

**THE CODE OF CRIMINAL PROCEDURE (EXCERPT)**  
**Act 175 of 1927**

**765.21 Surety on recognizance; attachment of lien; record notice of lien, form, effect.**

Sec. 21.

Upon the execution of any recognizance in the usual form and an affidavit of justification containing a description of real estate there shall immediately attach to the said real estate, described in said affidavit of justification, a lien in favor of the people of the state of Michigan in the penal amount of the recognizance, which lien shall remain in full force and effect during the time that said recognizance remains effective, or until the further order of said court. Upon the acceptance by any of the judges of any such court of a recognizance in the usual form containing the above described affidavit of justification, and description of real estate, the said recognizance shall be immediately filed with the clerk of such court. The clerk of such court shall forthwith upon the filing with him of said recognizance, record with the register of deeds of the county in which said real estate is located, a notice of lien in writing in substantially the following form:

To Whom It May Concern:

TAKE NOTICE that the hereinafter described real estate located in the county of ..... has been pledged for the sum of ..... dollars (\$.....) to the people of the state of Michigan, by ..... surety upon the recognizance of ..... in a certain cause pending in ..... court for the city of.....

county

to-wit:

People of the state of Michigan, Plaintiff, vs.

Defendant, known and identified in said court as Cause No.

Description of Real Estate.

..  
..  
..

city

..

Clerk of the

.....

Court.

For the county of

Dated

Said notice of lien, when recorded, shall constitute notice to everyone that the real estate therein described has been pledged to the people of the state of Michigan as security for the performance of the conditions of a criminal recognizance, in the penal amount set forth in said recognizance.

**History:** 1927, Act 175, Eff. Sept. 5, 1927 ;-- CL 1929, 17183 ;-- CL 1948, 765.21 ;-- Am. 1958, Act 122, Eff. Sept. 13, 1958

**Former Law:** See section 2 of Act 17 of 1926.