

HOUSE BILL No. 5069

September 20, 2001, Introduced by Rep. Callahan and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1945 PA 200, entitled

"An act to define a marketable record title to an interest in land; to require the filing of notices of claim of interest in such land in certain cases within a definite period of time and to require the recording thereof; to make invalid and of no force or effect all claims with respect to the land affected thereby where no such notices of claim of interest are filed within the required period; to provide for certain penalties for filing slanderous notices of claim of interest, and to provide certain exceptions to the applicability and operation thereof,"

by amending section 1 (MCL 565.101), as amended by 1997 PA 154.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. Any person, having the legal capacity to own land
2 in this state, who has an unbroken chain of title of record to
3 any interest in land for 20 years for mineral interests and 40
4 years for other interests, shall at the end of the applicable
5 period be considered to have a marketable record title to that
6 interest, subject only to claims to that interest and defects of
7 title as are not extinguished or barred by application of this

04865'01 a

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1 act and subject also to any interests and defects as are inherent
2 in the provisions and limitations contained in the muniments of
3 which the chain of record title is formed and which have been
4 recorded within 3 years after ~~the effective date of the amenda-~~
5 ~~tory act that added section 1a~~ DECEMBER 22, 1997, or during the
6 20-year period for mineral interests and the 40-year period for
7 other interests. ~~However, a person shall not be considered to~~
8 ~~have a marketable record title by reason of this act, if the land~~
9 ~~in which the interest exists is in the hostile possession of~~
10 ~~another.~~

11 Enacting section 1. This amendatory act does not take
12 effect unless Senate Bill No. _____ or House Bill No. 5068
13 (request no. 04865'01) of the 91st Legislature is enacted into
14 law.