

Legislative Analysis



PRESUME DONATION OF ROAD-ENDING NEAR SHORELINE INCLUDES MOORING AND SUNBATHING

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House Bill 4464

Sponsor: Rep. Matthew Gillard

Committee: Tourism, Outdoor Recreation and Natural Resources

Complete to 3-19-07

A SUMMARY OF HOUSE BILL 4464 AS INTRODUCED 3-14-07

The bill would amend Section 253 of the Land Division Act to establish a presumption that when a road, street, or alley ending at a lake or stream (or a common area, right-of-way, or park contiguous to a lake or stream) is donated to the public or to a private person or entity, the donor (plat proprietor) intended to authorize “the seasonal mooring of boats, sunbathing, and lounging otherwise authorized by law.” This presumption would be conclusive unless rebutted in the circuit court in the county in which the land is located.

MCL 560.253

FISCAL IMPACT:

This bill would not have a fiscal impact on the state or on local governmental units.

Legislative Analyst: Shannan Kane
Fiscal Analyst: Kirk Lindquist

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.