SUBSTITUTE FOR

HOUSE BILL NO. 5600

A bill to amend 1967 PA 288, entitled

"Land division act,"

by amending section 222a (MCL 560.222a), as added by 2004 PA 590.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 222a. (1) Notwithstanding section 222, a public utility

2 easement that is part of a recorded plat may be relinquished

3 without filing an action in circuit court if **all of the following**

4 **enter into** a written agreement for that purpose: ~~is entered into~~

5 ~~among all of the following parties:~~

6   (a) Each public utility or municipal entity that has the right

7 to use the recorded easement.

8   (b) The owner or owners of record of each platted lot or

9 parcel of land subject to the easement.

1   (c) ~~A two-thirds majority of the~~ **The** owners of record of ~~each~~
2   ~~platted lot or parcel~~ **at least 2/3 of the lots or parcels** of land
3   within 300 feet of any part of the recorded easement.
4   (d) The governing board of the municipality in which the
5   subdivision covered by the plat is located.
6   **(2) Notwithstanding section 222, a path, walkway, or sidewalk**
7   **that is part of a recorded plat and is dedicated to the use of the**
8   **public may be relinquished without filing an action in circuit**
9   **court if all of the following enter into a written agreement for**
10   **that purpose:**
11   **(a) The owner or owners of record of each platted lot or**
12   **parcel of land subject to the path, walkway, or sidewalk.**
13   **(b) The owners of record of at least 2/3 of the lots or**
14   **parcels of land within 300 feet of any part of the path, walkway,**
15   **or sidewalk.**
16   **(c) The governing board of the municipality in which the**
17   **subdivision covered by the plat is located.**
18   **(3)** ~~(2)~~ An agreement described in subsection (1) **or (2)** shall
19   meet all applicable requirements for recordation. ~~and is effective~~
20   ~~upon being~~ **The agreement takes effect when** recorded with the
21   register of deeds and filed with the department of labor and
22   economic growth. The register of deeds and the department of labor
23   and economic growth shall cross-reference the ~~document~~ **agreement** to
24   the affected plat.