

MARKETABLE RECORD TITLE (EXCERPT)
Act 200 of 1945

565.105 Notice of claim to contain land description; requirements; form; recording, fees, indexing.

Sec. 5.

(1) To be effective and to be entitled to record, a notice of claim under section 3 must contain an accurate and full description of all the land affected by the notice and the description must be set forth in particular terms and not by general inclusions. The notice of claim must contain all of the following:

- (a) The claimant's name.
- (b) The claimant's mailing address.
- (c) The interest claimed to be preserved.
- (d) Except as to mineral interests, the liber and page or other unique identification number assigned by the office of the register of deeds for the recorded instrument creating the interest to be preserved.
- (e) The legal description of the land affected by the claimed interest.
- (f) The claimant's signature.
- (g) An acknowledgment in the form required by the Michigan law on notarial acts, 2003 PA 238, MCL 55.261 to 55.315.
- (h) The drafter's name and address.
- (i) An address to which the document can be returned.
- (j) The name and mailing address of all the owners of the land that is claimed to be affected by the notice of claim. For purposes of this subdivision, the names and mailing addresses of persons in whose names the land is assessed on the last completed tax assessment roll of the county in which the land is located at the time of recording are the owners of the land.

(2) The following form may be used and is sufficient to record a notice of claim under section 3, although this subsection does not preclude the use of a form that is substantially similar and meets the requirements of this section:

NOTICE

Claimant: _____

Whose address is _____

hereby claims the following described interest: _____

which was originally created by _____, recorded in liber _____, on page _____, _____ county records, and affects land located in the _____ of _____, County of _____, state of Michigan, and more fully described as:

Commonly known as: _____

Tax Item No. _____

The owner(s) of land affected by this notice, for purposes of MCL 565.105(1)(j), is/are:

whose address(es) is/are: _____

_____ <<Claimant>>

STATE OF _____)

_____) SS.

COUNTY OF _____)

This instrument was acknowledged before me on ____20____, by

<<Claimant>>

_____, Notary Public

_____ County, Michigan

My Commission
expires: _____

Acting in _____ County,
Michigan

Drafted by: _____ Return to: _____

(3) A notice of claim under section 3 must be recorded in the register of deeds office of the county or counties where the land described in the notice is located. The register of deeds of each county shall accept all notices of claim under section 3 that are presented to the register of deeds that describe land located in the county in which the register of deeds serves and shall enter and record full copies of the notices in the same way that deeds and other instruments are recorded.

(4) A register of deeds is entitled to charge the same fees for the recording of a notice under section 3 as are charged for recording deeds. In indexing notices under section 3, a register of deeds shall enter the notices under the grantee indexes of deeds under the names of the claimants appearing in the notices, and the grantor indexes under the names of the owners of the land appearing in the notices.

History: 1945, Act 200, Eff. Sept. 6, 1945 ;-- Am. 1947, Act 117, Imd. Eff. May 22, 1947 ;-- CL 1948, 565.105 ;-- Am. 2018, Act 572, Eff. Mar. 29, 2019 ;-- Am. 2025, Act 13, Imd. Eff. Sept. 29, 2025