



PRIVATE ROAD EASEMENT APPLICATION

By authority of Part 21 of Act 451, P.A. 1994, as amended.

DNR Cashier's Use Only

Please Note: For road access only. Not for Utility Easements. See page 3 for requirements.

LOCATION OF DESIRED EASEMENT

County	Township, City, or Village Name	Town	Date
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Description

Dimensions of easement request crossing State-owned land – Width: _____ feet (20 ft. standard)
 Total Length: _____ feet

If the DNR determines that a similar road easement across your land is necessary in order to provide public access to State-owned land, you will be required to offer such an easement to the State in order to be eligible to receive an access easement. Are you willing to offer an easement to provide public access across your land if it is determined to be necessary by the DNR?

No
 Yes

LOCATION OF OFFERED EASEMENT

County	Township, City, or Village Name	Town	Date
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Description

PRIVATE ACCESS EASEMENT QUESTIONS

1. Which type of private easement are you considering?

The construction of a new access route or trail crossing (skip to question #5)
 The legal recognition of an existing access route across State-owned land or trail corridor
 The modification of a legally recognized access easement or trail corridor crossing
 Other (please describe): _____

2. If you are currently crossing State-owned land or trail corridor to access your property, for what purpose(s) are you using the access route? (Check all that apply)

For access to _____ single-family residence(s) For access to vacant property used for recreational purposes only
 For access to _____ multi-family residence(s) For access to property used for a commercial or industrial use
 I am not currently crossing State-owned land or trail corridor For access to a platted subdivision
 For access to property for agricultural or timber management activities
 Other (please describe): _____

3. If you are currently crossing State-owned land or trail corridor to access your property without a legally recognized easement, has the DNR provided to you written authorization for this activity?

No
 Yes (Please attach copies of all documents authorizing this use)
 I am not currently crossing State-owned lands or trail corridor

4. If you are currently crossing State-owned land or trail corridor to access your property without a legally recognized easement and without any other form of written authorization from the DNR, provide any evidence that will document the span of time that you have been using the access route. Potential sources of documentation are listed below as examples for you to consider.

<input type="checkbox"/> County Road Commission driveway permit	<input type="checkbox"/> Private landowners leases, licenses or letters of permission
<input type="checkbox"/> Water well permit	<input type="checkbox"/> Railroad leases, licenses, or letters of permission
<input type="checkbox"/> Septic drain field construction permit	<input type="checkbox"/> Verifiable photographic evidence showing use of the access route
<input type="checkbox"/> Local building permit	<input type="checkbox"/> Soil and sedimentation permits
<input type="checkbox"/> This question is not applicable to my situation	<input type="checkbox"/> Other (please describe):

PRIVATE ACCESS EASEMENT QUESTIONS

5. If this easement will involve a new access route, what is the intended purpose for the new access route? (Check all that apply)

<input type="checkbox"/> Provide access to _____ single-family residence(s)	<input type="checkbox"/> This easement request does not require a new access account
<input type="checkbox"/> Provide access to _____ multi-family residence(s)	<input type="checkbox"/> Provide access to property for a commercial or industrial use
<input type="checkbox"/> Provide access to vacant property for recreational use	<input type="checkbox"/> Provide access to a platted subdivision
<input type="checkbox"/> Provide access to property for agricultural or timber management activities	
<input type="checkbox"/> Other (please describe):	

6. Do you believe that your property has legal access?

No

Yes (This may make your application for an access easement ineligible)

7. If you answered "No" to question #6, your application will not be considered complete for review until documentation is provided that a title search has been conducted on all real estate transactions involving the parcel and its parent parcel(s) for the past 40 years and that the search failed to discover any means of legal access. In addition, you may provide copies of any other documentation that will support your claim that your property does not have legal access.

An attorney has rendered an opinion regarding the status of legal access to the parcel.

8. Have you discussed the details of your proposed easement with any employees from your local DNR office?

No

Yes

If "Yes", which staff members have you contacted?

CONTACT INFORMATION (Please print or type)

Applicant Name		Organization	
Telephone Number	Fax Number	E-mail Address	
Mailing Address		City, State, ZIP Code	
Applicant Signature			Date
DNR Staff Signature (<i>Proposal reviewed by staff only. This signature is not approval of easement request.</i>)			Date

Please indicate how title to the desired land is to be conveyed.

In Applicant's name only – If applicant is someone other than an individual, please identify legal entity (i.e. a Michigan limited liability company, a Michigan corporation, a municipal governmental unit, etc.). If the applicant is a man, please indicate single or married.

As Tenants by the entirety (a married couple)

As Joint Tenants with full right of survivorship

As Tenants in Common (Two or more persons, each owning a separate undivided interest in the whole property)

ISSUE EASEMENT TO:

Please use full given name and indicate marital status of all males.

Names (s) (*Print or Type*)

Street Address

City, State, ZIP Code

Telephone Number

Applications will NOT be reviewed without payment. Mail completed application, required documents and check or money order, made payable to the "State of Michigan", to:

**CASHIER'S OFFICE
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
PO BOX 30451
LANSING MI 48909-7951**

INFORMATION:

REQUIRED DOCUMENTATION OF PROPOSED EASEMENT TO BE SUBMITTED WITH APPLICATION:

1. Completed Private Easement Application also signed by local DNR staff following the pre-application meeting
2. A copy of the deed for your parcel;
3. The local tax identification number for your parcel;
4. A detailed map showing the following:
 - a. The location of your property in relation to nearby public or private roads;
 - b. Indicate the property that you own and the approximate location desired for the requested easement;
 - c. Indicate the state-owned land in relationship to your property and the requested easement;
 - d. If deed research indicates that your parcel was split from a larger parent parcel (as described in Section 560.108 of the Land Division Act of 1967, Public Act 288), show the location of that residual parent parcel in relation to the location of your parcel (please see attached excerpt);
5. A recordable survey describing the route of your requested easement as well as a legal description of the land to be benefitted by the easement that meets the DNR specifications that were provided at the pre-application meeting. To meet document recording requirements, description must be provided:
 - On 8.5 X 14 inch paper,
 - using a minimum font size of 10 point, and
 - minimum 0.5 inch margins
6. A title search on all real estate transactions involving the parcel and its parent parcel(s) for the past 40 years; and,
7. If available, provide a copy of your title insurance policy for the parcel to be accessed.
8. **Application Fee of \$300.00.**

ADDITIONAL REQUIREMENTS OF PROPOSED EASEMENT AFTER REVIEW BY DNR:

1. Some Department-managed lands were acquired with assistance from the Federal Government. Permission from Federal Agencies may be required prior to the Department granting final approval of your request.
2. No easement shall be granted for land in excess of the amount necessary for the approved use. Easements shall only be granted for the current fair market value for such easement rights as determined by the Department.
3. **If the Michigan Department of Natural Resources approves this application, an invoice will be sent for the easement rights, and vegetation consideration fee. The easement will be issued after receipt of payment in full.**