

**STATEMENT OF MARITAL STATUS IN INSTRUMENTS CONVEYING OR MORTGAGING
REAL ESTATE
Act 79 of 1915**

AN ACT to provide certain requirements in written instruments conveying or mortgaging real estate or any interest therein in which there are male grantors, mortgagors or other parties executing the same to entitle the same to record.

History: 1915, Act 79, Eff. Aug. 24, 1915.

The People of the State of Michigan enact:

565.221 Written instruments conveying or mortgaging real estate; statement of marital status; refusal to receive instrument for record; recording affidavit showing marital status; record of instrument and affidavit; effect; instrument recorded without marital status shown; elapse of 10 years; evidence.

Sec. 1. All written instruments conveying or mortgaging real estate or any interest therein, hereafter executed, shall state whether any and all male grantors, mortgagors, or other parties executing the instrument are married or single, and the register of deeds of the county in which the instrument is offered for record shall refuse to receive the instrument for record unless it conforms to the provisions of this act. If the instrument has been recorded in the office of the register of deeds of any county without the instrument showing the marital status as herein required, an affidavit stating the facts, executed in conformity with the provisions of Act No. 123 of the Public Acts of 1915, as amended, being sections 565.451a to 565.453 of the Michigan Compiled Laws, may be recorded in the register's office. Upon the recording of the affidavit showing the marital status of the male grantor, mortgagor, or party executing, on the date of the instrument, the record of the affidavit and the record of the instrument shall be effectual for all purposes of a legal record, and the record of the instrument and affidavit or a transcript thereof may be given in evidence in all cases, and the instrument shall be construed to be as valid and effectual as if it had contained a statement showing the marital status of the male person or persons executing it.

If an instrument has been recorded in the office of the register of deeds of any county without the instrument showing the marital status as herein required, and a period of 10 years has elapsed since the recording of the instrument, the record of the instrument or a transcript thereof may be given in evidence in all cases and shall be effectual for all purposes of a legal record and the instrument shall be construed to be as valid and effectual as if it had contained a statement showing the marital status of the male person or persons executing it.

History: 1915, Act 79, Eff. Aug. 24, 1915;—CL 1915, 11716;—CL 1929, 13327;—Am. 1937, Act 163, Imd. Eff. July 9, 1937;—CL 1948, 565.221;—Am. 1980, Act 489, Imd. Eff. Jan. 21, 1981.