

SUBSTITUTE FOR  
HOUSE BILL NO. 4608

A bill to amend 1937 PA 103, 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,"  
(MCL 565.201 to 565.203) by adding section 2a; and to repeal acts  
and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2a. (1) Section 1 does not apply to an instrument  
2 submitted for recording by the county drain commissioner if all  
3 of the following apply:

4       (a) The instrument is submitted for recording with and is  
5 attached to an affidavit of the county drain commissioner, deputy  
6 county drain commissioner, public works commissioner, or, in a  
7 county without a drain commissioner, an authorized officer or  
8 employee of the body having jurisdiction.

9       (b) The affidavit states that the attached instrument is a

1 copy of an instrument that is on file in the office of the  
2 affiant and that, to the best of the affiant's knowledge and  
3 belief, is a drain easement, right of way, or release of damages  
4 granted before March 28, 1956.

5 (c) The affidavit meets the requirements of section 1.

6 (2) The drainage district on behalf of which an instrument is  
7 recorded under subsection (1) is responsible for all fees  
8 allowable under law for recording the instrument.

9 (3) Within 30 days after recording an instrument under this  
10 section, the drain commissioner or other officer or body  
11 recording the instrument shall notify the landowner by  
12 first-class mail.

13 Enacting section 1. Section 2a of 1937 PA 103, MCL  
14 565.202a, is repealed effective 10 years after the effective date  
15 of the amendatory act that added that section.