

LAND CONTRACTS (EXCERPT)
Act 237 of 1879

565.358 Land contract mortgage; document; form; execution, acknowledgement, and recording; identification of encumbered interest; perfection of mortgage; priority.

Sec. 8. (1) Any document that would be sufficient to constitute a real estate mortgage upon an interest in real property shall constitute a land contract mortgage upon the vendor's or vendee's interest.

(2) A land contract mortgage shall be in a form and shall be executed, acknowledged, and recorded in the same manner as provided for real estate mortgages.

(3) A land contract mortgage need not specifically identify the interest encumbered as a vendor's or vendee's interest.

(4) A land contract mortgage that is recorded in the manner provided for real estate mortgages is perfected for all purposes, without filing, under the uniform commercial code, 1962 PA 172, MCL 440.1101 to 440.11102, any notice to the nonmortgaging vendor or the nonmortgaging vendee or the taking of possession of the original land contract document or otherwise. A land contract mortgage perfected in accordance with this section takes priority as a matter of law over all other mortgages, liens, security, or other interests in such vendor's or vendee's interests except those as to which a real estate mortgage would be subordinate.

History: Add. 1998, Act 106, Imd. Eff. June 3, 1998.