

Legislative Analysis



REGISTER OF DEEDS: CORRECTING ERRORS

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House Bill 5293

Sponsor: Rep. Bill Caul

Committee: Local Government and Urban Policy

Complete to 10-17-05

A SUMMARY OF HOUSE BILL 5293 AS INTRODUCED 10-12-05

House Bill 5293 would amend Public Act 123 of 1915, which concerns the recording of real property, to clarify where corrections to documents may be filed.

The bill specifies that an affidavit to correct errors or omissions in a previously recorded document (including errors relating to the proper place of recording, and to scriveners' errors or omissions) may be recorded in the office of the Register of Deeds for the county where the property is located. The bill also specifies that the affidavit must meet the requirements of the act as to truthfulness, as well as to accuracy, in providing a legal description of the land. (If one knowingly makes a false statement, then the charge is perjury.) Also under the bill, an affidavit would not be necessary if a new document had been recorded indicating the corrective changes, and making reference to the errant recording by *liber* (volume, or book) and page number.

MCL 565.451 et al

FISCAL IMPACT:

The bill should have no state or local fiscal impact.

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