



HOUSE BILL No. 5617

February 21, 1996, Introduced by Rep. Kukuk and referred to the Committee on Regulatory Affairs.

A bill to amend sections 1, 2, and 3 of Act No. 132 of the Public Acts of 1970, entitled

"An act to provide for the filing of surveys in the office of the register of deeds relative to land divisions; and to prescribe the conditions of the survey,"

section 2 as amended by Act No. 24 of the Public Acts of 1988 and section 3 as amended by Act No. 183 of the Public Acts of 1992, being sections 54.211, 54.212, and 54.213 of the Michigan Compiled Laws; and to add section 1a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1, 2, and 3 of Act No. 132 of the
2 Public Acts of 1970, section 2 as amended by Act No. 24 of the
3 Public Acts of 1988 and section 3 as amended by Act No. 183 of
4 the Public Acts of 1992, being sections 54.211, 54.212, and
5 54.213 of the Michigan Compiled Laws, are amended and section 1a
6 is added to read as follows:

1 Sec. 1. (1) ~~Whenever lands are surveyed into 4 parcels or~~
2 ~~less, or a greater number when such parcels are of 10 acres or~~
3 ~~more, or any boundary survey where permanent~~ UPON THE SURVEY OF
4 A PARCEL OF RECORD, IF SUCH SURVEY MEETS THE REQUIREMENTS OF THIS
5 ACT, AND UPON MONUMENTATION OF THE corners, ~~are monumented, a~~
6 ~~certified copy may~~ A CERTIFICATE OF SURVEY SHALL be recorded in
7 the office of the register of deeds in the county in which the
8 land is situated. ~~, if such survey meets the requirements of~~
9 ~~this act.~~

10 (2) ~~If a survey is made for the purposes of describing the~~
11 ~~parcel in a conveyance of title, a certified copy of that survey~~
12 ~~shall be recorded at the time of recording the conveyance of~~
13 ~~title with~~ A CERTIFICATE OF SURVEY IS REQUIRED OF ANY LAND DIVI-
14 SION CREATING A NEW PARCEL. THE SURVEYOR SHALL SUBMIT A CERTIFI-
15 CATE OF TITLE TO the register of deeds FOR RECORDING in the
16 county in which the land is situated. The requirements of this
17 act are in addition to THE REQUIREMENTS IMPOSED IN THE SUBDIVI-
18 SION CONTROL ACT, Act No. 288 of the Public Acts of 1967, ~~as~~
19 ~~amended,~~ being sections 560.101 to ~~560.923~~ 560.293 of the
20 MICHIGAN Compiled Laws. ~~of 1948.~~ Land platted in accordance
21 with Act No. 288 of the Public Acts of 1967 ~~, as amended,~~ or
22 land previously surveyed and recorded and for which no change in
23 boundary description is made from a previously recorded survey
24 ~~need~~ IS not REQUIRED TO be recorded. ~~Surveys solely for mort-~~
25 ~~gage certificate purposes need not be recorded.~~

26 SEC. 1A. AS USED IN THIS ACT:

1 (A) "BOARD" MEANS THE BOARD OF PROFESSIONAL SURVEYORS, AS
2 ESTABLISHED BY SECTION 2002 OF THE OCCUPATIONAL CODE, ACT NO. 299
3 OF THE PUBLIC ACTS OF 1980, BEING SECTION 339.2002 OF THE
4 MICHIGAN COMPILED LAWS.

5 (B) "CERTIFICATE OF SURVEY" MEANS THE DOCUMENT THAT IS
6 RECORDED WHICH COMPLIES WITH AND CONTAINS ALL OF THE PROVISIONS
7 OF THIS ACT.

8 (C) "CORNER", UNLESS OTHERWISE QUALIFIED, MEANS A PROPERTY
9 CORNER, A PROPERTY CONTROLLING CORNER, A PUBLIC LAND SURVEY
10 CORNER, OR ANY COMBINATION AS ESTABLISHED IN THE CORNER RECORDA-
11 TION ACT, ACT NO. 74 OF THE PUBLIC ACTS OF 1970, BEING
12 SECTIONS 54.201 TO 54.210D OF THE MICHIGAN COMPILED LAWS.

13 (D) "DURABLE MEDIA" MEANS MEDIA AS ESTABLISHED IN THE
14 RECORDS MEDIA ACT, ACT NO. 116 OF THE PUBLIC ACTS OF 1992, BEING
15 SECTIONS 24.401 TO 24.403 OF THE MICHIGAN COMPILED LAWS.

16 (E) "MONUMENT" MEANS A MARKER THAT OCCUPIES THE POSITION OF
17 A CORNER WHICH POSSESSES OR IS MADE TO POSSESS A MAGNETIC FIELD
18 AS ESTABLISHED IN ACT NO. 74 OF THE PUBLIC ACTS OF 1970.

19 (F) "PARCEL" MEANS AN AREA OF LAND IDENTIFIED BY A LEGAL
20 DESCRIPTION.

21 (G) "REFERENCE MONUMENT" MEANS A MONUMENT THAT DOES NOT
22 OCCUPY THE SAME GEOGRAPHICAL POSITION AS THE CORNER ITSELF BUT
23 WHOSE SPATIAL RELATIONSHIP TO THE CORNER IS RECORDED AND WHICH
24 SERVES TO WITNESS THE CORNER.

25 (H) "SURVEYOR" MEANS A PROFESSIONAL SURVEYOR WHO IS LICENSED
26 TO ENGAGE IN THE PRACTICE OF PROFESSIONAL SURVEYING UNDER ACT

1 NO. 299 OF THE PUBLIC ACTS OF 1980, BEING SECTIONS 339.101 TO
2 339.2721 OF THE MICHIGAN COMPILED LAWS.

3 (1) "TRAVERSE LINE" MEANS A RANDOM LINE ESTABLISHED BY ANGU-
4 LAR AND LINEAR MEASUREMENTS.

5 Sec. 2. (1) ~~The~~ A survey shall be performed and the ~~map~~
6 CERTIFICATE OF SURVEY prepared by a ~~land~~ surveyor licensed in
7 this state.

8 (2) ~~All corners~~ UNLESS PREVIOUSLY MONUMENTED, MONUMENTS
9 shall be ~~monumented in the field with permanent markers which~~
10 ~~possess a magnetic field unless previously monumented with iron~~
11 ~~stakes, capped with some device legibly~~ INSTALLED AT ALL PROP-
12 ERTY CORNERS AND LEGIBLY CAPPED showing the license number of the
13 ~~licensed land~~ surveyor placing them. ~~, and shall include~~
14 ~~points of intersection of boundary or lot lines with highways,~~
15 ~~streets, alleys, section lines, and meander lines, and corners of~~
16 ~~the United States public land survey from which the parcel or~~
17 ~~parcels are described.~~ WHERE A PROPERTY CORNER CANNOT BE PHYSI-
18 CALLY INSTALLED, ANY REFERENCE MONUMENT INSTALLED SHALL BE LEGI-
19 BLY CAPPED SHOWING THE LICENSE NUMBER OF THE SURVEYOR. THE RELA-
20 TIONSHIP OF THE REFERENCE MONUMENT TO THE ACTUAL CORNER LOCATION
21 SHALL BE SHOWN ON THE MAP.

22 Sec. 3. (1) ~~The map shall be prepared on durable white~~
23 ~~paper 8 1/2 inches wide by 14 inches long. Lines on a map shall~~
24 ~~be made with nonfading black ink on a scale of not more than 500~~
25 ~~feet to an inch the scale shall be shown on the map. The map may~~
26 ~~instead be prepared on tracing cloth or paper, and a true scale~~
27 A CERTIFICATE OF SURVEY SHALL CONSIST OF A MAP AND SURVEYOR'S

1 STATEMENT PRODUCED ON DURABLE MEDIA 8-1/2 INCHES WIDE AND 14
2 INCHES LONG AND SHALL COMPLY WITH AT LEAST THE FOLLOWING:

3 (A) BE MADE TO A SCALE OF NOT MORE THAN 1:6,000.

4 (B) HAVE LINES AND LETTERING THAT ARE REPRODUCIBLE, PER-
5 MANENT, AND BLACK IN COLOR.

6 (C) BE PREPARED ON TRACING CLOTH, VELLUM, MYLAR, OR A repro-
7 duction of the map pursuant to the records media act, ~~may be~~
8 ~~recorded~~ ACT NO. 116 OF THE PUBLIC ACTS OF 1992, BEING
9 SECTIONS 24.401 TO 24.403 OF THE MICHIGAN COMPILED LAWS.

10 (2) The map DESCRIBED IN SUBSECTION (1) shall include all of
11 the following:

12 (a) A certificate OF SURVEY signed and sealed by the
13 licensed ~~land~~ surveyor who surveyed and mapped the parcel or
14 parcels, ~~typed, lettered, or reproduced legibly with nonfading~~
15 ~~ink,~~ giving a clear, concise description of the land surveyed by
16 bearings and distances, commencing with ~~some~~ A corner marked
17 and established in the United States public land survey, OTHER
18 ORIGINAL SURVEY SYSTEM, or reestablished in accordance with
19 accepted methods. The certificate OF SURVEY shall also include
20 the ratio of closure of latitudes and departures, which shall be
21 within limits ~~accepted~~ ESTABLISHED by the ~~profession of land~~
22 ~~surveying,~~ BOARD and ~~certification~~ A STATEMENT by the
23 ~~licensed land~~ surveyor that the requirements of this section
24 have been met.

25 (b) The BEARING AND LENGTH OF EACH LINE OF THE exterior
26 boundaries of the land surveyed and divided, together with the
27 line or lines leading to the United States public land survey

1 corner ~~or~~ or ~~corners~~ OTHER ORIGINAL SURVEY SYSTEM CORNER, from
 2 which the land is described. A boundary along a lake or stream
 3 shall be ~~defined by~~ REFERENCED TO a ~~meander~~ TRAVERSE line
 4 connecting the ~~side~~ boundaries of the parcel. If a lot in a
 5 recorded subdivision is divided, the exterior boundaries of the
 6 lot surveyed and divided shall be referenced to existing lot
 7 corners and the controlling monuments used for that survey.

8 (c) If the boundary of the parcel follows or parallels a
 9 section line, the section line ~~shall be~~ AS defined at its
 10 extremities by ~~a corner~~ CORNERS established in the United
 11 States public land survey, OTHER ORIGINAL SURVEY SYSTEM, or rees-
 12 tablished pursuant to accepted methods ~~. Each corner of the~~
 13 ~~United States public land survey shall be duly witnessed to a~~
 14 ~~permanent object and the kind of object and the bearings and dis-~~
 15 ~~tances to it, together with the kind and material of monumenta-~~
 16 ~~tion marking the corner, shall be shown on the map.~~ WITH ITS
 17 ACCESSORIES AS REQUIRED BY THE CORNER RECORDATION ACT, ACT NO. 74
 18 OF THE PUBLIC ACTS OF 1970, BEING SECTIONS 54.201 TO 54.210D OF
 19 THE MICHIGAN COMPILED LAWS.

20 (d) ~~A~~ IF A curved boundary or a curved highway, street, or
 21 lot line ~~or~~ AND if the curve is contained within the line,
 22 ~~shall be~~ AS defined by the points of curvature ~~and tangency~~
 23 and compound curvature, central angle, length of arcs, ~~degree of~~
 24 ~~curvature~~ RADIUS, BEARING, and length ~~and bearing~~ of the
 25 ~~long~~ chord, or, if the curve is only partially contained within
 26 the line, by the length of arc along the curve, ~~degree of~~
 27 ~~curvature~~ RADIUS, AND BEARING, and length ~~and bearing~~ of the

1 ~~short~~ chord, or by traverse courses and distances if the curve
2 is not regular.

3 (e) If an exterior boundary line ~~shows~~ SHOWING a bearing
4 or length that varies from that recorded in an abutting plat or
5 ~~certified~~ CERTIFICATE OF survey, the following note shall be
6 placed along the line "recorded as (show bearing or length or
7 both)".

8 ~~(f) The length and bearing of each line.~~

9 (F) ~~(g)~~ The ~~exact~~ RIGHT-OF-WAY width of ~~each~~ A street,
10 highway, AND alley. ~~, and easement.~~

11 (G) ~~(h)~~ The distance on a boundary or lot line from the
12 point of intersection with a ~~meander~~ TRAVERSE line to apparent
13 ordinary high water line of Great Lakes waters and to the water's
14 edge of inland lakes and streams.

15 (H) ~~(i)~~ A north point properly ~~located~~ ORIENTED.

16 (3) ~~(2) Certified~~ CERTIFICATE OF survey maps prepared pur-
17 suant to this section shall be accepted, upon payment of the reg-
18 ular fee schedule as provided in section 2567(1)(a) of the
19 revised judicature act of 1961, Act No. 236 of the Public Acts of
20 1961, being section 600.2567 of the Michigan Compiled Laws, shall
21 be numbered consecutively by the register of deeds, shall be
22 recorded in bound volumes, or in a manner adapted to a system of
23 preserving records pursuant to the records media act, ACT NO. 116
24 OF THE PUBLIC ACTS OF 1992, BEING SECTIONS 24.401 TO 24.403 OF
25 THE MICHIGAN COMPILED LAWS, and known as the "certified survey
26 maps of county", and shall become a part of the
27 land records of the county. A separate card file shall be ~~kept~~

1 ~~showing~~ INDEXED by section, township, and range OR BY OTHER
2 ORIGINAL SURVEY SYSTEM and also by title of recorded plat if a
3 resurvey within such plat, the ~~designating number~~ PARCEL
4 DESIGNATION, liber, and page of the certified maps IS filed in
5 the bound volume, or other record.

6 (4) ~~(3)~~ If a ~~certified~~ CERTIFICATE OF survey ~~map~~ is
7 recorded pursuant to this section, the parcels of land in the map
8 may be described with a ~~supplemental~~ reference to the ~~number~~
9 PARCEL DESIGNATION of the survey, the volume and page where
10 recorded, and the name of the county, for all purposes, including
11 assessment, taxation, devise, descent, and conveyance.