.
  - (3) all existing and proposed road easements and/or rights-of-way.
  - (4) utility easements.
  - (5) existing improvements (buildings, wells, septic systems, driveways), etc., with setback dimensions from property lines.
- B. A statement about divisions of land from the parent parcel that have been reserved for others and to whom they are reserved.
- C. A separate page or pages showing legal description of parent parcel and legal description(s) of proposed parcel(s).
- D. Other (please list): \_\_\_\_\_

**8. All due and payable taxes and all special assessments must be paid in full before submitting this application.**

**9. Attached “Land Division and Boundary Adjustment Affidavit” must be signed, notarized, and returned as a part of this application.**

**Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**FOR BOUNDARY ADJUSTMENTS**, the adjacent property owner must also sign below to request that the divided portion be combined with his/her/their parcel.

I/We, \_\_\_\_\_, am/are the owner(s) of parcel 15-053-\_\_\_\_-\_\_\_\_-\_\_\_\_ with the address of \_\_\_\_\_ and request that my/our parcel be combined with the resulting, newly divided parcel.

**Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**DO NOT WRITE BELOW THIS LINE**

Date of City Commission Consideration: \_\_\_\_\_  
 Date of Planning Commission Consideration: \_\_\_\_\_ (if requested by City Commission)  
 Land Division Approved. Conditions, if any: \_\_\_\_\_  
 Land Division Denied. Reasons (cite §): \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
City Administrator

This form is designed to comply with §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), MCL 560.101 *et seq.*)

*East Jordan City Code (Excerpt)*

**Chapter 20 - LAND DIVISIONS AND SUBDIVISIONS**

**ARTICLE II. - LOT DIVISION**

**Sec. 20-25. - Application required.**

- (a) The division of a lot in a recorded plat is prohibited, unless approved following application to the City Commission.
- (b) The application shall be filed with the City Clerk, a copy to the Zoning Administrator, and shall state the reasons for the proposed division.
- (c) The City Commission *may* request review and comment by the City Planning Commission.
- (d) The division to be approved by the City Commission shall have the suitability of the land for building purposes approved by the county or district health department.
- (e) No building or zoning permit shall be issued, or any building construction commenced, prior to the City Commission's approval.
- (f) No lot in a recorded plat shall be divided into more than four parts and the resulting lots shall be not less in area than permitted by the City zoning ordinance.
- (g) The division of a lot resulting in a smaller area than prescribed herein may be permitted but only for the purpose of adding to an existing building site. The application shall so state and shall be in affidavit form.
- (h) Where such lots are not served by city water and sewer, the minimum lot size permitted shall be as set forth in section 186 of Public Act No. 288 of 1967 (MCL 560.186 et seq.), or as set forth in the City zoning ordinance, whichever is greater.

*(Comp. Ords. 1985, § 16.050; Code 1998, § 24-31; Ord. of 12-17-1996(6))*

*State law reference— Further division of lots, MCL 560.263*

**LAND DIVISION & BOUNDARY ADJUSTMENT AFFIDAVIT**

I/We \_\_\_\_\_, understand, agree and comply with the following:

1. The statements made in the *Parcel Division / Lot Reconfiguration* application for parcel code 15-053-\_\_\_\_-\_\_\_\_-\_\_\_\_ are true.
2. To comply with the conditions and regulations provided with this parent parcel division.
3. Grant permission for a representative of the City of East Jordan, Charlevoix County, and/or the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify that the information on the application is correct.
4. That this is only a land division, which conveys certain rights under the municipal land division ordinance, and the *Michigan 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 is not a representation or determination that 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.
5. That the City of East Jordan, if in granting approval of this division results in a parcel of less than one acre in size, is not liable if a building permit is not issued for the parcel due to non-approvable on-site water or on-site sewage disposal systems. Confirming acceptability with the County Health Department for septic and water is the landowner's responsibility. *(This paragraph becomes inapplicable if, by requirements of the City Code or other health regulations, the landowner is required to hook up to the City's water and/or sanitary sewer systems.)*
6. Any necessary or required easements are the full responsibility of the property owner to properly acquire.
7. Zoning, local ordinances and State Acts change from time to time, and if changed, development on an approved division shall comply with applicable zoning ordinance requirements, other local ordinance requirements and State acts in effect at the time of proposed development, or the division is built upon before the changes to laws are made.
8. Deeds transferring an approved land division shall contain 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."*
9. Final deeds transferring an approved land division shall contain a statement specifying the number of division rights being granted under Section 108 of the *Land Division Act*, Act No. 288 of the Public Acts of 1967, as amended. A copy of said deed of transfer will be provided to the City of East Jordan once recorded with the Charlevoix County Register of Deeds.
10. The legal description attached hereto as Exhibit A includes the legal description of the parent description and all divisions.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Co-Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF MICHIGAN )

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COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said county, personally appeared \_\_\_\_\_ known to me to be the people/person who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
My Commission Expires: \_\_\_\_\_