

THE MUSEUM DISPOSITION OF PROPERTY ACT (EXCERPT)
Act 24 of 1992

399.607 Notice by museum to terminate loan of property; determining identity and last known address of lender; written statement included in notice; signed return receipt not received; publication of notice in newspaper.

Sec. 7. (1) Before terminating a loan of property, a museum shall provide notice of a termination of a loan of property as provided in this section. In providing notice of a termination of a loan of property, a museum shall employ all reasonable means to determine the identity and last known address of the lender of that property, and, if applicable, the identity and last known address of the lender's designee.

(2) If the museum determines the identity of the lender and the lender's last known address, the museum shall personally serve or send to that lender, by certified mail, return receipt requested, a notice of termination of loan. The notice shall include a written statement substantially conforming to the following:

"Records of _____ (name of museum) indicate you loaned the following property to the museum _____ (description of property), on or about _____ (date of loan).

____ The term of the loan has expired.

____ The loan was for an indefinite time and the museum wishes to terminate the loan.

____ The museum is permanently closing.

(check appropriate blank)

You are required to contact the museum and make arrangements for the removal of the property. If you do not remove the property within 1 year of receiving this notice, you will be deemed to have donated the property to the museum and any ownership or other rights in the property you have shall end.

To make arrangements to pick up the property, please contact _____ (name of museum employee or office) at _____ (museum address), _____ (telephone number)."

(3) If a signed return receipt of a notice sent by certified mail to the lender under subsection (2) is not received by the museum within 30 days after the notice is mailed, the museum shall do 1 of the following:

(a) If records of the museum identify a lender's designee, the museum shall send notice by certified mail, return receipt requested, to that designee.

(b) If records of the museum do not identify a lender's designee, the museum shall make written request to the secretary of state for the lender's current address, and use all other reasonable means to determine the lender's current address. If the museum obtains the lender's current address, the museum shall proceed under subsection (2).

(4) If the museum is unable to determine the identity of the lender or the lender's last known address, the identity of the lender's designee or the designee's last known address, or if a signed return receipt of a notice sent by certified mail to the lender or the lender's designee under subsection (2) or (3) is not received by the museum within 30 days after the notice is mailed, the museum shall publish the notice of termination of loan at least twice, 60 or more days apart, in a newspaper of general circulation in the county in which the museum is located, and the county of the lender's most recent address, if known. The notice shall substantially conform to the following:

"The _____ (name of museum) was loaned the following property _____ (description of property), by _____ (name of lender, if known), of _____ (lender's last known address, if any) on or about _____ (approximate date of loan, if known).

If you claim ownership or another legal interest in this property, you are required to establish your interest and to remove the property from the museum within 1 year of the date of this notice, or your interest shall end.

To preserve your interest in the property, contact _____ (name of museum employee or office) at _____ (museum address), _____ (telephone number)."

History: 1992, Act 24, Imd. Eff. Mar. 23, 1992.