

SENATE BILL No. 299

March 1, 2007, Introduced by Senators VAN WOERKOM, JANSEN, BIRKHOLZ, GILBERT, BROWN, HARDIMAN, JELINEK, PAPPAGEORGE, STAMAS and GARCIA and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1937 PA 103, entitled

"An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds,"

by amending section 1 (MCL 565.201), as amended by 2002 PA 19.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) An instrument executed after October 29, 1937 by
2 which the title to or any interest in real estate is conveyed,
3 assigned, encumbered, or otherwise disposed of shall not be
4 ~~received for record~~ **RECORDED AT LENGTH** by the register of deeds of
5 any county of this state unless that instrument complies with each
6 of the following requirements:

7 (a) The name of each person purporting to execute the
8 instrument is legibly printed, typewritten, or stamped beneath the
9 original signature or mark of the person.

10 (b) A discrepancy does not exist between the name of each

1 person as printed, typewritten, or stamped beneath their signature
2 and the name as recited in the acknowledgment or jurat on the
3 instrument.

4 (c) The name of any notary public whose signature appears upon
5 the instrument is legibly printed, typewritten, or stamped upon the
6 instrument immediately beneath the signature of that notary public.

7 (d) The address of each of the grantees in each deed of
8 conveyance or assignment of real estate, including the street
9 number address if located within territory where street number
10 addresses are in common use, or, if not, the post office address,
11 is legibly printed, typewritten, or stamped on the instrument.

12 (e) If the instrument is executed before April 1, 1997, each
13 sheet of the instrument is all of the following:

14 (i) Typewritten or printed in type not smaller than 8-point
15 size.

16 (ii) Not more than 8-1/2 by 14 inches.

17 (iii) Legible.

18 (iv) On paper of not less than 13 (17x22-500) pound weight.

19 (f) If the instrument is executed after April 1, 1997, each
20 sheet of the instrument complies with all of the following
21 requirements:

22 (i) Has a margin of unprinted space that is at least 2-1/2
23 inches at the top of the first page and at least 1/2 inch on all
24 remaining sides of each page.

25 (ii) Subject to subsection (3), displays on the first line of
26 print on the first page of the instrument a single statement
27 identifying the recordable event that the instrument evidences.

1 (iii) Is electronically, mechanically, or hand printed in 10-
2 point type or the equivalent of 10-point type.

3 (iv) Is legibly printed in black ink on white paper that is not
4 less than 20-pound weight.

5 (v) Is not less than 8-1/2 inches wide and 11 inches long or
6 more than 8-1/2 inches wide and 14 inches long.

7 (vi) Contains no attachment that is less than 8-1/2 inches wide
8 and 11 inches long or more than 8-1/2 inches wide and 14 inches
9 long.

10 **(G) BEGINNING JANUARY 1, 2008, UNLESS STATE OR FEDERAL LAW,**
11 **RULE, REGULATION, OR COURT ORDER OR RULE REQUIRES THAT ALL OR MORE**
12 **THAN 4 SEQUENTIAL DIGITS OF THE SOCIAL SECURITY NUMBER APPEAR IN**
13 **THE INSTRUMENT, ALL OR AT LEAST 5 DIGITS OF ANY SOCIAL SECURITY**
14 **NUMBER APPEARING IN OR ON THE INSTRUMENT ARE OBSCURED OR REMOVED.**

15 (2) Subsection (1)(e) and (f) ~~do~~**DOES** not apply to instruments
16 executed outside this state or to the filing or recording of a plat
17 or other instrument, the size of which is regulated by law.

18 (3) A register of deeds shall not record an instrument
19 executed after April 1, 1997 if the instrument purports to evidence
20 more than 1 recordable event.

21 (4) Any instrument received and recorded by a register of
22 deeds shall be conclusively presumed to comply with this act. The
23 requirements contained in this act are cumulative to the
24 requirements imposed by any other act relating to the recording of
25 instruments.

26 (5) An instrument that complies with the provisions of this
27 act and any other act relating to the recording of instruments

- 1 shall not be rejected for recording because of the content of the
- 2 instrument.