



# HOUSE BILL No. 5858

May 8, 1996, Introduced by Reps. Hammerstrom, McBryde, Hill, Hanley, Goschka, Jellema, Green, Brackenridge, Crissman and Galloway and referred to the Committee on Local Government.

A bill 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:

1 Section 1. Section 1 of Act No. 103 of the Public Acts of  
2 1937, being section 565.201 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 1. ~~No~~ AN instrument EXECUTED AFTER OCTOBER 29, 1937  
5 by which the title to OR ANY INTEREST IN real estate ~~or any~~  
6 ~~interest therein~~ is conveyed, assigned, encumbered, or otherwise  
7 disposed of ~~, executed after the effective date of this act~~  
8 shall NOT be received for record by the register of deeds of any

1 county of the state unless ~~the same~~ THAT INSTRUMENT complies  
2 with each of the following requirements:

3 (a) The name of each person who executed ~~such~~ THE instru-  
4 ment ~~shall be~~ IS legibly printed, typewritten or stamped upon  
5 ~~such~~ THE instrument immediately beneath the signature of ~~such~~  
6 EACH person and the address of each ~~such~~ person ~~shall be~~ IS  
7 printed, typewritten, or stamped upon the face of the instrument.

8 ~~—~~

9 (b) ~~No~~ A discrepancy ~~shall~~ DOES NOT exist between the  
10 name of ~~such~~ A person as it appears either in the body of  
11 ~~such~~ THE instrument ~~—~~ OR IN the acknowledgment or jurat, as  
12 printed, typewritten or stamped upon ~~such~~ THE instrument ~~by~~  
13 BENEATH the signature, ~~or~~ AND in the signature of ~~such~~ THAT  
14 person. ~~—~~

15 (c) The name of each witness to ~~such~~ THE instrument ~~shall~~  
16 ~~be~~ IS legibly printed, typewritten or stamped upon ~~such~~ THE  
17 instrument immediately beneath the signature of ~~such~~ THE  
18 witness. ~~—~~

19 (d) The name of any notary public whose signature appears  
20 upon ~~such~~ THE instrument ~~shall be~~ IS legibly printed, type-  
21 written or stamped upon ~~such~~ THE instrument immediately beneath  
22 the signature of ~~such~~ THAT notary public. ~~—~~

23 (e) Wherever in this act ~~it is required that~~ the name of a  
24 person ~~shall~~ IS REQUIRED TO be "printed, typewritten or stamped  
25 upon such instrument immediately beneath the signature" of ~~such~~  
26 THE person, it is the intent of the legislature to require that  
27 ~~such~~ THE signature be written upon ~~such~~ THE instrument

1 directly preceding ~~such~~ THE name ~~so~~ "printed, typewritten or  
 2 stamped". ~~Such~~ THAT signature shall not, however, be superim-  
 3 posed upon ~~such~~ THE name so as to render either illegible.  
 4 ~~Such~~ HOWEVER, THE instrument ~~shall, however, be~~ IS entitled  
 5 to be received for record if ~~such~~ THE name and signature are,  
 6 in the discretion of the register of deeds, so placed upon ~~such~~  
 7 THE instrument as to render the connection between the ~~2~~ TWO  
 8 apparent. Any instrument received and recorded by a register of  
 9 deeds shall be conclusively presumed to comply with ~~the require-~~  
 10 ~~ments of~~ this act. The requirements contained in this act  
 11 ~~shall be~~ ARE cumulative to the requirements imposed by any  
 12 other act relating to the recording of instruments. ~~—~~

13 (f) The address of each of the grantees in each deed of con-  
 14 veyance or assignment of real estate, including the street number  
 15 address if located within territory where ~~such~~ street number.  
 16 addresses are in common use, or, if not, the post office address,  
 17 ~~shall be~~ IS legibly printed, typewritten, or stamped ~~in such~~  
 18 ON THE instrument. ~~—~~

19 (g) ~~Instruments shall~~ AFTER THE EFFECTIVE DATE OF THE 1996  
 20 AMENDATORY ACT THAT AMENDED THIS SECTION, THE INSTRUMENT IS not  
 21 ~~be~~ typewritten or printed in type smaller than ~~8~~ 10 point  
 22 size, and the size of any sheet in any such instrument ~~shall~~ IS  
 23 not ~~exceed~~ LESS THAN 8-1/2 BY 11 INCHES OR LARGER THAN 8-1/2 by  
 24 14 inches, and ~~shall be~~ legible and on paper of not less than  
 25 ~~13 (17x22-500)~~ 20-pound weight. Nothing in this subdivision  
 26 ~~shall affect~~ AFFECTS instruments executed outside the state or

1 the filing or recording of plats or other instruments, the size  
2 of which are regulated by law.