



**House
Legislative
Analysis
Section**

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**TIME PERIOD FOR RECORDING
MINERAL INTERESTS**

House Bill 5724

Sponsor: Rep. Paul Tesanovich

Committee: Local Government

Complete to 4-29-96

A SUMMARY OF HOUSE BILL 5724 AS INTRODUCED 3-28-96

The bill would amend Public Act 200 of 1945, which deals with the recording of an interest in land, to do the following.

-- Currently, the act provides that a person who has an unbroken chain of title of record to any interest in land for 40 years is, with certain exceptions, deemed at the end of that period to have a marketable record title to that interest. House Bill 5724 would change the time period to 20 years for mineral interests, leaving the period at 40 years for other interests. (This refers to cases where no other party has filed an interest, claim, or charge during the time period.)

-- The bill specifies that the act does not apply to oil and gas interests in real property regulated under Public Act 42 of 1963, known as the dormant minerals act. That act contains a 20-year time period for deeming oil or gas interests to have been abandoned.

-- The bill would require that each person with a mineral interest in real property record the mineral interest with the register of deeds within two years after the effective date of the bill. A mineral interest that was not recorded within the required time period would be void and would revert to the surface owner of the property.

MCL 565.101 et al.

House Bill 5724 (4-29-96)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.