

REPRINT
SUBSTITUTE FOR
HOUSE BILL NO. 5022

(As passed the House, October 24, 2001)

A bill to amend 1846 RS 65, entitled
"Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages,"
by amending sections 8 and 47 (MCL 565.8 and 565.47), section 8 as amended by 1980 PA 488.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. Deeds executed within this state of lands, or any
2 interest in lands, shall be ~~executed in the presence of 2 wit-~~
3 ~~nesses, who shall subscribe their names to the deed as such and~~
4 ~~the persons executing the deeds may acknowledge the execution~~
5 ACKNOWLEDGED before any judge, clerk of a court of record, or
6 notary public within ~~the~~ THIS state. The officer taking the
7 acknowledgment shall endorse on the deed a certificate of the
8 acknowledgment, and the true date of taking the acknowledgment,
9 under his or her hand. Any deed ~~which~~ THAT was acknowledged

HB 5022, As Passed Senate, February 14, 2002

House Bill No. 5022

2

1 before any county clerk or clerk of any circuit court, before
2 September 18, 1903, and the acknowledgment of the deed, and, if
3 recorded, the record of the deed, shall be as valid for all pur-
4 poses so far as the acknowledgment and record are concerned, as
5 if the deed had been acknowledged before any other officer named
6 in this section, and the legality of the acknowledgment and
7 record shall not be questioned in any court or place. If a deed
8 has been recorded ~~which~~ THAT lacks 1 or more witnesses and the
9 deed has been of record for a period of 10 years or more, and is
10 otherwise eligible to record, the record of the deed shall be
11 effectual for all purposes of a legal record and the record of
12 the deed or a transcript ~~thereof~~ OF THE RECORD may be given in
13 evidence in all cases and the deed shall be as valid and effec-
14 tual as if it had been duly executed in compliance with this
15 section.

16 Sec. 47. ~~No~~ A deed, mortgage, or other ~~instruments~~
17 INSTRUMENT in writing ~~which~~ THAT by law ~~are~~ IS required to be
18 acknowledged affecting the title to lands, or any interest there-
19 in, shall NOT be recorded by the register of deeds of any county
20 unless the ~~same shall be duly witnessed and~~ DEED, MORTGAGE, OR
21 OTHER INSTRUMENT IS acknowledged ~~—~~ or proved as provided by
22 this chapter. ~~and the amendments thereto.~~