

THE THIRD JUDICIAL CIRCUIT
OF MICHIGAN

711 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3413

DOCKET DIRECTIVE 2007-08 – AMENDED

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: Proceedings Regarding Wayne County Land Bank Corporation's Quiet Title Actions

This docket directive is issued pursuant to MCR 8.110 and 8.111.


IT IS ORDERED THAT:

Effective July 1, 2007, all complaints to quiet title (CH) and accompanying requests for *ex parte* orders for alternative service related to or arising out of the Land Bank Fast Track Act initiated by Wayne County Land Bank Corporation ("WCLB") filed in the Third Circuit Court shall be assigned to the docket of the Chief Judge. The docket directive is necessary for the purpose of administrative efficiency, judicial economy, establishing adequate minimum due process, including notice requirements, and to avoid the potential for conflicting decisions on the same issue by judges of the same court.

The following procedures will apply to all complaints to quiet title and, if necessary, requests for *ex parte* orders for alternative service filed:

1. Each complaint to quiet title to real estate and request for *ex parte* order for alternative service shall include allegations that the following minimum diligent inquiry efforts were made with respect to each owner or interested parties of record in the subject property:
 - (a) Completion of a title search of the records of the Wayne County Register of Deeds, the Wayne County Treasurer property tax records, and the tax records in the offices of the local assessor and local treasurer to identify and locate owners or interested parties of record in the subject property and their last known address.

- (b) Service of process was made by certified mail at the last known address of owners or interested parties of record, as ascertained through diligent inquiry efforts described above. Notification was made via regular mail addressed to the "Occupant" for each property if an address for the property is ascertainable.
 - (c) Posting a copy of the complaint to quiet title on each of the subject properties identified in the action and publishing notice in a newspaper with general circulation in the County of Wayne related to the complaint to quiet title on each of the subject properties.
2. Pursuant to the Land Bank Fast Track Act ("Land Bank Act"), and in similar fashion to the Tax Forfeiture and Foreclosure Act, all properties identified by the WCLB as requiring quiet title actions may be joined and filed as one action, requiring only one filing fee. Although the Act allows the WCLB to file quiet title actions on all properties in its inventory under a single complaint, the WCLB will file quiet title actions on no more than 100 subject properties for each complaint to quiet title filed ("Batch Filing"). Each Batch Filing shall require a single complaint filing fee.
 3. If necessary, the WCLB will file one *ex parte* order for alternative service for each action. The order shall list all properties and all known owners and interested parties of record and their unknown, unnamed claimants, owners, spouses of owners, lien holders, devisees, heirs, or assignees. The order shall also identify the last known address of record with respect to each owner and interested party of record.
 4. Upon the filing by the WCLB of a notice of entry of default, or a motion for default judgment, all diligent inquiry efforts shall be specifically detailed in an affidavit pertaining to each case and shall otherwise be in conformity with this docket directive and applicable court rules.
 5. Recognizing the significant costs and effort associated with providing copies of common evidence exhibits with each complaint to quiet title filed in these actions, each complaint to quiet title will identify all common evidence exhibits and the locations where a copy of such common evidence exhibits may be obtained. One such location shall include the Wayne County Circuit Court Clerk's office located on the 2nd floor of the Coleman A. Young Building and the other location may include the Wayne County internet website, www.waynecounty.com.



Mary Beth Kelly, Chief Judge
Third Judicial Circuit of Michigan

Dated: June 18, 2007