

MARKETABLE RECORD TITLE (EXCERPT)
Act 200 of 1945

565.105a Conveyance of land or title; notice of claim; preclusion of interest, claim or charge; statements.

Sec. 5a.

(1) An instrument that conveys land or warrants title to land subject to an interest, claim, or charge or an instrument that encumbers land or warrants title to land subject to an interest, claim, or charge is not an effective notice of claim of an interest, claim, or charge for purposes of section 2 or 3 if the instrument states that the reference to the interest, claim, or charge is for the sole purpose of limiting the warranty in the instrument and does not create, preserve, or continue the interest, claim, or charge under this act. The inclusion of the following statement in the instrument is sufficient to preclude the creation, preservation, or continuation of an interest, claim, or charge in the land, although this subsection does not preclude the use of a statement that is substantially similar to the statement under this section:

"The references to the exceptions to title by liber and page or other county-assigned unique identifying number in this instrument are for the sole purpose of limiting the warranty or covenant of title, as applicable, in this instrument and do not create, preserve, or continue the interest, claim, or charge under 1945 PA 200, MCL 565.101 to 565.108."

(2) A statement in an instrument recorded after March 28, 2019, with the office of the register of deeds of the county in which the land is located that includes a statement that an interest is conveyed "subject to easements and restrictions of record" or substantially similar language, without reference to any liber and page or other county-assigned unique identifying number, is not effective to create, preserve, or continue any recorded easements or restrictions of record for purposes of section 2 or 3.

History: Add. 2025, Act 13, Imd. Eff. Sept. 29, 2025