

## DEVELOPMENT OF BLIGHTING PROPERTY (EXCERPT)

### Act 27 of 2002

\*\*\*\*\* 125.2805 THIS SECTION IS REPEALED BY ACT 27 OF 2002 EFFECTIVE MARCH 6, 2007 \*\*\*\*\*

#### **125.2805 Proof of notice; affidavit.**

Sec. 5. (1) Upon the mailing of the notice under section 4, the representative of the municipality responsible for the mailing of the notice shall file proof of the notice provided with the register of deeds of the county within which the property subject to designation as blighting property is located. The proof of notice shall be in the form of an affidavit and shall include all of the following:

(a) A description of the content of the notice provided.

(b) The name or names of the person or persons to whom the notice was addressed.

(c) A statement that the property is subject to designation as blighting property and subsequent transfer or condemnation.

(2) An affidavit recorded under subsection (1) creates a rebuttable presumption in the courts of this state that any person obtaining a legal interest in property subject to designation as blighting property following the recording of the affidavit by the representative of the municipality was properly notified that the property was subject to designation as blighting property and of the consequences of that designation, including, but not limited to, the condemnation of the property or the transfer of the property to the municipality or another person.

(3) If a representative of a municipality records an affidavit under subsection (1) and the municipality subsequently does not designate the property as blighting property, the municipality shall record as soon as practicable notice properly certified by a representative of the municipality and in the form of an affidavit that the property was not designated as blighting property and that the municipality no longer seeks to designate the property as blighting property.

**History:** 2002, Act 27, Imd. Eff. Mar. 6, 2002.