

SENATE BILL No. 991

December 1, 2009, Introduced by Senator BROWN and referred to the Committee on Banking and Financial Institutions.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 3130, 3140, 3145, 3232, 3240, and 3248 (MCL
600.3130, 600.3140, 600.3145, 600.3232, 600.3240, and 600.3248),
section 3140 as amended by 2004 PA 538 and section 3240 as amended
by 2006 PA 579, and by adding section 3240a; and to repeal acts and
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3130. (1) The person making the sale **UNDER SECTION 3125**
2 shall execute deeds specifying the names of the parties in the
3 action, the date of the land contract or mortgage, when and where
4 it was recorded, a description of the premises sold, and the amount
5 for which each parcel of land described in the deed was sold. ~~and~~

1 ~~he~~ **THE PERSON** shall indorse upon each deed the time it becomes
 2 operative if the premises are not redeemed according to law. Unless
 3 the premises or any parcel of ~~them are~~ **THE PREMISES IS** redeemed
 4 within the time ~~limited for redemption~~, the deed ~~shall become~~
 5 **BECOMES** operative as to all parcels not redeemed, ~~and shall vest~~
 6 **VESTS** in the grantee named in the deed, ~~his~~ **OR THE GRANTEE'S** heirs
 7 ~~or assigns all the right, title, and interest which the mortgagor~~
 8 had at the time ~~of the execution of the mortgage~~ **WAS EXECUTED** or at
 9 any time ~~thereafter~~ **AFTER THE MORTGAGE WAS EXECUTED**.

10 (2) ~~The deed of sale as~~ **AS** soon as practicable and within 20
 11 days after ~~the~~ **A** sale **UNDER SECTION 3125, THE DEED OF SALE** shall be
 12 deposited with the register of deeds of the county in which the
 13 land ~~therein described~~ **IN THE DEED** is situated. ~~and the~~ **THE**
 14 register shall indorse upon the deed the time it was received, ~~and~~
 15 ~~shall record the deed at length, in a book to be provided in his~~
 16 ~~office for that purpose and shall index the deed in the regular~~
 17 **GENERAL** index of deeds, ~~and the~~ **RECORDS. THE** fee for recording the
 18 deed shall be included among the other costs and expenses allowed
 19 by law. ~~If the premises or any parcel of them are redeemed the~~
 20 ~~register of deeds shall write on the face of the record the work~~
 21 ~~"Redeemed" and he shall write at what date the entry is made and~~
 22 ~~sign the entry with his official signature.~~

23 Sec. 3140. (1) The mortgagor, the mortgagor's ~~heirs,~~
 24 ~~executors, or administrators~~ **HEIR OR PERSONAL REPRESENTATIVE**, or
 25 any person lawfully claiming from or under the mortgagor or the
 26 mortgagor's ~~heirs, executors, or administrators~~ **HEIR OR PERSONAL**
 27 **REPRESENTATIVE** may redeem the entire premises sold **UNDER SECTION**

1 3125 by paying, within 6 months ~~from the time of~~ **AFTER** the sale, to
 2 the purchaser or the purchaser's ~~executors, administrators,~~
 3 **PERSONAL REPRESENTATIVE** or assigns, or to the register of deeds in
 4 whose office the deed of sale is ~~deposited~~ **RECORDED** as provided in
 5 the court rules ~~,~~ for the benefit of the purchaser, the ~~sum which~~
 6 **AMOUNT THAT** was bid with interest from the date of the sale at the
 7 interest rate provided for by the mortgage.

8 (2) The vendee of a land contract, the vendee's ~~heirs,~~
 9 ~~executors, or administrators~~ **HEIR OR PERSONAL REPRESENTATIVE**, or
 10 any person lawfully claiming from or under the vendee or the
 11 vendee's ~~heirs, executors, or administrators~~ **HEIR OR PERSONAL**
 12 **REPRESENTATIVE** may redeem the entire premises sold **UNDER SECTION**
 13 3125 within 6 months ~~from the time of~~ **AFTER** the sale by paying to
 14 the purchaser or the purchaser's ~~executors, administrators,~~
 15 **PERSONAL REPRESENTATIVE** or assigns, or to the register of deeds in
 16 whose office the deed of sale is ~~deposited~~ **RECORDED** as provided in
 17 the court rules ~~,~~ for the benefit of the purchaser, the ~~sum which~~
 18 **AMOUNT THAT** was bid with interest from the date of the sale at the
 19 interest rate provided for by the land contract.

20 (3) The register of deeds shall not determine the amount
 21 necessary ~~for redemption~~ **TO REDEEM PROPERTY SOLD UNDER SECTION**
 22 3125. The purchaser shall attach an affidavit ~~with~~ **TO** the deed to
 23 be recorded under ~~this~~ section 3130 that states the exact amount
 24 required to redeem the property, including any daily per diem
 25 amounts. ~~, and the date by which the property must be redeemed~~
 26 ~~shall be stated on the certificate of auctioneer.~~ The purchaser may
 27 include in the affidavit the name of a designee responsible on

1 behalf of the purchaser to assist ~~the person redeeming~~ **A PERSON WHO**
2 **WISHES TO REDEEM** the property in computing the exact amount
3 required to redeem the property. The designee may charge a fee as
4 stated in the affidavit and may be authorized by the purchaser to
5 receive **MONEY FOR** redemption. ~~funds.~~ The purchaser shall accept the
6 amount computed by the designee.

7 (4) If ~~the sum~~ **MONEY** for redemption is paid to the register of
8 deeds, **THE PERSON REDEEMING THE PROPERTY UNDER SUBSECTION (1) OR**
9 **(2) SHALL PAY** a fee of ~~\$5.00 shall be paid~~ **\$10.00 TO THE REGISTER**
10 **OF DEEDS** for the care and custody of the ~~redemption~~ money.

11 (5) **A PERSON WHO REDEEMS PROPERTY UNDER SUBSECTION (1) OR (2)**
12 **BY PAYING THE REDEMPTION MONEY TO THE REGISTER OF DEEDS SHALL**
13 **DELIVER TO THE REGISTER OF DEEDS WITH THE MONEY A NOTICE TO THE**
14 **PURCHASER OR PURCHASER'S REPRESENTATIVE DESIGNATED UNDER SUBSECTION**
15 **(3) THAT CONTAINS ALL OF THE FOLLOWING INFORMATION:**

16 (A) **THE NAME AND ADDRESS OF THE PURCHASER OR DESIGNEE.**

17 (B) **THE NAME AND ADDRESS OF THE PERSON PAYING THE MONEY TO**
18 **REDEEM THE PROPERTY.**

19 (C) **THE AMOUNT PAID AND THE DATE ON WHICH IT WAS PAID TO THE**
20 **REGISTER.**

21 (D) **THE LIBER AND PAGE NUMBER, OR OTHER UNIQUE IDENTIFYING**
22 **NUMBER, WHERE THE DEED OF SALE GIVEN UNDER SECTION 3130 IS**
23 **RECORDED.**

24 (E) **A STATEMENT OF THE REQUIREMENTS OF SUBSECTION (7).**

25 (6) **ON RECEIVING A NOTICE UNDER SUBSECTION (5), THE REGISTER**
26 **OF DEEDS SHALL RECORD THE NOTICE AND THEN MAIL A COPY OF THE**
27 **RECORDED NOTICE TO THE PURCHASER OR THE DESIGNEE AT THE ADDRESS**

1 GIVEN IN THE NOTICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

2 (7) WITHIN 14 DAYS AFTER RECEIVING THE NOTICE UNDER SUBSECTION
3 (6), THE PURCHASER OR DESIGNEE SHALL RESPOND TO THE REGISTER OF
4 DEEDS BY DOING 1 OF THE FOLLOWING:

5 (A) IF THE AMOUNT PAID FOR REDEMPTION IS SUFFICIENT TO REDEEM
6 THE PROPERTY, SIGNING AND RECORDING A QUITCLAIM DEED OR OTHER
7 INSTRUMENT SUFFICIENT TO RELEASE THE PURCHASER'S INTEREST IN THE
8 PROPERTY TO THE PERSON PAYING THE MONEY. THE PURCHASER OR DESIGNEE
9 SHALL INCLUDE IN THE DEED THE LIBER AND PAGE NUMBER, OR OTHER
10 UNIQUE IDENTIFYING NUMBER, WHERE THE DEED OF SALE FROM WHICH THE
11 PROPERTY IS BEING REDEEMED IS RECORDED. ON RECORDING A QUITCLAIM
12 DEED OR OTHER INSTRUMENT UNDER THIS SUBDIVISION, THE REGISTER OF
13 DEEDS SHALL NOTE IN THE INDEX ENTRY THE LIBER AND PAGE NUMBER, OR
14 OTHER UNIQUE IDENTIFYING NUMBER, INCLUDED IN THE DEED PURSUANT TO
15 THIS SUBDIVISION.

16 (B) IF THE AMOUNT PAID FOR REDEMPTION IS NOT SUFFICIENT TO
17 REDEEM THE PROPERTY, NOTIFYING THE PERSON PAYING THE MONEY UNDER
18 SUBSECTION (1) OR (2) THAT THE AMOUNT PAID WAS INSUFFICIENT AND
19 ADVISING THE PERSON THAT IF THE PERSON WHO PAID THE MONEY BELIEVES
20 THE AMOUNT PAID WAS SUFFICIENT, THE PERSON MAY SEEK RELIEF FROM THE
21 COURT.

22 (8) ~~(5) If payments are made as provided~~ THE AMOUNT NECESSARY
23 TO REDEEM THE PROPERTY IS PAID AS REQUIRED under this section, the
24 deed of sale is void. If a distinct lot or parcel separately sold
25 is redeemed, leaving a portion of the premises unredeemed, ~~then the~~
26 deed of sale is void only as to the portion or portions of the
27 premises ~~which~~ THAT are redeemed.

(9) ~~(6)~~ The amount stated in ~~any affidavits~~ **AN AFFIDAVIT** recorded under ~~this section~~ **SUBSECTION (3)** shall be the amount necessary to satisfy the requirements for redemption under this section.

(10) **A PURCHASER OR DESIGNEE WHO FAILS TO RESPOND AS REQUIRED BY SUBSECTION (7) IS LIABLE TO THE PERSON PAYING THE MONEY IN THE AMOUNT OF \$1,000.00.**

Sec. 3145. (1) ~~The~~ **A** court may ~~make~~ **INCLUDE A** provision in ~~any~~ **A** judgment of foreclosure ~~for the adding to the amount determined in the judgment to be due, any sum or sums paid at any time~~ **THAT IF THE PURCHASER AT THE FORECLOSURE SALE PAYS EITHER OF THE FOLLOWING** after the foreclosure **SALE** and ~~prior to~~ **BEFORE** the expiration of the period of redemption **AND IF UNDER THE TERMS OF THE MORTGAGE OR LAND CONTRACT IT WOULD HAVE BEEN THE DUTY OF THE DEFENDANTS DETERMINED TO BE PERSONALLY LIABLE UNDER SECTION 3150 TO MAKE THE PAYMENT HAD THE MORTGAGE OR LAND CONTRACT NOT BEEN FORECLOSED, as** ~~taxes~~ **THE AMOUNT PAID SHALL BE ADDED TO THE AMOUNT DETERMINED TO BE DUE IN THE JUDGMENT:**

(A) **TAXES** assessed against the property. ~~and/or the portion of the~~

(B) **A** premium ~~of any~~ **FOR AN** insurance policy covering any buildings located on the premises ~~as is required~~ **NECESSARY** to keep the policy in force until the expiration of the period of redemption. ~~, if under the terms of the mortgage it would have been the duty of the defendants determined to be personally liable to have paid the taxes or insurance premium had the mortgage not been foreclosed. In case of any such~~

1 (2) ~~IF A~~ payment ~~which is made prior to~~ **UNDER SUBSECTION (1)**
 2 **BEFORE** the entry of the order confirming the ~~commissioner's~~ report
 3 of sale, determination of the additional liability shall be made in
 4 the order. ~~In case of any such~~ **IF A** payment **IS** made **UNDER**
 5 **SUBSECTION (1)** after the entry of the order, proof of the payment
 6 may be made by ~~filing~~ **RECORDING** with the register of deeds with
 7 whom the deed of sale is deposited, ~~RECORDED~~ an affidavit of
 8 payment by the purchaser or ~~some one in his~~ **SOMEONE ON** behalf
 9 ~~having~~ **OF THE PURCHASER WHO HAS** knowledge of the facts ~~together~~
 10 ~~with a~~ **AND THAT INCLUDES THE STATEMENT UNDER SUBSECTION (3). THE**
 11 **PURCHASER OR PERSON ACTING ON BEHALF OF THE PURCHASER SHALL ALSO**
 12 **RECORD EITHER OF THE FOLLOWING, AS APPLICABLE:**

13 (A) A receipt evidencing the payment of the taxes. ~~, or, in~~
 14 ~~case of insurance premiums, an~~

15 (B) **AN** affidavit of an agent of the insurance company stating
 16 ~~the making of~~ **THAT** the payment **WAS MADE** and also what portion of
 17 the payment covers the premium for the period ~~prior to~~ **BEFORE** the
 18 expiration of the period of redemption.

19 (3) **AN AFFIDAVIT OF A PURCHASER OR PERSON ACTING ON BEHALF OF**
 20 **A PURCHASER UNDER SUBSECTION (2) SHALL INCLUDE A STATEMENT OF THE**
 21 **EXACT ADDITIONAL AMOUNT REQUIRED TO REDEEM THE PROPERTY UNDER THIS**
 22 **SECTION, INCLUDING ANY PER DIEM AMOUNT, IF APPLICABLE.**

23 (4) ~~Redemption shall not be effected after the determination,~~
 24 ~~or filing of~~ **IF AN** affidavit and receipt ~~, or affidavits, as the~~
 25 ~~case may be, except upon payment of~~ **ARE RECORDED UNDER SUBSECTION**
 26 **(2), THE PROPERTY IS NOT REDEEMED UNLESS** the additional ~~sum or sums~~
 27 **AMOUNT IS PAID.** ~~In case~~ **IF** the property is not redeemed, the taxes

1 or **INSURANCE** premiums paid after the confirmation of sale shall not
2 be added to or included in the deficiency judgment.

3 Sec. 3232. (1) The officer or person making the sale **OF**
4 **PROPERTY UNDER THIS CHAPTER** shall ~~forthwith~~ **IMMEDIATELY** execute,
5 acknowledge, and deliver ~~to~~ to each purchaser a deed of the premises
6 bid off. ~~by him, and if~~ **IF** the lands are situated in several
7 counties, ~~he~~ **THE OFFICER OR PERSON** shall make separate deeds of the
8 lands in each county ~~and specify therein~~ **IN THE DEEDS** the precise
9 ~~amounts~~ **AMOUNT** for which each parcel of land ~~therein~~ described **IN**
10 **THE DEED** was sold. ~~And he~~ **THE OFFICER OR PERSON** shall endorse upon
11 each deed the time when the ~~same~~ **DEED** will become operative ~~in case~~
12 **IF** the premises are not redeemed according to law. ~~Such deed or~~
13 ~~deeds shall, as~~

14 (2) **AS** soon as practicable, and within 20 days after ~~such~~ **THE**
15 sale, **A DEED MADE UNDER SUBSECTION (1) SHALL** be deposited ~~RECORDED~~
16 with the register of deeds of the county in which the land ~~therein~~
17 described **IN THE DEED** is situated. ~~and the~~ **THE** register shall
18 endorse ~~thereon~~ **ON THE DEED** the time ~~the same~~ **IT** was received, and
19 ~~for the better preservation thereof, shall record the same at~~
20 ~~length in a book to be provided in his office for that purpose, IT,~~
21 and shall index ~~the same~~ **IT** in the regular **GENERAL** index of deeds,
22 and ~~the~~ **RECORDS. THE** fee for recording the ~~same~~ **DEED** shall be
23 included ~~among~~ **WITH** the other costs and expenses allowed by law. ~~In~~
24 ~~case such~~ **IF THE** premises shall be **ARE** redeemed, the register of
25 deeds shall ~~at the time of destroying such deed, as provided in~~
26 ~~section 3244 of this chapter, write on the face of such record the~~
27 ~~word "Redeemed", stating at what date such entry is made, and~~

~~signing such entry with his official signature~~ **NOTE IN THE INDEX TO RECORDS THE LIBER AND PAGE NUMBER OR OTHER UNIQUE IDENTIFYING NUMBER WHERE THE DEED IS RECORDED AND INDEXED THAT THE PROPERTY HAS BEEN REDEEMED AND THE DATE OF THE REDEMPTION.**

Sec. 3240. (1) A purchaser's deed **GIVEN UNDER SECTION 3232** is void if the mortgagor, the mortgagor's heirs ~~, executors, or administrators~~ **OR PERSONAL REPRESENTATIVE**, or any person lawfully claiming under the mortgagor or the mortgagor's heirs ~~, executors, or administrators~~ **OR PERSONAL REPRESENTATIVE** redeems the entire premises sold by paying the amount required under subsection (2) ~~within the applicable time limit prescribed in subsections (7) to (12) ,~~ to the purchaser or the purchaser's ~~executors, administrators,~~ **PERSONAL REPRESENTATIVE** or assigns, or to the register of deeds in whose office the deed is ~~deposited~~ **RECORDED** for the benefit of the purchaser.

(2) The amount required to be paid under subsection (1) is the ~~sum~~ **AMOUNT** that was bid for the entire premises sold, with interest from the date of the sale at the interest rate provided for by the mortgage, ~~together with~~ the amount of the sheriff's fee paid by the purchaser under section 2558(2)(q), and, **IF THE PAYMENT IS MADE TO THE REGISTER OF DEEDS**, an additional ~~\$5.00~~ **\$10.00** as a fee for the care and custody of the redemption money. ~~if the payment is made to the register of deeds.~~ The register of deeds shall not determine the amount necessary for redemption. The purchaser shall attach an affidavit with the deed to be recorded under this section that states the exact amount required to redeem the property under this subsection, including any daily per diem amounts. ~~, and the date by~~

1 ~~which the property must be redeemed shall be stated on the~~
 2 ~~certificate of sale.~~ The purchaser may include in the affidavit the
 3 name of a designee responsible on behalf of the purchaser to assist
 4 the person redeeming the property in computing the exact amount
 5 required to redeem the property. The designee may charge a fee as
 6 stated in the affidavit and may be authorized by the purchaser to
 7 receive ~~redemption funds~~ **MONEY TO REDEEM THE PROPERTY**. The
 8 purchaser shall accept the amount computed by the designee.

9 (3) If a distinct lot or parcel separately sold **UNDER THIS**
 10 **CHAPTER** is redeemed, leaving a portion of the premises unredeemed,
 11 the deed ~~shall be~~ **IS** void only to the redeemed parcel or parcels.

12 (4) If after the sale **OF PROPERTY UNDER THIS CHAPTER** the
 13 purchaser, the purchaser's heirs ~~, executors, or administrators~~ **OR**
 14 **PERSONAL REPRESENTATIVE**, or any person lawfully claiming under the
 15 purchaser or the purchaser's heirs ~~, executors, or administrators~~
 16 **OR PERSONAL REPRESENTATIVE** pays taxes assessed against the
 17 property, amounts necessary to redeem senior liens from
 18 foreclosure, condominium assessments, homeowner association
 19 assessments, community association assessments, or premiums on an
 20 insurance policy covering any buildings located on the property
 21 that under the terms of the mortgage it would have been the duty of
 22 the mortgagor to pay if the mortgage had not been foreclosed and
 23 that are necessary to keep the policy in force until the expiration
 24 of the period of redemption, ~~redemption shall be made~~ **THE PROPERTY**
 25 **IS REDEEMED** only upon payment of the sum specified in subsection
 26 (2) plus the amounts specified in this subsection with interest on
 27 the amounts specified in this subsection from the date of the

1 payment to the date of redemption at the interest rate specified in
2 the mortgage, if all of the following are filed with the register
3 of deeds with whom the deed is ~~deposited~~**RECORDED**:

4 (a) An affidavit by the purchaser or someone in his or her
5 behalf who has knowledge of the facts of the payment showing the
6 amount and items paid **AND THE EXACT AMOUNT THAT IS REQUIRED TO**
7 **REDEEM THE PROPERTY UNDER SUBSECTION (4), INCLUDING ANY PER DIEM**
8 **AMOUNT, IF APPLICABLE.**

9 (b) The receipt or copy of the canceled check evidencing the
10 payment of the taxes, amounts necessary to redeem senior liens from
11 foreclosure, condominium assessments, homeowner association
12 assessments, community association assessments, or insurance
13 premiums.

14 (c) An affidavit of an insurance agent of the insurance
15 company stating that the payment was made and what portion of the
16 payment covers the premium for the period before the expiration of
17 the period of redemption.

18 (5) If ~~the~~**A** redemption payment ~~in~~**UNDER** subsection (4)
19 includes an amount used to redeem a senior lien from a nonjudicial
20 foreclosure, the mortgagor ~~shall have~~**HAS** the same defenses against
21 the purchaser with respect to the amount used to redeem the senior
22 lien as the mortgagor would have had against the senior lien.

23 (6) The register of deeds shall indorse on the documents filed
24 under subsection (4) the time they are received. The register of
25 deeds shall record the affidavit of the purchaser ~~only and shall~~
26 ~~preserve in his or her files the recorded affidavit, ANY~~ receipts,
27 insurance receipts, ~~and~~**OR** insurance agent's affidavit ~~until~~

~~expiration of the period of redemption~~ **RECORDED UNDER SUBSECTION**
(4) .

(7) Subject to subsections (9) to (11), for a mortgage executed on or after January 1, 1965, on commercial or industrial property ~~—~~or multifamily residential property in excess of 4 units, the redemption period is 6 months from the date of the sale.

(8) Subject to subsections (9) to (11), for a mortgage executed on or after January 1, 1965, on residential property not exceeding 4 units and not more than 3 acres in size, if the amount claimed to be due on the mortgage at the date of the notice of foreclosure is more than 66-2/3% of the original indebtedness secured by the mortgage, the redemption period is 6 months.

(9) Subject to subsection (10), for a mortgage on residential property not exceeding 4 units, if the property is abandoned as determined under section 3241, the redemption period is 3 months.

(10) For a mortgage on residential property not exceeding 4 units, if the amount claimed to be due on the mortgage at the date of the notice of foreclosure is more than 66-2/3% of the original indebtedness secured by the mortgage and the property is abandoned as determined under section 3241, the redemption period is 1 month.

(11) If the property is abandoned as determined under section 3241a, the redemption period is 30 days or until the time to provide the notice required by section 3241a(c) expires, whichever is later.

(12) If subsections (7) to (11) do not apply, the redemption period is 1 year from the date of the sale.

(13) The amount stated in any affidavits recorded under this

1 section shall be the amount necessary to satisfy the requirements
2 for redemption under this section.

3 SEC. 3240A. (1) A PERSON WHO REDEEMS PROPERTY UNDER SECTION
4 3240 BY PAYING THE REDEMPTION MONEY TO THE REGISTER OF DEEDS SHALL
5 DELIVER TO THE REGISTER OF DEEDS WITH THE MONEY A NOTICE TO THE
6 PURCHASER OR A PERSON DESIGNATED UNDER SECTION 3240(2) THAT
7 CONTAINS ALL OF THE FOLLOWING INFORMATION:

8 (A) THE NAME AND ADDRESS OF THE PURCHASER OR DESIGNEE.

9 (B) THE NAME AND ADDRESS OF THE PERSON PAYING THE MONEY TO
10 REDEEM THE PROPERTY.

11 (C) THE AMOUNT PAID AND THE DATE ON WHICH IT WAS PAID TO THE
12 REGISTER.

13 (D) THE LIBER AND PAGE NUMBER, OR OTHER UNIQUE IDENTIFYING
14 NUMBER, WHERE THE DEED OF SALE GIVEN UNDER SECTION 3232 IS
15 RECORDED.

16 (E) A STATEMENT OF THE REQUIREMENTS OF SUBSECTION (3).

17 (2) ON RECEIVING A NOTICE UNDER SUBSECTION (1), THE REGISTER
18 OF DEEDS SHALL RECORD THE NOTICE AND THEN MAIL A COPY OF THE NOTICE
19 RECORDED TO THE PURCHASER OR THE DESIGNEE AT THE ADDRESS GIVEN IN
20 THE NOTICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

21 (3) WITHIN 14 DAYS AFTER RECEIVING THE NOTICE UNDER SUBSECTION
22 (2), THE PURCHASER OR DESIGNEE SHALL RESPOND TO THE REGISTER OF
23 DEEDS BY DOING 1 OF THE FOLLOWING:

24 (A) IF THE AMOUNT PAID FOR REDEMPTION IS SUFFICIENT TO REDEEM
25 THE PROPERTY, SIGNING AND RECORDING A QUITCLAIM DEED OR OTHER
26 INSTRUMENT SUFFICIENT TO RELEASE THE PURCHASER'S INTEREST IN THE
27 PROPERTY TO THE PERSON PAYING THE MONEY. THE PURCHASER OR DESIGNEE

1 SHALL INCLUDE IN THE DEED THE LIBER AND PAGE NUMBER OR OTHER UNIQUE
2 IDENTIFYING NUMBER WHERE THE DEED OF SALE FROM WHICH THE PROPERTY
3 IS BEING REDEEMED IS RECORDED. ON RECORDING A QUITCLAIM DEED OR
4 OTHER INSTRUMENT UNDER THIS SUBDIVISION, THE REGISTER OF DEEDS
5 SHALL NOTE IN THE INDEX ENTRY THE LIBER AND PAGE NUMBER OR OTHER
6 UNIQUE IDENTIFYING NUMBER INCLUDED IN THE DEED PURSUANT TO THIS
7 SUBDIVISION.

8 (B) IF THE AMOUNT PAID FOR REDEMPTION IS NOT SUFFICIENT TO
9 REDEEM THE PROPERTY, NOTIFYING THE PERSON PAYING THE MONEY THAT THE
10 AMOUNT PAID WAS INSUFFICIENT AND ADVISING THE PERSON THAT IF THE
11 PERSON WHO PAID THE MONEY BELIEVES THE AMOUNT PAID WAS SUFFICIENT,
12 THE PERSON MAY SEEK RELIEF FROM THE APPROPRIATE COURT.

13 (4) A PURCHASER OR DESIGNEE WHO FAILS TO RESPOND AS REQUIRED
14 BY SUBSECTION (3) IS LIABLE TO THE PERSON PAYING THE MONEY IN THE
15 AMOUNT OF \$1,000.00.

16 Sec. 3248. ~~If any~~ A person entitled to receive such redemption
17 ~~moneys~~ MONEY UNDER THIS CHAPTER WHO, ~~shall,~~ upon payment or tender
18 ~~thereof~~ OF THE MONEY to him OR HER, ~~refuse~~ REFUSES to make and
19 ~~acknowledge such certificate of payment, he shall be~~ SIGN AND
20 RECORD A QUITCLAIM DEED OR OTHER INSTRUMENT SUFFICIENT TO RELEASE
21 THE PURCHASER'S INTEREST IN THE PROPERTY AS REQUIRED BY SECTION
22 3240A IS liable to the person aggrieved thereby, ~~BY THE REFUSAL~~ in
23 the ~~sum~~ AMOUNT of ~~\$100.00 damages, over and above all the~~ \$1,000.00
24 PLUS ANY actual damages sustained. ~~, to be recovered in~~ THE
25 AGGRIEVED PERSON MAY RECOVER THE AMOUNT IN a civil action. ~~, except~~
26 ~~that no damages of any kind may be recovered from any~~ A register of
27 deeds who ~~shall refuse~~ REFUSES to accept tender of payment after

1 the time ~~indorsed~~ **ENDORSED** upon the deed ~~when the same shall become~~
2 ~~operative in case the premises are not redeemed, and the~~ **UNDER**
3 **SECTION 3232 IS NOT LIABLE FOR ANY DAMAGES CAUSED BY THE REFUSAL.**
4 **AN** officer or person making the ~~A~~ sale ~~shall be entitled to~~ **OF**
5 **PROPERTY UNDER THIS CHAPTER MAY** rely conclusively upon the recital
6 of the length of the redemption period contained in the notice of
7 foreclosure in making ~~such indorsement~~ **THE ENDORSEMENT** upon the
8 deed **UNDER SECTION 3232.**

9 Enacting section 1. Section 3244 of the revised judicature act
10 of 1961, 1961 PA 236, MCL 600.3244, is repealed.