

# HOUSE BILL No. 4513

March 22, 1989, Introduced by Reps. DeBeaussiaert, Bartnik, DeMars, Kosteva, Brown, Perry Bullard, Jondahl, Leland, Gubow, Trim, Sikkema, Pitoniak, Stabenow and Gire and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend Act No. 245 of the Public Acts of 1970, entitled  
"Shorelands protection and management act of 1970,"  
being sections 281.631 to 281.644 of the Michigan Compiled Laws,  
by adding section 5b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Act No. 245 of the Public Acts of 1970, being  
2 sections 281.631 to 281.644 of the Michigan Compiled Laws, is  
3 amended by adding section 5b to read as follows:

4       SEC. 5B. (1) IF THE COMMISSION DETERMINES PURSUANT TO SEC-  
5 TION 3 THAT A SHORELAND CONTAINS A HIGH RISK AREA, THE COMMISSION  
6 SHALL PROVIDE NOTICE OF THAT FACT BY CERTIFIED MAIL TO THE OWNER  
7 OF THE REAL PROPERTY CONTAINING THAT HIGH RISK AREA. THE  
8 COMMISSION SHALL MAKE ITS DETERMINATIONS OF HIGH RISK AREAS  
9 AVAILABLE TO THE GENERAL PUBLIC.

1       (2) A PERSON WHO RECEIVES WRITTEN NOTICE OR NOTICE THROUGH A  
2 RECORDED INSTRUMENT THAT A PARCEL OF HIS OR HER REAL PROPERTY  
3 CONTAINS SHORELAND DETERMINED BY THE COMMISSION TO BE A HIGH RISK  
4 AREA SHALL NOT SELL ANY INTEREST IN THAT REAL PROPERTY UNLESS HE  
5 OR SHE FIRST PROVIDES WRITTEN NOTICE TO THE PURCHASER THAT THE  
6 REAL PROPERTY CONTAINS THIS HIGH RISK AREA. THE WRITTEN NOTICE  
7 PROVIDED BY THE SELLER SHALL BE A SEPARATE INSTRUMENT, AND IF THE  
8 INSTRUMENT CONVEYING THE INTEREST IN REAL PROPERTY IS RECORDED,  
9 THE WRITTEN NOTICE SHALL BE RECORDED WITH THE REGISTER OF DEEDS  
10 IN THE APPROPRIATE COUNTY, ALONG WITH THE INSTRUMENT CONVEYING  
11 THE INTEREST IN THE REAL PROPERTY. A CONTRACT OR SALE ENTERED  
12 INTO IN VIOLATION OF THIS SECTION SHALL BE VOIDABLE AT THE OPTION  
13 OF THE PURCHASER.