

Act No. 459  
Public Acts of 1996  
Approved by the Governor  
December 21, 1996  
Filed with the Secretary of State  
December 26, 1996

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1996**

Introduced by Reps. Hammerstrom, McBryde, Hill, Hanley, Goschka, Jellema, Green, Brackenridge,  
Crissman and Galloway

# **ENROLLED HOUSE BILL No. 5858**

AN ACT to amend section 1 of Act No. 103 of the Public Acts of 1937, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," being section 565.201 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 1 of Act No. 103 of the Public Acts of 1937, being section 565.201 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 1. (1) An instrument executed after October 29, 1937 by which the title to or any interest in real estate is conveyed, assigned, encumbered, or otherwise disposed of shall not be received for record by the register of deeds of any county of the state unless that instrument complies with each of the following requirements:

(a) The name of each person who executed the instrument is legibly printed, typewritten or stamped upon the instrument immediately beneath the signature of each person and the address of each person is printed, typewritten, or stamped upon the face of the instrument.

(b) A discrepancy does not exist between the name of a person as it appears either in the body of the instrument or in the acknowledgment or jurat, as printed, typewritten or stamped upon the instrument beneath the signature, and in the signature of that person.

(c) The name of each witness to the instrument is legibly printed, typewritten or stamped upon the instrument immediately beneath the signature of the witness.

(d) The name of any notary public whose signature appears upon the instrument is legibly printed, typewritten or stamped upon the instrument immediately beneath the signature of that notary public.

(e) Wherever in this act the name of a person is required to be "printed, typewritten or stamped upon such instrument immediately beneath the signature" of the person, it is the intent of the legislature to require that the signature be written upon the instrument directly preceding the name "printed, typewritten or stamped". That signature shall not, however, be superimposed upon the name so as to render either illegible. However, the instrument is entitled to be received for record if the name and signature are, in the discretion of the register of deeds, so placed upon the instrument as to render the connection between the two apparent. Any instrument received and recorded by a register of deeds shall be conclusively presumed to comply with this act. The requirements contained in this act are cumulative to the requirements imposed by any other act relating to the recording of instruments.

(f) The address of each of the grantees in each deed of conveyance or assignment of real estate, including the street number address if located within territory where street number addresses are in common use, or, if not, the post office address, is legibly printed, typewritten, or stamped on the instrument.

(g) If the instrument is executed before April 1, 1997, each sheet of the instrument is all of the following:

(i) Typewritten or printed in type not smaller than 8-point size.

(ii) Not more than 8-1/2 by 14 inches.

(iii) Legible.

(iv) On paper of not less than 13 (17x22—500) pound weight.

(h) If the instrument is executed after April 1, 1997, each sheet of the instrument complies with all of the following requirements:

(i) Has a margin of unprinted space that is at least 2-1/2 inches at the top of the first page and at least 1/2 inch on all remaining sides of each page.

(ii) Subject to subsection (3), displays on the first line of print on the first page of the instrument a single statement identifying the recordable event that the instrument evidences.

(iii) Is electronically, mechanically, or hand printed in 10-point type or the equivalent of 10-point type.

(iv) Is legibly printed in black ink on white paper that is not less than 20-pound weight.

(v) Is not less than 8-1/2 inches wide and 11 inches long or more than 8-1/2 inches wide and 14 inches long.

(vi) Contains no attachment that is less than 8-1/2 inches wide and 11 inches long or more than 8-1/2 inches wide and 14 inches long.

(2) Subsection (1)(g) and (h) do not apply to instruments executed outside this state or to the filing or recording of a plat or other instrument, the size of which is regulated by law.

(3) A register of deeds shall not record an instrument executed after April 1, 1997 if the instrument purports to evidence more than 1 recordable event.

Section 2. This amendatory act shall take effect April 1, 1997.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.