

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.6051 Execution against real estate; effect; notice; invalid after 5 years.

Sec. 6051.

No levy by execution on real estate is valid:

(1) Against bona fide conveyances made subsequent to such levy, until a notice thereof, containing the names of the parties to the execution, a description of the premises levied upon, and the date of such levy, is filed by the officer making the levy in the office of the register of deeds of the county where the premises are situated. Such levy is a lien thereon from the time when notice is deposited; and the lien thus obtained is, from the filing of such notice, valid against all prior grantees and mortgagees of whose claims the party interested has neither actual nor constructive notice. The register shall record the same in full upon the records of that office, and make an index to the record, in a manner convenient for public reference, of the names of the parties to the execution as stated in the notice. The officer shall receive for making and recording the notice, the sum of 50 cents, and the register of deeds shall receive the same fee as is allowed by law for recording deeds, which fee the serving officer shall add to the costs to be collected by the execution and in like manner, collect the same. When the execution is fully paid, satisfied or discharged, the clerk of the court who issued execution, shall give to the defendant a certificate, signed by the sheriff and under seal of the court, that the execution is satisfied or discharged; and the certificate may be recorded in the same manner as is notice.

(2) After the expiration of 5 years from making the levy, unless the real estate is sold thereon or within such period.

History: 1961, Act 236, Eff. Jan. 1, 1963 ;-- Am. 1965, Act 284, Imd. Eff. July 22, 1965 ;-- Am. 1967, Act 278, Eff. Nov. 2, 1967