

Introduction

The procedure for annexation of territory to a General Law Village is outlined in Section 6 of the General Law Village Act (3 PA 1859, MCL 74.6). Unlike city annexation which may involve the State Boundary Commission, village annexation is decided by the county board of commissioners. A sample resolution, petition and order are attached.

Procedure

1. Passage of a resolution by the village council stating the determination to alter the village boundaries. (Form A-1)
2. Notice (Form A-2) by the village clerk of the time and place the petition for the boundary change will be considered by the county board of commissioners to be published in a newspaper published in the village for at least 3 weeks immediately preceding the presentation. If no newspaper is published in the village, the notice must be posted in at least 3 of the most public places in the village and in at least 3 of the most public places in the area to be directly affected. This notice must contain a description of the premises proposed to be annexed.
3. Submission of a petition (Form A-3) to the board of commissioners of the county in which the territory of the proposed annexation is located, requesting the change in boundaries. This petition must be signed by the president and clerk and include the following:
 - a. A description by metes and bounds of the proposed boundary change.
 - b. A statement of the reasons for the proposed change.
 - c. A copy of the council's resolution.
4. Hearing before the county board of commissioners where all interested parties may appear and be heard relative to the proposed change in boundaries.
5. Determination of the county board of commissioners whether or not the requested change shall be granted. Whether or not the proposed boundary change will be approved lies solely within the judgment of the board. Under the GLV Act, there is no provision for submission of the question to the electors.
6. Entry of Order (Form A-4) by the county board of commissioners into its records, at which time the boundaries of the village will be fixed as determined in the order.
7. Transmission of a certified copy of the order to the village clerk by the county clerk and to the Secretary of State. Upon the filing of the order, the boundary adjustment becomes effective.

**SAMPLE
RESOLUTION**

Village of _____

WHEREAS, it is to the mutual advantage and benefit of the people in the Village of _____ to promote business and industrial development and to attract business and industry to create payrolls and improve the general economic condition of the Village of _____;

WHEREAS, the _____ Area Industrial Development Corporation, a Michigan corporation intended to promote local development, is the owner of land hereinafter described, which is to be promoted for business or industrial development

AND. WHEREAS, it is of great importance for any such business or industrial development to have water lines and sewer lines extended to the site;¹

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of _____ in a regular meeting as follows:

1. That the Village Council of _____, _____ County, Michigan, petitions the Board of Commissioners of the County of _____ to annex to the Village of _____ the following described land:

(Insert legal description – metes and bounds)

2. That the President and the Clerk of the Village of _____ are authorized to sign a petition directed to the Board of Commissioners of _____ County and to attach a copy of this resolution to the petition, said petition requesting that the Board of Commissioners hold a hearing and take action on the petition as prayed for in the petition.

Moved by _____

Seconded by _____

Yeas _____

Nays _____

I hereby certify that the above is a true copy of the resolution passed at a meeting of the Village Council of the Village of _____ held in the Village of _____, _____ County, Michigan on _____, 20____.

Village Clerk

A-1

¹ This is an example of an appropriate reason for annexation but any valid reason may be set forth in the resolution.

SAMPLE
NOTICE OF HEARING OF THE PETITION
OF THE
VILLAGE OF _____
TO ANNEX CERTAIN TERRITORY
TO THE VILLAGE OF _____

TO WHOM IT MAY CONCERN:

NOTICE IS GIVEN that the Village Council of the Village of _____, _____ County, Michigan has petitioned the _____ County Board of Commissioners to annex to the Village of _____, _____ County, Michigan, the following described lands located in the Township of _____, _____ County, Michigan, to-wit:

(Insert legal description – metes and bounds)

This notice shall be published in the _____, a newspaper published in the Village of _____, one time each week for three weeks immediately preceding the hearing on the petition.

[Or, if no newspaper is published in the Village]

This notice shall be posted in said Village of _____ and on the above described land in the manner required by law.

The hearing on the petition will be a public hearing and all persons for or against the proposed annexation may be heard. The hearing will be held in the _____ in the Courthouse for the County of _____, in the City of _____, on the _____ day of _____, 20____, at _____ .M., EST.

Dates: _____, _____ 20____.

Clerk of the _____ County
Board of Commissioners

Village Clerk

Village of _____

County, Michigan

A-2

**SAMPLE
PETITION**

Village of _____

The Village Council of the Village of _____, _____ County, Michigan, having heretofore adopted a resolution determining the desirability of annexing to the Village of _____, _____ County, Michigan, all of the following described lands located in the Township of _____, to-wit:

(Insert legal description – metes and bounds)

pursuant to Section 6, Chapter 14, Act 3 of 1895 of the Public Acts of the State of Michigan (MCL 74.6; MSA 5.1470) petitions the Board of Commissioners, _____ County, Michigan, to order the annexation in accordance with the resolution and this petition. A copy of the resolution is attached and made a part hereof.

The reasons for the annexation are fully set forth in the resolution of the Village Council of the Village of _____, _____ County, Michigan, attached hereto. The annexation is necessary to promote the business and economic development of the Village of _____.

Petitioner prays that the Board of Commissioners set a date for the hearing of this petition and that on the date of the hearing of the petition, the Board of Commissioners order and determine that the annexation, as proposed, be approved and that the lands above described be annexed and be incorporated within the corporate limits of the Village of _____, _____ County, Michigan.

Signed at _____, Michigan, this _____ day of _____, 20____.

VILLAGE COUNCIL OF THE VILLAGE OF _____

Village President

Village Clerk

SAMPLE
ORDER AND DETERMINATION BY THE _____ COUNTY
BOARD OF COMMISSIONERS
TO ANNEX CERTAIN LANDS TO THE
VILLAGE OF _____, MICHIGAN

WHEREAS, the Village Council of the Village of _____ has, by resolution, determined to petition the Board of Commissioners of _____ County to annex certain lands as described and also as described in said petition and resolution, to the Village of _____, and

WHEREAS, the petition and resolution give as a reason for said proposed annexation that it is necessary to promote the business economy and development of the Village of _____, and

WHEREAS, the resolution as presented was duly signed by the President and the Clerk of the Village of _____, and

WHEREAS, notice of the hearing to be held by the _____ County Board of Commissioners on the question of such proposed annexation was published or posted as required by the statute, as appears by the affidavit of _____, Village Clerk, in the files of this matter, and

WHEREAS, the notice also contained a description of the premises to be annexed, and

WHEREAS, all persons interested have been given an opportunity to be heard at a public meeting of the _____ County Board of Commissioners, and

WHEREAS, all proceedings pursuant to Section 6, Chapter 14, of Act 3 of the Public Acts of 1895 of the State of Michigan (MCL 74.6; MSA 5.1470), have been complied with,

NOW, THEREFORE, It is ordered and determined that the following described lands in the Township of _____, _____ County, Michigan:

(Insert legal description – metes and bounds)

are hereby annexed to the Village of _____, _____ County, Michigan, and the lands shall be considered to be included within the corporate limits of said Village.

IT IS FURTHER ORDERED that a copy of this Order and Determination to annex territory to the Village of _____, Michigan, shall be entered on the records of the _____ County Board of Commissioners and that a certified copy of this Order and Determination shall be transmitted by the Clerk of the _____ County Board of Commissioners to the Clerk of the Village of _____ and to the Secretary of State, State of Michigan. This Order and Determination shall be prima facie evidence of the change of boundaries of the Village of _____ and of the regularity to such proceedings.