

SENATE BILL NO. 232

February 3, 1999, Introduced by Senator HAMMERSTROM and referred to the Committee on Transportation and Tourism.

A bill to amend 1967 PA 288, entitled
"Land division act,"
by amending section 253 (MCL 560.253).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 253. (1) When a plat is certified, signed,
2 acknowledged, and recorded as prescribed in this act, every dedi-
3 cation, gift, or grant to the public or any person, society, or
4 corporation marked or noted as such on the plat shall be ~~deemed~~
5 CONSIDERED A sufficient conveyance to vest the fee simple of all
6 parcels of land so marked and noted, and shall be considered a
7 general warranty against the donors, their heirs and assigns to
8 the donees for their use for the purposes ~~therein~~ expressed IN
9 THE DEDICATION, GIFT, OR GRANT and ~~no other~~ ANY OTHER PUBLIC
10 USE THAT DOES NOT UNREASONABLY INTERFERE WITH OR PROHIBIT THOSE
11 PURPOSES.

1 (2) The land intended for the streets, alleys, commons,
2 parks, or other public uses as designated on the plat shall be
3 held by the municipality in which the plat is situated in trust
4 ~~to and for such~~ THOSE uses and purposes AND OTHER PUBLIC USES
5 DESCRIBED IN SUBSECTION (1).

6 (3) A PLAT THAT INCLUDES STREETS DEDICATED FOR PUBLIC USE
7 THAT TERMINATE AT THE EDGE OF NAVIGABLE WATER IS PRESUMED TO
8 INCLUDE THE RIGHT TO PUBLIC ACCESS TO THAT WATER, THE RIGHT TO
9 SHORELINE ACTIVITIES INCLUDING, BUT NOT LIMITED TO, SUNBATHING,
10 LOUNGING, OR PICNICKING, AND THE BUILDING OF STRUCTURES TO AID IN
11 PUBLIC ACCESS.

12 (4) A MUNICIPALITY MAY BY ORDINANCE REGULATE THE USAGE OF
13 STREETS DESCRIBED IN SUBSECTION (3) TO PROMOTE PUBLIC ACCESS AND
14 ENJOYMENT.

15 (5) ~~-(3)-~~ A reservation or an ownership interest in mineral
16 rights or underground gas storage rights in land shall not con-
17 stitute the holding of title for the purpose of signing the
18 proprietor's certificate.