

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.6062 Redemption of real estate; time; persons entitled to make; effect on sale and certificate; amount stated in recorded affidavit.

Sec. 6062. (1) Not later than 1 year from the date when sale on execution is made, the real estate sold or any distinct lot, tract, or portion that is separately sold or the interest in real estate so sold may be redeemed by payment to the purchaser, to the purchaser's personal representatives or assigns, or to the officer who makes the sale, or to the register of deeds in whose office such certificate is recorded, for the use of the purchaser, of the sum of money bid on the sale of the lot or tract, together with the interest on that sum from the date of sale, computed at the interest rate provided for by the judgment under which the sale was made. The register of deeds shall not determine the amount necessary for redemption. The purchaser shall attach an affidavit with the deed to be recorded under this section that states the exact amount required to redeem the property, including any daily per diem amounts, and the date by which the property must be redeemed shall be stated in the certificate of sale. The purchaser may include in the affidavit the name of a designee responsible on behalf of the purchaser to assist the person redeeming the property in computing the exact amount required to redeem the property. The designee may charge a fee as stated in the affidavit and may be authorized by the purchaser to receive redemption funds. The purchaser shall accept the amount computed by the designee.

(2) Redemption may be made by any of the following:

(a) The person against whom the execution is issued and whose right and title are sold in pursuance of the execution.

(b) If the person is dead, by his or her devisee of the premises sold, and if there is no devisee, by the executor or administrator with the approval of the judge of probate, or by the person's heirs.

(c) By any grantee of the person who acquires an absolute title by deed, sale under mortgage, or under an execution, or by any other means, to the premises sold or to any lot, tract, parcel, or portion which is separately sold.

(d) The purchaser of the title and right of redemption of the person against whom the execution issues.

(e) Any heir or devisee of the person, or any grantee of the heir or devisee, who acquires an absolute title to a portion of the estate sold, or to a portion of any lot, tract, or parcel that is separately sold, or the executor or administrator of the person, with the approval of the judge of probate. The person has the same remedy to enforce contribution from those who own the residue of the lot, tract, or parcel as if the sum required to be paid by him or her to effect redemption was collected by a sale of the portion belonging to the grantee.

(f) Each of several persons having undivided shares, as joint tenants or tenants in common, in the premises sold, or in any particular lot or tract sold, by paying to the purchaser or officer a sum that bears the same proportion to the whole sum bid for the premises or for the particular lot or tract as the share proposed to be redeemed bears to the whole number of shares of the premises, lot, or tract, together with the interest on the sum.

(g) A defendant lessee where the unexpired term of the lease exceeds 3 years at the date of sale on execution. On the redemption, the defendant is entitled to repossess, recover, and enjoy the premises from the execution purchaser or the purchaser's assigns.

(3) Upon payment being made by any person so entitled to redeem any real estate so sold, the sale of the premises so redeemed and the certificate of the sale and deed to the extent of the premises or shares so redeemed are void.

(4) The amount stated in any affidavits recorded under this section shall be the amount necessary to satisfy the requirements for redemption under this section.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 2004, Act 538, Eff. Mar. 30, 2005.