

MARKETABLE RECORD TITLE (EXCERPT)
Act 200 of 1945

565.103 Marketable record title; successors in interest; notice of claims; recording for record.

Sec. 3.

(1) Except as otherwise provided in section 4, marketable record title is held by a person and is taken by the person's successors in interest free and clear of any and all interests, claims, and charges the existence of which depends in whole or in part on any act, transaction, event, or omission that occurred before the 20-year period for mineral interests, and the 40-year period for other interests, and all such interests, claims, and charges are void and of no effect at law or in equity. However, an interest, claim, or charge may be preserved and kept effective by recording not later than 2 years after the effective date of the amendatory act that added section 5a or during the 20-year period for mineral interests or the 40-year period for other interests a notice of claim that satisfies the requirements of section 5. However, unless the interest is excepted under section 4, an interest, claim, or charge that became void and of no effect under this subsection before March 29, 2019 or that expires or terminates based on its own terms is not effective and is not preserved by recording a notice of claim under this subsection.

(2) A disability or lack of knowledge of any kind on the part of anyone does not suspend the running of the 20-year period for mineral interests or the 40-year period for other interests.

(3) For the purpose of recording notices of claim for homestead interests, the date from which the 20-year period for mineral interests and the 40-year period for other interests run is the date of recording of the instrument that contains the basis for the claim.

(4) A notice under this section may be recorded by any of the following:

(a) The claimant.

(b) Any other person acting on behalf of a claimant as an agent or as authorized in writing.

(c) A property owners' association.

(d) Any other person acting on behalf of any claimant if 1 or more of the following conditions exist:

(i) The claimant is under a disability.

(ii) The claimant is unable to assert a claim on the claimant's own behalf.

(iii) The claimant is 1 of a class but whose identity cannot be established or is uncertain at the time of recording the notice of claim.

(5) The recording of a notice of claim under this section by a claimant that meets all the requirements of this act to preserve the claimant's rights in the land is an effective notice under this section for all other persons whose rights originate from the same instrument as the claimant's.

History: 1945, Act 200, Eff. Sept. 6, 1945 ;-- CL 1948, 565.103 ;-- Am. 1997, Act 154, Imd. Eff. Dec. 22, 1997 ;-- Am. 2018, Act 572, Eff. Mar. 29, 2019 ;-- Am. 2020, Act 294, Imd. Eff. Dec. 29, 2020 ;-- Am. 2024, Act 20, Imd. Eff. Mar. 28, 2024 ;-- Am. 2025, Act 13, Imd. Eff. Sept. 29, 2025