

STATE OF MICHIGAN  
MACOMB COUNTY CIRCUIT COURT

Petition for Foreclosure of  
Certain Parcels of Property Due to  
Unpaid Taxes, Interest and Fees

No. 2013- 2353 -CH  
Hon. DAVID F. VIVIANO /

FRANK KRYCIA (P35383)  
Macomb County Assistant  
Corporation Counsel,  
Attorney for Petitioner  
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RECEIVED

JUN 13 2013

CARMELLA SABAUGH  
Macomb County Clerk

PETITION FOR TAX FORECLOSURE

Plaintiff/Petitioner, Ted B. Wahby, the Macomb County Treasurer, through his attorneys,  
Macomb County Corporation Counsel, Frank Krycia, Assistant Corporation Counsel, states:

1. Plaintiff is the Foreclosing Governmental Unit for Macomb County and files this petition pursuant to the General Property Tax Act, Public Act 206 of 1893, as amended.
2. That Exhibit A to this Petition sets forth each parcel of property that remains unredeemed after forfeiture to the Treasurer of Macomb County on March 1 of this year, or forfeited in prior years and have not yet been foreclosed on due to deferral, and which, if not redeemed, will be subject to foreclosure for the forfeited unpaid delinquent taxes, interest, penalties, and fees set forth opposite each parcel of property.
3. That the forfeited unpaid delinquent taxes, interest, penalties, and fees opposite each parcel of property set forth in this petition constitute a valid lien upon the property and have remained unpaid for sufficient time as to require inclusion in this Petition of each parcel of property against which the taxes, interest, penalties, and fees are assessed.

Therefore, Petitioner asks:

- a. That the Court set a date for hearing on this Petition for Foreclosure not more than 30 days before March 1, 2014 as required by MCL 211.78h(5).
- b. That, within the time provided by law, this Court enters a judgment of foreclosure upon this Petition in favor of Petitioner against each parcel of property set forth in this Petition for the forfeited unpaid delinquent taxes, interest, penalties, and fees and additional interest,

penalties and fees that may accrue as allowed by statute.


c. That the final judgment vest absolute fee simple title to each parcel of property in Petitioner, without further rights of redemption, if all foreclosed delinquent taxes, interest, penalties and fees against each parcel are not paid on or before March 31, 2014, or in a contested case within 21 days of the entry of a judgment foreclosing the property.

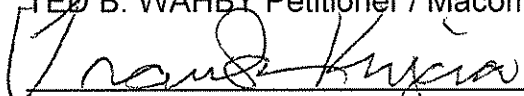
d. That the final judgment extinguish all liens against each parcel, including any lien for unpaid taxes or special assessments, except future installments of special assessments and liens recorded by the state pursuant to 1994 PA 451, MCL 324.101 *et seq.*, if all foreclosed delinquent taxes, interest, penalties, and fees against each parcel are not paid on or before March 31, 2014, or in a contested case within 21 days of the entry of a judgment foreclosing the property.

e. That the final judgment extinguish all existing recorded and unrecorded interest in each parcel, except a visible or recorded easement or right-of-way, private deed restrictions, restrictions or other governmental interest, imposed pursuant to 1994 PA 451, MCL 324.101 *et seq.*, interests of a lessee or an assignee of an interest of a lessee under an oil or gas lease recorded before the date this Petition is filed, and interests preserved under §1(3) of the dormant minerals act, MCL 554.291(3), if all forfeited delinquent taxes, interest, penalties, and fees against each parcel are not paid on or before March 31, 2014, or in a contested case within 21 days of the entry of a judgment foreclosing the property.

f. That the final judgment provide that Petitioner has good and marketable fee simple title to each parcel, subject only to the rights reserved in the judgment, if all foreclosed delinquent taxes, interest, penalties, and fees against each parcel are not paid on or before March 31, 2014, or in a contested case within 21 days of the entry of a judgment foreclosing the property.

g. That Petitioner be granted such other and further relief as this Court finds to be just and equitable.

  
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TED B. WAHBY Petitioner / Macomb County Treasurer

  
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FRANK KRYCIA (P 35383) Attorney for Petitioner

Dated: June 13, 2013