

HOUSE BILL No. 4840

April 29, 2009, Introduced by Rep. Coulouris and referred to the Committee on Banking and Financial Services.

A bill to amend 1962 PA 174, entitled
"Uniform commercial code,"
by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515,
440.9516, 440.9520, and 440.9521), as amended by 2008 PA 383, and
by adding section 9513a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9513A. (1) THIS SECTION APPLIES ONLY WITH RESPECT TO A
2 FILED FINANCING STATEMENT TO WHICH ALL OF THE FOLLOWING APPLY:

3 (A) THE FINANCING STATEMENT INDICATES THAT ALL SECURED
4 PARTIES ARE INDIVIDUALS.

5 (B) THE FINANCING STATEMENT IDENTIFIES AS A DEBTOR AN
6 INDIVIDUAL WHO IS A PUBLIC OFFICER.

7 (C) THE FINANCING STATEMENT IS FILED BY A PERSON WHO IS NOT

1 ENTITLED TO FILE THE STATEMENT.

2 (2) IF A FINANCING STATEMENT INDICATES THAT THERE IS MORE
3 THAN 1 DEBTOR, THIS SECTION APPLIES ONLY TO EACH DEBTOR WHO IS A
4 PUBLIC OFFICER.

5 (3) A PUBLIC OFFICER IDENTIFIED AS A DEBTOR IN A FILED
6 FINANCING STATEMENT TO WHICH THIS SECTION APPLIES MAY FILE WITH
7 THE FILING OFFICE A NOTARIZED AFFIDAVIT IN THE FORM PRESCRIBED BY
8 THE SECRETARY OF STATE UNDER SUBSECTION (4), STATING THAT THE
9 FINANCING STATEMENT WAS FILED BY A PERSON WHO WAS NOT ENTITLED TO
10 FILE THE FINANCING STATEMENT.

11 (4) THE SECRETARY OF STATE SHALL ADOPT AND, UPON REQUEST,
12 MAKE AVAILABLE TO PUBLIC OFFICERS A FORM AFFIDAVIT TO BE USED
13 UNDER SUBSECTION (3) TO NOTIFY A FILING OFFICE OF THE FILING OF A
14 FINANCING STATEMENT BY A PERSON WHO WAS NOT ENTITLED TO FILE THE
15 FINANCING STATEMENT.

16 (5) IF AN AFFIDAVIT IS FILED UNDER SUBSECTION (3), THE
17 FILING OFFICE SHALL FILE A TERMINATION STATEMENT WITH RESPECT TO
18 THE FINANCING STATEMENT INDICATING THAT THE TERMINATION WAS MADE
19 UNDER THIS SECTION.

20 (6) A FEE SHALL NOT BE CHARGED FOR FILING AN AFFIDAVIT UNDER
21 SUBSECTION (3) OR A TERMINATION STATEMENT UNDER SUBSECTION (5).
22 THE FILING OFFICE SHALL NOT RETURN ANY FEE PAID FOR FILING THE
23 FINANCING STATEMENT, REGARDLESS OF WHETHER THE FINANCING
24 STATEMENT IS REINSTATED UNDER SUBSECTION (9).

25 (7) A FILING OFFICE THAT TERMINATES A FINANCING STATEMENT
26 UNDER SUBSECTION (5) SHALL ON THE SAME DAY SEND, BY CERTIFIED
27 MAIL, RETURN RECEIPT REQUESTED, A NOTICE OF TERMINATION TO THE

1 INDIVIDUAL IDENTIFIED AS THE SECURED PARTY IN THE FINANCING
2 STATEMENT, AT THE ADDRESS PROVIDED FOR THE INDIVIDUAL IN THE
3 FINANCING STATEMENT, ADVISING THE INDIVIDUAL OF THE TERMINATION.
4 IF THE INDIVIDUAL BELIEVES IN GOOD FAITH THAT THE INDIVIDUAL WAS
5 ENTITLED TO FILE THE FINANCING STATEMENT, THE INDIVIDUAL MAY FILE
6 AN ACTION TO REINSTATE THE FINANCING STATEMENT.

7 (8) THE EXCLUSIVE VENUE FOR AN ACTION UNDER SUBSECTION (7)
8 TO REINSTATE A FINANCING STATEMENT SHALL BE EITHER OF THE
9 FOLLOWING:

10 (A) IF THE PUBLIC OFFICER WHO FILED THE AFFIDAVIT UNDER
11 SUBSECTION (3) IS AN EMPLOYEE OF THIS STATE, IN THE INGHAM COUNTY
12 CIRCUIT COURT.

13 (B) IF SUBDIVISION (A) DOES NOT APPLY, IN THE CIRCUIT COURT
14 FOR THE COUNTY IN THIS STATE IN WHICH THE PUBLIC OFFICER WHO
15 FILED THE AFFIDAVIT UNDER SUBSECTION (3) RESIDES.

16 (9) IF THE COURT IN AN ACTION TO REINSTATE A FINANCING
17 STATEMENT UNDER THIS SECTION DETERMINES THAT THE FINANCING
18 STATEMENT SHOULD BE REINSTATED, THE COURT SHALL PROVIDE A COPY OF
19 ITS ORDER TO THE FILING OFFICE. ON RECEIPT OF AN ORDER
20 REINSTATING A FINANCING STATEMENT, A FILING OFFICE SHALL FILE A
21 RECORD THAT IDENTIFIES BY ITS FILE NUMBER THE INITIAL FINANCING
22 STATEMENT TO WHICH THE RECORD RELATES AND INDICATES THAT THE
23 FINANCING STATEMENT HAS BEEN REINSTATED.

24 (10) ON THE FILING OF A RECORD REINSTATING A FINANCING
25 STATEMENT UNDER SUBSECTION (9), THE EFFECTIVENESS OF THE
26 FINANCING STATEMENT IS RETROACTIVELY REINSTATED AND SHALL BE
27 CONSIDERED NEVER TO HAVE BEEN INEFFECTIVE AS AGAINST ALL PERSONS

1 AND FOR ALL PURPOSES EXCEPT AS AGAINST A GOOD FAITH PURCHASER OF
2 THE COLLATERAL FOR VALUE. IF A FINANCING STATEMENT THAT IS
3 REINSTATED WOULD HAVE LAPSED DURING THE PERIOD BETWEEN
4 TERMINATION AND REINSTATEMENT, THE
5 SECURED PARTY MAY FILE A CONTINUATION STATEMENT NOT LATER THAN 30
6 DAYS AFTER THE RECORD REINSTATING THE FINANCING STATEMENT IS
7 FILED, IN WHICH EVENT THE EFFECTIVENESS OF THE FINANCING
8 STATEMENT CONTINUES FOR 5 YEARS AFTER THE DAY ON WHICH THE
9 FINANCING STATEMENT WOULD HAVE LAPSED IF A TERMINATION STATEMENT
10 HAD NOT BEEN FILED.

11 (11) IF THE COURT IN AN ACTION TO REINSTATE A FINANCING
12 STATEMENT UNDER THIS SECTION DETERMINES THAT THE INDIVIDUAL WHO
13 FILED THE FINANCING STATEMENT WAS NOT ENTITLED TO FILE THE
14 FINANCING STATEMENT, THE INDIVIDUAL SHALL PAY THE COSTS AND
15 EXPENSES, INCLUDING LEGAL FEES, INCURRED BY THE PUBLIC OFFICER IN
16 THE ACTION.

17 (12) AN INDIVIDUAL WHO KNOWINGLY FILES A FALSE AFFIDAVIT
18 UNDER SUBSECTION (3) IS GUILTY OF A FELONY PUNISHABLE BY
19 IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF NOT MORE THAN
20 \$2,500.00, OR BOTH.

21 (13) AS USED IN THIS SECTION, "PUBLIC OFFICER" MEANS AN
22 INDIVIDUAL WHO IS, ON OR BEFORE THE DATE ON WHICH THE FINANCING
23 STATEMENT IS FILED, AN ELECTED OR APPOINTED OFFICIAL OR AN
24 EMPLOYEE OF THIS STATE, OF A LOCAL UNIT OF GOVERNMENT IN THIS
25 STATE, INCLUDING A COUNTY, TOWNSHIP, CITY, VILLAGE, COURT, OR
26 OTHER PUBLIC AUTHORITY, OR OF THE GOVERNMENT OF THE UNITED
27 STATES.

1 Sec. 9515. (1) Except as otherwise provided in subsections
2 (2), (5), (6), and (7), a filed financing statement is effective
3 for a period of 5 years after the date of filing.

4 (2) Except as otherwise provided in subsections (5), (6),
5 and (7), an initial financing statement filed in connection with
6 a manufactured-home transaction is effective for a period of 30
7 years after the date of filing if it indicates that it is filed
8 in connection with a manufactured-home transaction.

9 (3) The effectiveness of a filed financing statement lapses
10 on the expiration of the period of its effectiveness unless
11 before the lapse a continuation statement is filed pursuant to
12 subsection (4). Upon lapse, a financing statement ceases to be
13 effective and any security interest or agricultural lien that was
14 perfected by the financing statement becomes unperfected, unless
15 the security interest is perfected otherwise. If the security
16 interest or agricultural lien becomes unperfected upon lapse, it
17 is deemed never to have been perfected as against a purchaser of
18 the collateral for value.

19 (4) A continuation statement may be filed only within 6
20 months before the expiration of the 5-year period specified in
21 subsection (1) or the 30-year period specified in subsection (2),
22 whichever is applicable.

23 (5) Except as otherwise provided in section 9510, upon
24 timely filing of a continuation statement, the effectiveness of
25 the initial financing statement continues for a period of 5 years
26 commencing on the day on which the financing statement would have
27 become ineffective in the absence of the filing. Upon the

1 expiration of the 5-year period, the financing statement lapses
2 in the same manner as provided in subsection (3), unless, before
3 the lapse, another continuation statement is filed pursuant to
4 subsection (4). Succeeding continuation statements may be filed
5 in the same manner to continue the effectiveness of the initial
6 financing statement.

7 (6) If a debtor is ~~an organization identified as a~~
8 transmitting utility and a filed ~~initial~~ financing statement so
9 indicates, the financing statement is effective until a
10 termination statement is filed. ~~A financing statement that is~~
11 ~~filed before the effective date of the amendatory act that added~~
12 ~~this sentence is effective for a period of 5 years after the date~~
13 ~~of filing and shall not be continued under this section if the~~
14 ~~financing statement indicates either of the following:~~

15 ~~—— (a) That the debtor is an individual purporting to be a~~
16 ~~transmitting utility.~~

17 ~~—— (b) That the debtor is an individual showing his or her name~~
18 ~~as an organization and purporting to be a transmitting utility.~~

19 (7) A record of a mortgage that is effective as a financing
20 statement filed as a fixture filing under section 9502(3) remains
21 effective as a financing statement filed as a fixture filing
22 until the mortgage is released or satisfied of record or its
23 effectiveness otherwise terminates as to the real property.

24 Sec. 9516. (1) Except as otherwise provided in subsection
25 (2), communication of a record to a filing office and tender of
26 the filing fee or acceptance of the record by the filing office
27 constitutes filing.

(2) Filing does not occur with respect to a record that a filing office refuses to accept because of 1 or more of the following:

(a) The record is not communicated by a method or medium of communication authorized by the filing office.

(b) An amount equal to or greater than the applicable filing fee is not tendered.

(c) The filing office is unable to index the record because of 1 or more of the following:

(i) In the case of an initial financing statement, the record does not provide a name for the debtor.

(ii) In the case of an amendment or correction statement, the record does not identify the initial financing statement as required by section 9512 or 9518, as applicable, or identifies an initial financing statement whose effectiveness has lapsed under section 9515.

(iii) In the case of an initial financing statement that provides the name of a debtor identified as an individual or an amendment that provides a name of a debtor identified as an individual that was not previously provided in the financing statement to which the record relates, the record does not identify the debtor's last name.

(iv) In the case of a record filed or recorded in the filing office described in section 9501(1)(a), the record does not provide a sufficient description of the real property to which it relates.

(d) In the case of an initial financing statement or an

1 amendment that adds a secured party of record, the record does
2 not provide a name and mailing address for the secured party of
3 record.

4 (e) In the case of an initial financing statement or an
5 amendment that provides a name of a debtor which was not
6 previously provided in the financing statement to which the
7 amendment relates, the record does not provide or indicate 1 or
8 more of the following:

9 (i) Provide a mailing address for the debtor.

10 (ii) Indicate whether the debtor is an individual or an
11 organization.

12 (iii) If the financing statement indicates that the debtor is
13 an organization, provide 1 or more of the following:

14 (A) A type of organization for the debtor.

15 (B) A jurisdiction of organization for the debtor.

16 (C) An organizational identification number for the debtor
17 or indicate that the debtor has none.

18 (f) In the case of an assignment reflected in an initial
19 financing statement under section 9514(1) or an amendment filed
20 under section 9514(2), the record does not provide a name and
21 mailing address for the assignee.

22 (g) In the case of a continuation statement, the record is
23 not filed within the 6-month period prescribed by section
24 9515(4).

25 (3) For purposes of subsection (2), both of the following
26 apply:

27 (a) A record does not provide information if the filing

1 office is unable to read or decipher the information.

2 (b) A record that does not indicate that it is an amendment
3 or identify an initial financing statement to which it relates,
4 as required by section 9512, 9514, or 9518, is an initial
5 financing statement.

6 (4) A record that is communicated to the filing office with
7 tender of the filing fee, but which the filing office refuses to
8 accept for a reason other than one set forth in subsection (2),
9 ~~or section 9520(5),~~ is effective as a filed record except as
10 against a purchaser of the collateral which gives value in
11 reasonable reliance upon the absence of the record from the
12 files.

13 Sec. 9520. (1) A filing office shall refuse to accept a
14 record for filing for a reason set forth in section 9516(2) ~~or,~~
15 ~~if the filing office is the secretary of state, subsection (5)~~
16 and may refuse to accept a record for filing only for a reason
17 set forth in section 9516(2). ~~or, if the filing office is the~~
18 ~~secretary of state, subsection (5).~~

19 (2) If a filing office refuses to accept a record for
20 filing, it shall communicate to the person that presented the
21 record the fact of and reason for the refusal and the date and
22 time the record would have been filed had the filing office
23 accepted it. The communication must be made at the time and in
24 the manner prescribed by filing-office rule but, in the case of a
25 filing office described in section 9501(1)(b), in no event more
26 than 2 business days after the filing office receives the record.

27 (3) A filed financing statement satisfying section 9502(1)

1 and (2) is effective, even if the filing office is required to
2 refuse to accept it for filing under subsection (1). However,
3 section 9338 applies to a filed financing statement providing
4 information described in section 9516(2)(e) that is incorrect at
5 the time the financing statement is filed.

6 (4) If a record communicated to a filing office provides
7 information that relates to more than 1 debtor, this part applies
8 as to each debtor separately.

9 ~~—— (5) Notwithstanding any other provision of this act, if a~~
10 ~~person presents a record to the secretary of state for filing or~~
11 ~~recording, the secretary of state may refuse to accept the record~~
12 ~~for filing or recording if 1 or more of the following~~
13 ~~circumstances exist.~~

14 ~~—— (a) The record is not required or authorized to be filed or~~
15 ~~recorded with the secretary of state.~~

16 ~~—— (b) The record is being filed or recorded for a purpose~~
17 ~~outside the scope of this article.~~

18 ~~—— (c) The secretary of state has reasonable cause to believe~~
19 ~~the record is materially false or fraudulent.~~

20 ~~—— (d) The record asserts a claim against a current or former~~
21 ~~employee or officer of a federal, state, county, or other local~~
22 ~~governmental unit that relates to the performance of the~~
23 ~~officer's or employee's public duties, and for which the filer~~
24 ~~does not hold a properly executed security agreement or judgment~~
25 ~~from a court of competent jurisdiction.~~

26 ~~—— (e) The record indicates that the debtor and the secured~~
27 ~~party are substantially the same or that an individual debtor is~~

1 ~~a transmitting utility.~~

2 ~~—— (6) If a correction statement filed with the secretary of~~
3 ~~state under section 9518 alleges that a previously filed record~~
4 ~~was wrongfully filed, the secretary of state shall, without undue~~
5 ~~delay, determine whether the contested record was wrongfully~~
6 ~~filed. To determine whether the record was wrongfully filed, the~~
7 ~~secretary of state may require the person who filed the~~
8 ~~correction statement or the secured party to provide any~~
9 ~~additional relevant information requested by the secretary of~~
10 ~~state, including an original or copy of a security agreement that~~
11 ~~is related to the record. If the secretary of state finds that~~
12 ~~the record was wrongfully filed, the secretary of state shall~~
13 ~~terminate the record and the record is void and ineffective. The~~
14 ~~secretary of state shall notify the secured party named in the~~
15 ~~contested record of the termination.~~

16 ~~—— (7) If the secretary of state refuses to accept a record for~~
17 ~~filing or recording pursuant to subsection (5), the person who~~
18 ~~presented the record to the secretary of state may commence an~~
19 ~~action under section 9501a to require the secretary of state to~~
20 ~~accept the record for filing or recording. A record ordered by~~
21 ~~the court to be accepted is effective as a filed record from the~~
22 ~~initial filing date except as against a purchaser of the~~
23 ~~collateral which gives value in reasonable reliance on the~~
24 ~~absence of the record from the files.~~

25 ~~—— (8) A filing officer who, acting in a manner that does not~~
26 ~~subject the filing officer to personal liability under the~~
27 ~~statutes of this state, improperly refuses to accept a record for~~

~~filing or recording under subsection (5) is not personally liable for the improper refusal or determination.~~

~~(9) Subsection (5) does not apply to a financing statement filed by a regulated financial institution or a representative of a regulated financial institution. If a regulated financial institution that is attempting to file a financing statement is organized under the law of a governmental unit other than this state, the secretary of state may request the regulated financial institution or its representative to provide verification of regulation or licensure in the jurisdiction under whose law the institution is organized. As used in this subsection, "regulated financial institution" means that term as defined in section 9501a.~~

Sec. 9521. (1) A filing office that accepts written records for filing shall not refuse to accept a written initial financing statement ~~that conforms to the current format prescribed by the national conference of commissioners on uniform state laws~~ **IN THE FOLLOWING FORM**, except for a reason set forth in section 9516(2): ~~or 9520(5).~~

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (FRONT AND BACK) CAREFULLY

A. NAME AND PHONE OF CONTACT AT FILER [OPTIONAL]

B. SEND ACKNOWLEDGMENT TO: (NAME AND ADDRESS)

THE ABOVE SPACE IS FOR

FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - INSERT ONLY 1 DEBTOR NAME

1 (1A OR 1B) - DO NOT ABBREVIATE OR COMBINE NAMES
2 1A. ORGANIZATION'S NAME
3 _____
4 OR 1B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX
5 _____
6 1C. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
7 _____
8 1D. TAX ID. NO. ADD'L INFO. RE 1E. TYPE OF ORGANIZATION
9 SSN OR EIN ORGANIZATION
10 DEBTOR
11 _____
12 1F. JURISDICTION OF ORGANIZATION 1G. ORGANIZATIONAL
13 ID. NO., IF ANY
14 [] NONE
15 2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - INSERT ONLY 1
16 DEBTOR NAME (2A OR 2B) - DO NOT ABBREVIATE OR COMBINE NAMES
17 2A. ORGANIZATION'S NAME
18 _____
19 OR 2B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX
20 _____
21 2C. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
22 _____
23 2D. TAX ID. NO. ADD'L INFO. RE 2E. TYPE OF ORGANIZATION
24 SSN OR EIN ORGANIZATION
25 DEBTOR
26 _____
27 2F. JURISDICTION OF ORGANIZATION 2G. ORGANIZATIONAL
28 ID. NO., IF ANY
29 [] NONE
30 3. SECURED PARTY'S NAME (OR NAME OF TOTAL ASSIGNEE OF ASSIGNOR
31 S/P) - INSERT ONLY 1 SECURED PARTY NAME (3A OR 3B)
32 3A. ORGANIZATION'S NAME
33 _____
34 OR 3B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX
35 _____
36 3C. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
37 _____

4. THIS FINANCING STATEMENT COVERS THE FOLLOWING COLLATERAL:

5. ALTERNATIVE DESIGNATION [IF APPLICABLE]: ☐ LESSEE/LESSOR
☐ CONSIGNEE/CONSIGNOR ☐ BAILEE/BAILOR ☐ SELLER/BUYER
☐ AG. LIEN ☐ NON-UCC FILING

6. ☐ THIS FINANCING STATEMENT IS TO BE FILED (FOR RECORD) (OR
RECORDED) IN THE REAL ESTATE RECORDS.
ATTACH ADDENDUM [IF APPLICABLE]

7. CHECK TO REQUEST SEARCH REPORT(S) ON DEBTOR(S)

☐ ALL DEBTORS ☐ DEBTOR 1 ☐ DEBTOR 2

[ADDITIONAL FEE] [OPTIONAL]

8. OPTIONAL FILER REFERENCE DATA

FILING OFFICE COPY - NATIONAL UCC FILING STATEMENT (FORM UCC 1)
(REV. 07/29/98)

[BACK OF FORM]

UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS (FRONT AND BACK) CAREFULLY.

9. NAME OF FIRST DEBTOR (1A OR 1B) ON RELATED FINANCING STATEMENT

9A. ORGANIZATION'S NAME

OR 9B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

10. MISCELLANEOUS:

THE ABOVE SPACE IS FOR

FILING OFFICE USE ONLY

11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - INSERT ONLY 1
NAME (11A OR 11B) - DO NOT ABBREVIATE OR COMBINE NAMES

11A. ORGANIZATION'S NAME

1 _____

2 OR 11B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

3 _____

4 11C. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

5 _____

6 11D. TAX ID. NO. ADD'L INFO. RE 11E. TYPE OF ORGANIZATION

7 SSN OR EIN ORGANIZATION

8 DEBTOR

9 _____

10 11F. JURISDICTION OF ORGANIZATION 11G. ORGANIZATIONAL

11 ID. NO., IF ANY

12 _____ [] NONE

13 12. [] ADDITIONAL SECURED PARTY'S OR [] ASSIGNOR S/P'S NAME -

14 INSERT ONLY 1 NAME (12A OR 12B).

15 12A. ORGANIZATION'S NAME

16 _____

17 OR 12B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

18 _____

19 12C. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

20 _____

21 13. THIS FINANCING STATEMENT COVERS [] TIMBER TO BE CUT OR

22 [] AS-EXTRACTED COLLATERAL, OR IS FILED AS A [] FIXTURE

23 FILING.

24 14. DESCRIPTION OF REAL ESTATE:

25 _____

26 15. NAME AND ADDRESS OF A RECORD OWNER OF THE ABOVE-DESCRIBED

27 REAL ESTATE (IF DEBTOR DOES NOT HAVE RECORD INTEREST):

28 _____

29 16. ADDITIONAL COLLATERAL DESCRIPTION:

30 _____

31 17. CHECK ONLY IF APPLICABLE AND CHECK ONLY 1 BOX:

32 DEBTOR IS A [] TRUST OR [] TRUSTEE ACTING WITH RESPECT TO

33 PROPERTY HELD IN TRUST OR [] DECEDENT'S ESTATE

18. CHECK ONLY IF APPLICABLE AND CHECK ONLY 1 BOX:

[] DEBTOR IS A TRANSMITTING UTILITY

[] FILED IN CONNECTION WITH A MANUFACTURED-HOME TRANSACTION
- EFFECTIVE 30 YEARS

[] FILED IN CONNECTION WITH A PUBLIC-FINANCE TRANSACTION -
EFFECTIVE 30 YEARS

FILING OFFICE COPY - NATIONAL UCC FILING STATEMENT (FORM UCC 1AD)
(REV. 07/29/98)

(2) A filing office that accepts written records for filing
shall not refuse to accept a written financing statement
amendment ~~on a form that conforms to the current format~~
~~prescribed by the national conference of commissioners on uniform~~
~~state laws~~ IN THE FOLLOWING FORM, except for a reason set forth
in section 9516(2): ~~or 9520(5).~~

UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (FRONT AND BACK) CAREFULLY

A. NAME AND PHONE OF CONTACT AT FILER [OPTIONAL]

B. SEND ACKNOWLEDGMENT TO: (NAME AND ADDRESS)

THE ABOVE SPACE IS FOR

FILING OFFICE USE ONLY

1A. INITIAL FINANCING STATEMENT FILE NO.

1B. [] THIS FINANCING STATEMENT AMENDMENT IS TO BE FILED (FOR
RECORD) (OR RECORDED) IN THE REAL ESTATE RECORDS.

2. [] TERMINATION: EFFECTIVENESS OF THE FINANCING STATEMENT
IDENTIFIED ABOVE IS TERMINATED WITH RESPECT TO SECURITY
INTEREST(S) OF THE SECURED PARTY AUTHORIZING THIS TERMINATION
STATEMENT.

3. [] CONTINUATION: EFFECTIVENESS OF THE FINANCING STATEMENT

IDENTIFIED ABOVE WITH RESPECT TO SECURITY INTEREST(S) OF THE
 SECURED PARTY AUTHORIZING THIS CONTINUATION STATEMENT IS CON-
 TINUED FOR THE ADDITIONAL PERIOD PROVIDED BY APPLICABLE LAW.

4. ☐ ASSIGNMENT (FULL OR PARTIAL): GIVE NAME OF ASSIGNEE IN
 ITEM 7A OR 7B AND ADDRESS OF ASSIGNEE IN ITEM 7C; AND ALSO
 GIVE NAME OF ASSIGNOR IN ITEM 9.

5. AMENDMENT (PARTY INFORMATION): THIS AMENDMENT AFFECTS

☐ DEBTOR OR ☐ SECURED PARTY OF RECORD. CHECK ONLY 1 OF
 THESE 2 BOXES. ALSO CHECK 1 OF THE FOLLOWING THREE BOXES AND
 PROVIDE APPROPRIATE INFORMATION IN ITEMS 6 AND/OR 7.

☐ CHANGE NAME AND/OR ADDRESS: GIVE CURRENT RECORD NAME IN
 ITEM 6A OR 6B; ALSO GIVE NEW NAME (IF NAME CHANGE) IN
 ITEM 7A OR 7B AND/OR NEW ADDRESS (IF ADDRESS CHANGE) IN
 ITEM 7C.

☐ DELETE NAME: GIVE RECORD NAME TO BE DELETED IN ITEM 6A
 OR 6B.

☐ ADD NAME: COMPLETE ITEM 7A OR 7B, AND ALSO ITEM 7C; ALSO
 COMPLETE ITEMS 7D-7G (IF APPLICABLE).

6. CURRENT RECORD INFORMATION:

6A. ORGANIZATION'S NAME

OR 6B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7A. ORGANIZATION'S NAME

OR 7B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7C. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

7D. TAX ID. NO. ADD'L INFO. RE 7E. TYPE OF ORGANIZATION
 SSN OR EIN ORGANIZATION
 DEBTOR

7F. JURISDICTION OF ORGANIZATION 7G. ORGANIZATIONAL
 ID. NO., IF ANY

1 _____ [] NONE

2 8. AMENDMENT (COLLATERAL CHANGE): CHECK ONLY 1 BOX

3 DESCRIBE COLLATERAL [] DELETED OR [] ADDED, OR GIVE
4 ENTIRE [] RESTATED COLLATERAL DESCRIPTION, OR DESCRIBE
5 COLLATERAL [] ASSIGNED.

6 _____

7 9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT
8 (NAME OF ASSIGNOR, IF THIS IS AN ASSIGNMENT). IF THIS IS AN
9 AMENDMENT AUTHORIZED BY A DEBTOR WHICH ADDS COLLATERAL OR
10 ADDS THE AUTHORIZING DEBTOR, OR IF THIS IS A TERMINATION
11 AUTHORIZED BY A DEBTOR, CHECK HERE [] AND ENTER NAME OF
12 DEBTOR AUTHORIZING THIS AMENDMENT.

13 9A. ORGANIZATION'S NAME

14 _____

15 OR 9B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

16 _____

17 10. OPTIONAL FILE REFERENCE DATA

18 _____

19

20 FILING OFFICE COPY - NATIONAL UCC FINANCING STATEMENT AMENDMENT
21 (FORM UCC3) (REV. 07/29/98)

22

23 [BACK OF FORM]

24 UCC FINANCING STATEMENT AMENDMENT ADDENDUM

25 FOLLOW INSTRUCTIONS (FRONT AND BACK) CAREFULLY

26 11. INITIAL FINANCING STATEMENT FILE NO. (SAME AS ITEM 1A ON
27 AMENDMENT FORM)

28 _____

29 12. NAME OF PARTY AUTHORIZING THIS AMENDMENT (SAME AS ITEM 9 ON
30 AMENDMENT FORM)

31 12A. ORGANIZATION'S NAME

32 _____

33 OR 12B. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

34 _____

1 13. USE THIS SPACE FOR ADDITIONAL INFORMATION

2 _____ THIS SPACE IS FOR
3 _____ FILING OFFICE USE ONLY
4

5 FILING OFFICE COPY - NATIONAL UCC FINANCING STATEMENT AMENDMENT
6 ADDENDUM (FORM UCC3AD) (REV. 07/29/98)

7 (3) A FORM THAT A FILING OFFICE MAY NOT REFUSE TO ACCEPT
8 UNDER SUBSECTION (1) OR (2) MUST CONFORM TO THE FORMAT PRESCRIBED
9 FOR THE FORM BY THE NATIONAL CONFERENCE OF COMMISSIONERS.

10 Enacting section 1. Section 9501a of the uniform commercial
11 code, 1962 PA 174, MCL 440.9501a, is repealed.