



HOUSE BILL No. 4707

May 5, 1993, Introduced by Rep. Bullard and referred to the Committee on Taxation.

A bill to amend section 72 of Act No. 206 of the Public Acts of 1893, entitled as amended

"The general property tax act,"

as amended by Act No. 539 of the Public Acts of 1982, being section 211.72 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 72 of Act No. 206 of the Public Acts of
2 1893, as amended by Act No. 539 of the Public Acts of 1982, being
3 section 211.72 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 72. Upon presentation of the purchaser's certificate
6 of sale prescribed by section 71 to the state treasurer or his or
7 her authorized representative after the expiration of the time
8 provided by law for the redemption of lands sold for the
9 nonpayment of taxes, the state treasurer shall cause a tax deed

1 of conveyance of the land ~~therein~~ described IN THE CERTIFICATE
 2 OF SALE to be executed and delivered to the purchaser, or his or
 3 her heirs or assigns, unless the sale was redeemed or annulled as
 4 provided by law. The tax deed of conveyance shall be sealed with
 5 the seal of the state treasurer and be signed by the state trea-
 6 surer or his or her authorized representative but ~~shall not~~
 7 ~~require~~ additional signatures of witnesses or A notary public
 8 ARE NOT REQUIRED. The tax deed ~~shall~~ MAY be ~~entitled to~~
 9 ~~record~~ RECORDED in the office of the register of deeds of the
 10 proper county ~~—~~ in the same manner and with like effect as
 11 other deeds duly witnessed, acknowledged, and certified. The tax
 12 deeds ~~shall~~ convey an absolute title to the land sold, and con-
 13 stitute conclusive evidence of title, in fee, in the grantee,
 14 subject, however, to all taxes assessed and levied on ~~such~~
 15 ~~lands~~ THE LAND subsequent to the taxes for which the ~~same~~ LAND
 16 was bid off. This title also ~~shall be~~ IS subject to unpaid
 17 SPECIAL ASSESSMENTS AND UNPAID installments of ~~taxes under the~~
 18 ~~provisions of Act No. 126 of the Public Acts of 1933, as~~
 19 ~~amended, being sections 211.301 to 211.311 of the Michigan~~
 20 ~~Compiled Laws, and all taxes for years subsequent thereto~~
 21 SPECIAL ASSESSMENTS. ~~Any~~ A person holding ~~any~~ A state tax
 22 deed of lands executed for nonpayment of taxes may commence an
 23 action in the circuit court of the county where the lands lie to
 24 quiet his or her title to the land without taking possession of
 25 the lands and all parties who have, ~~or~~ claim to have, or appear
 26 of record in the register's office in the county where the lands
 27 are situated to have, any interest in the land or who may be in

1 possession of the land may be made defendants in the action; and
 2 no outstanding unrecorded deed, mortgage, or claim shall be of
 3 any effect as against the title or right of the plaintiff as
 4 fixed and declared by the ~~decree~~ ORDER made in the case. If,
 5 upon hearing of the cause it ~~shall appear~~ APPEARS that the
 6 plaintiff's title was invalid for any reason not enumerated in
 7 section 76, the action shall not be dismissed by the court but
 8 the court shall ascertain the amount due to the plaintiff for
 9 principal and interest to be computed at the rate of 7% per annum
 10 and shall ~~decree~~ ORDER the payment ~~thereof~~ OF PRINCIPAL AND
 11 INTEREST within a reasonable time, and in default ~~thereof~~ shall
 12 direct that the land be sold ~~therefor~~ and that the equity and
 13 right of redemption of all defendants in the action ~~—~~ and all
 14 persons claiming under them ~~shall be~~ IS forever foreclosed.
 15 However, the proceedings in ~~such~~ THESE cases shall be conducted
 16 in the same manner as ~~nearly as may be,~~ and in conformity with
 17 the practice ~~in the case of~~ FOR THE foreclosure of mortgages.
 18 The courts may, on application, put the purchaser in possession
 19 of the premises by writs of assistance. ~~In the case of the loss~~
 20 ~~of the~~ IF A certificate of sale IS LOST, the purchaser or his or
 21 her legal representative or assignee ~~—~~ may file his or her
 22 affidavit ~~of such~~ INDICATING THE loss ~~—~~ and that he or she
 23 ~~was~~ at the time of the loss WAS the bona fide and legal holder
 24 ~~thereof, and the~~ OF THE LAND. THE state treasurer or his or
 25 her authorized representative shall ~~thereupon~~ THEN cause to be
 26 executed ~~—, as aforesaid,~~ a deed for the lands described IN the
 27 certificate, if the ~~same~~ LAND has not been redeemed ~~—~~ in the

1 same manner as though it had been presented and surrendered. →
2 ~~if~~ IF the ~~same~~ LAND has been redeemed, the money shall be
3 refunded to the person upon surrender of the certificate or if
4 lost upon presentation of the affidavit. A refund shall not be
5 made ~~in case~~ IF title to ~~such~~ THE lands has vested in the
6 state pursuant to purchase at a prior or subsequent tax sale.
7 ~~Any~~ A person who ~~shall make~~ MAKES an affidavit as ~~above~~
8 required → IN THIS SECTION or concerning any other matter
9 ~~which~~ THAT may be filed in the office of the state treasurer →
10 ~~shall be~~ IS liable to the penalties of perjury for any false
11 statement made in the affidavit with intent to defraud → upon
12 conviction → before a court having jurisdiction of the
13 offense.