

**Revised Statutes of 1846 (EXCERPT)**  
**CHAPTER 65. OF ALIENATION BY DEED, AND THE PROOF AND RECORDING OF**  
**CONVEYANCES, AND THE CANCELING OF MORTGAGES.**

**565.41 Discharge of mortgage; payment of filing fee by mortgagee; date of discharge.**

Sec. 41. (1) Within the applicable time period in section 44(2) after a mortgage has been paid or otherwise satisfied, the mortgagee or the personal representative, successor, or assign of the mortgagee shall prepare a discharge of the mortgage, file the discharge with the register of deeds for the county where the mortgaged property is located, and pay the fee for recording the discharge.

(2) If a discharge of mortgage received by a register of deeds under subsection (1) is not recorded on the day it is received, the register of deeds shall place on or attach to the discharge, by means of a stamp, electronically, or otherwise, the date the discharge is received. The date placed on or attached to the discharge under this subsection is prima facie evidence of the date the discharge was filed with the register of deeds.

**History:** Add. 1964, Act 110, Eff. Aug. 28, 1964;—Am. 2004, Act 447, Imd. Eff. Dec. 27, 2004.