

HOUSE BILL No. 4447

April 7, 1987, Introduced by Reps. Brown, Ciaramitaro, Jondahl, Willis Bullard, Hoekman and Perry Bullard and referred to the Committee on Consumers.

A bill to amend sections 3212, 6052, and 6091 of Act No. 236 of the Public Acts of 1961, entitled as amended "Revised judicature act of 1961," sections 6052 and 6091 as amended by Act No. 297 of the Public Acts of 1974, being sections 600.3212, 600.6052, and 600.6091 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 3212, 6052, and 6091 of Act No. 236 of
2 the Public Acts of 1961, sections 6052 and 6091 as amended by Act
3 No. 297 of the Public Acts of 1974, being sections 600.3212,
4 600.6052, and 600.6091 of the Michigan Compiled Laws, are amended
5 to read as follows:

6 Sec. 3212. Every ~~such~~ notice REQUIRED UNDER SECTION 3208
7 shall specify ALL OF THE FOLLOWING:

1 (1) The names of the mortgagor, ~~and of~~ the mortgagee, and
2 the assignee of the mortgage, if any. ~~—~~

3 (2) The date of the mortgage, and when recorded. ~~—~~

4 (3) The amount claimed to be due ~~thereon~~ ON THE MORTGAGE
5 at the date of the notice. ~~—, and—~~

6 (4) A description of the mortgaged premises, conforming sub-
7 stantially with that contained in the mortgage; and THE STREET
8 ADDRESS OF THE PREMISES OR, IF THERE IS NOT A STREET ADDRESS FOR
9 THE PROPERTY, A STATEMENT OF THE RELATIONSHIP OF THE PROPERTY TO
10 THE MAJOR STREETS OR ROADS IN THE VICINITY OF THE PROPERTY REA-
11 SONABLY CALCULATED TO ENABLE A PERSON TO LOCATE THE PROPERTY.

12 (5) In the case of any mortgage executed on or after
13 January 1, 1965, the length of the redemption period as deter-
14 mined under section 3240.

15 Sec. 6052. Prior to the sale of any real estate taken on
16 execution, notice of the time and place of holding the sale, the
17 notice to describe the real estate with common certainty by set-
18 ting forth the name or number of the township in which it is
19 located, ~~and~~ the number of the lot, ~~or by other appropriate~~
20 ~~description of the premises~~ AND THE STREET ADDRESS OF THE PROP-
21 ERTY OR, IF THERE IS NOT A STREET ADDRESS FOR THE PROPERTY, A
22 STATEMENT OF THE RELATIONSHIP OF THE PROPERTY TO THE MAJOR
23 STREETS OR ROADS IN THE VICINITY OF THE PROPERTY REASONABLY CAL-
24 CULATED TO ENABLE A PERSON TO LOCATE THE PROPERTY shall be given
25 as follows:

26 (1) A written or printed notice shall be displayed in 3
27 public places in the township or city where the real estate is to

1 be sold at least 6 weeks prior to the sale, and if the sale is in
2 a township or city other than that ~~wherein~~ IN WHICH the
3 premises are located, notice shall also be displayed in 3 public
4 places in the township or city in which the premises are
5 located.

6 (2) A copy of the notice shall be published once each week
7 for the 6 successive weeks prior to the sale in a newspaper
8 printed in the county in which the premises are located, or, if
9 there is no newspaper, in a newspaper printed in an adjoining
10 county.

11 (3) If the sheriff or other officer adjourns the sale for
12 more than 1 week, he OR SHE shall give notice in the newspaper in
13 which the original notice was published and shall continue to
14 publish notices weekly throughout the adjournment. Notice of
15 adjournment must also be displayed for a like period at the place
16 where the sale is to be held.

17 Sec. 6091. Any person ~~only~~ authorized by an order of the
18 court to sell real estate in pursuance of any judgment, except as
19 otherwise provided by order of the court or by a rule of court,
20 shall give notice ~~of~~ AS PROVIDED IN SECTION 6052, and conduct
21 the sale as in the case of sale of real estate on execution. The
22 person making the sale shall have the same power and authority
23 and be subject to the same liability as in the case of sale of
24 realty on execution. All lawful fees for advertising and con-
25 ducting the sale shall be added to the amount due on the judgment
26 and collected ~~therewith~~ WITH THE JUDGMENT.