

THE FOLLOWING PROCEDURES ARE RECOMMENDED TO ASSIST CASNOVIA TOWNSHIP RESIDENTS ON ALL LAND DIVISIONS, PROPERTY LINE ADJUSTMENTS, LAND COMBINATIONS, LAND MERGERS, & LAND OWNERSHIP TRANSFERS, ETC.

All land transactions need prior approval from Casnovia Township. Requests are reviewed locally by the Zoning Administrator for compliance with Casnovia Township Zoning Ordinances regulating area, frontage, depth, property line setbacks to existing structures, and use. All of which can vary according to zone district. Local review also includes a determination of compliance with the State Of Michigan Land Division Act which restricts the number of new parcels (child parcels) which are permitted to be created from the original parcel (parent parcel). A **parent parcel** is that land parcel that was recognized by the local unit of government at the time of adoption of the Land Division Act (March 31, 1997). The following are examples of past land transactions that typically create confusion and are outside of the ability of Casnovia Township to regulate, review, and approve.

- Unrecorded land contracts. *Unrecorded* means land transaction contracts that (1) have no prior local approvals and (2) the transaction was never recorded with the Muskegon County Register of Deeds Office.
- Deed transactions, both quit claim deeds and warranty deeds, that neither the seller, the buyer, a closing office, attorney, or other involved persons, ever recorded with the Muskegon County Register of Deeds Office.
- Land ownership sign offs and sign ons that take place as a result of a divorce, partnership dispute, inner family matter, or other similar situation which results in certain names never removed or never included on the deed to the land because the ownership name exclusion or inclusion was never recorded on the deed at the Muskegon Register of Deeds Office.

The following matters are important to understand and resolve before a land transaction should be completed. This is not an exclusive list but may help those who need instruction. I recommend all parties to include a closing company or attorney to complete the transaction. **Even then, make sure the land transaction gets recorded with the County. Casnovia Township does not record this for you.**

- All land transactions, if **recorded** with the County on time and in a timely manner, should be recognized by December 31st of the year the transaction was **recorded**. It is possible, if the recording is done late toward the end of a year, the tax bills mailed for the next year will be mailed to the owner of record from the previous year.
- Make sure the land purchase agreement identifies who is responsible for paying the property taxes, including special assessments and personal property if applicable, up to the date the land transaction actually took place.

- Make sure all parties understand who will be recording the land transaction with Muskegon County Register of Deeds Office.
- If future land divisions that are being transferred as part of the transaction the transfer of land divisions must be recorded on the deed.

STEP ONE: *Applications & Submittal Requirements*

Pick up, complete, and resubmit an application for your land transaction proposal from the Casnovia Township Office. The submittal must include the following:

- If the land area involved in the transfer of land ownership includes a dwelling the new owner may need to file for a Property Homestead Exemption. This action is completed at the Casnovia Township Office and assists the assessor and treasurer in determining the tax amount.
- If the land is recognized as Qualified Agricultural and the new owner intends to keep the land as Qualified Agricultural Land the appropriate form needs to be filled out at the Casnovia Township Office.
- If any of the land area involved in the transaction is included in any land identified as PA 116 land, a letter of approval from the State of Michigan releasing the land from PA 116 is required.
- An application must be filled out completely for the Township to assist you as you expect and to make this happen as timely and without incident as possible. All of the questions on the form serve a purpose so complete the form completely and as correct as possible.
- A registered land surveyor will be needed to prepare a legal description(s) of the land area(s) applicable to the division and/or transaction and a sketch survey. The sketch survey will need to show the existing structures and setbacks from property lines and other structures if there are structures on any of the properties. The residual land (that land area left behind if there is a division of land) must also be included in the survey.

STEP TWO: *Township Review*

- The Zoning Administrator will review the submittal information and determine compliance with local zoning regulations, the Land Division Act, and the other information needed as listed above. This review can only happen if the information available is complete. If it is complete, expect this review to take at least fourteen (14) days after which an approval or denial, including a statement as to the reasons why the request was denied, will be issued
- If the application is approved a letter of approval will be sent to the Township Assessor, Muskegon County Register of Deeds Office, and to the applicant.

STEP THREE: *Prepare the Deed*

- The applicant, or official appointed by the applicant, prepares and sees to it the deed is completed. This is typically a Quit Claim Deed or a Warranty Deed. The information in step one above should be included in language on the deed.

STEP FOUR: *Record the Deed*

- The applicant, or official appointed by the applicant, sees to it the deed gets recorded with the Muskegon County Register of Deeds Office. If this last step is not completed then no property land ownership transfer is recognized. Please be aware that Casnovia Township Officials do not have the authority to do the recording, this typically is the responsibility of the seller but the seller often doesn't recognize their responsibility in this proceeding. There may be a recording fee that the seller may not be willing to pay so they avoid the recording of the deed transfer.
- Submit a copy of the recorded deed to the Township Office. This copy is what the assessor uses to motivate a change in the Township records and tax billing purposes.