

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

600.6068 Vesting of title; action for injury to realty by grantee in deed; action for waste, injury, or removal of realty or fixtures for benefit of person acquiring rights.

Sec. 6068.

(1) The right and title of the person against whom execution was issued, to any real estate sold thereon, shall not be divested by such sale until the expiration of 15 months from the time of such sale.

(2) If such real estate is not redeemed, and a deed is executed in pursuance of a sale, the grantee in such deed shall be deemed vested with the legal estate from the time of such sale for the purpose of maintaining an action for injury to such real estate.

(3) If, at any time after a sale of real estate on execution, and before a deed is executed in pursuance of the sale, the defendant in the execution or any other person, commits waste on the real estate or removes from it any buildings, fences, or other fixtures belonging to the land which would pass to the grantee by a deed of conveyance of the land, the purchaser at the sale or any person who has acquired his rights, may have and maintain, against the person doing the injury and against any other person who has the buildings, fences or fixtures in his possession after such removal, the same actions which the absolute owner of the premises would be entitled to.

(4) After the commencement of any such action as mentioned in subsection (3) of this section, if any other creditor shall acquire the rights of the purchaser at such sale in pursuance of the provisions of this chapter, such action shall not thereby be abated or in any way affected; but the same may be prosecuted in the name of the plaintiff therein to final judgment, for the benefit of the person acquiring such rights after the commencement of the action, if he shall choose to prosecute the same, and if not, such plaintiff may continue the same for his own benefit.

History: 1961, Act 236, Eff. Jan. 1, 1963