

HOUSE BILL No. 5900

June 4, 1992, Introduced by Rep. Willis Bullard and referred to the Committee on Taxation.

A bill to amend section 72 of Act No. 206 of the Public Acts of 1893, entitled as amended

"The general property tax act,"

as amended by Act No. 539 of the Public Acts of 1982, being section 211.72 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 72 of Act No. 206 of the Public Acts of
2 1893, as amended by Act No. 539 of the Public Acts of 1982, being
3 section 211.72 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 72. Upon presentation of the purchaser's certificate
6 of sale prescribed by section 71 to the state treasurer or his or
7 her authorized representative after the expiration of the time
8 provided by law for the redemption of lands sold for the
9 nonpayment of taxes, the state treasurer shall cause a tax deed

1 of conveyance of the land ~~therein~~ described IN THE CERTIFICATE
2 OF SALE to be executed and delivered to the purchaser, or his or
3 her heirs or assigns, unless the sale was redeemed or annulled as
4 provided by law. The tax deed of conveyance shall be sealed with
5 the seal of the state treasurer and be signed by the state trea-
6 surer or his or her authorized representative but ~~shall not~~
7 ~~require~~ additional signatures of witnesses or notary public ARE
8 NOT REQUIRED. The tax deed ~~shall~~ MAY be ~~entitled to record~~
9 RECORDED in the office of the register of deeds of the proper
10 county ~~—~~ in the same manner and with like effect as other deeds
11 duly witnessed, acknowledged, and certified. The tax deeds
12 ~~shall~~ convey an absolute title to the land sold, and constitute
13 conclusive evidence of title, in fee, in the grantee, subject,
14 however, to all taxes assessed and levied on ~~such lands~~ THE
15 LAND subsequent to the taxes for which the ~~same~~ LAND was bid
16 off. This title also ~~shall be~~ IS subject to unpaid SPECIAL
17 ASSESSMENTS AND UNPAID installments of ~~taxes under the provi-~~
18 ~~sions of Act No. 126 of the Public Acts of 1933, as amended,~~
19 ~~being sections 211.301 to 211.311 of the Michigan Compiled Laws,~~
20 ~~and all taxes for years subsequent thereto~~ SPECIAL ASSESSMENTS.
21 ~~Any~~ A person holding ~~any~~ A state tax deed of lands executed
22 for nonpayment of taxes may commence an action in the circuit
23 court of the county where the lands lie to quiet his or her title
24 to the land without taking possession of the lands and all par-
25 ties who have, ~~or~~ claim to have, or appear of record in the
26 register's office in the county where the lands are situated to
27 have, any interest in the land or who may be in possession of the

1 land may be made defendants in the action; and no outstanding
 2 unrecorded deed, mortgage, or claim shall be of any effect as
 3 against the title or right of the plaintiff as fixed and declared
 4 by the ~~decree~~ ORDER made in the case. If, upon hearing of the
 5 cause it ~~shall appear~~ APPEARS that the plaintiff's title was
 6 invalid for any reason not enumerated in section 76, the action
 7 shall not be dismissed by the court but the court shall ascertain
 8 the amount due to the plaintiff for principal and interest to be
 9 computed at the rate of 7% per annum and shall ~~decree~~ ORDER the
 10 payment ~~thereof~~ OF PRINCIPAL AND INTEREST within a reasonable
 11 time, and in default ~~thereof~~ shall direct that the land be sold
 12 ~~therefor~~ and that the equity and right of redemption of all
 13 defendants in the action ~~—~~ and all persons claiming under them
 14 ~~shall be~~ IS forever foreclosed. However, the proceedings in
 15 ~~such~~ THESE cases shall be conducted in the same manner as
 16 nearly as may be, and in conformity with the practice ~~in the~~
 17 ~~case of~~ FOR THE foreclosure of mortgages. The courts may, on
 18 application, put the purchaser in possession of the premises by
 19 writs of assistance. ~~In the case of the loss of the~~ IF A cer-
 20 tificate of sale IS LOST, the purchaser or his or her legal rep-
 21 resentative or assignee ~~—~~ may file his or her affidavit ~~of~~
 22 ~~such~~ INDICATING THE loss ~~—~~ and that he or she was at the time
 23 of the loss the bona fide and legal holder ~~thereof, and the~~ OF
 24 THE LAND. THE state treasurer or his or her authorized represen-
 25 tative shall ~~thereupon~~ THEN cause to be executed ~~—, as~~
 26 ~~aforesaid,~~ a deed for the lands described IN the certificate, if
 27 the ~~same~~ LAND has not been redeemed ~~—~~ in the same manner as

1 though it had been presented and surrendered. ~~if~~ IF the
2 ~~same~~ LAND has been redeemed, the money shall be refunded to the
3 person upon surrender of the certificate or if lost upon presen-
4 tation of the affidavit. A refund shall not be made ~~in case~~ IF
5 title to ~~such~~ THE lands has vested in the state pursuant to
6 purchase at a prior or subsequent tax sale. ~~Any~~ A person who
7 ~~shall make~~ MAKES an affidavit as ~~above~~ required ~~in~~ IN THIS
8 SECTION or concerning any other matter ~~which~~ THAT may be filed
9 in the office of the state treasurer ~~shall be~~ IS liable to
10 the penalties of perjury for any false statement made in the
11 affidavit with intent to defraud ~~in~~ upon conviction ~~in~~ before a
12 court having jurisdiction of the offense.