

STATE OF MICHIGAN
MACOMB COUNTY CIRCUIT COURT

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

No. 2022- 002098 -CH
Hon. MATTHEW P SABAUGH

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PETITION FOR TAX FORECLOSURE

Petitioner, Lawrence Rocca, the Macomb County Treasurer, through his attorneys, Macomb County Corporation Counsel, Frank Krycia, Assistant Corporation Counsel, states:

1. Petitioner 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 which remains unredeemed after forfeiture to the Macomb County Treasurer on March 1 of this year, or forfeited in prior years and have not yet been foreclosed on, and which, if not redeemed, will be subject to foreclosure for the forfeited unpaid taxes, interest, penalties, and fees set forth opposite each parcel of property.
3. The forfeited unpaid 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, 2023 as required by MCL 211.78h(5).
- b. That, within the time provided by law, this Court enter 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, 2023, 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, 2023, 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 interests in each parcel of property, except a visible or recorded easement or right-of-way, private deed restrictions, interests of a lessee or an assignee of an interest of a lessee under a recorded oil or gas lease, interests in oil or gas in that property that are owned by a person other than the owner of the surface that have been preserved as provided in section 1(3) of 1963 PA 42, MCL 554.291, interests in property assessable as personal property under section 8(g), or restrictions or other governmental interests imposed under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106., if all forfeited delinquent taxes, interest, penalties, and fees against each parcel are not paid on or before March 31, 2023, or in a contested case within 21 days of the entry of a judgment foreclosing the property.

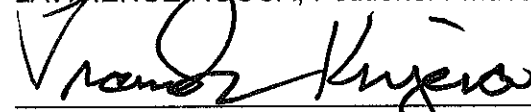
f. That the final judgment provide that Petitioner has good and marketable fee simple title to each parcel, subject only to the rights reserved in the judgment, if all foreclosed delinquent taxes, interest, penalties, and fees against each parcel are not paid on or before March 31, 2023, or in a contested case within 21 days of the entry of a judgment foreclosing the property.

g. That the final judgment provide that it is a final order with respect to each parcel affected by the judgment and unless appealed pursuant to MCL 211.78k(7) shall not be modified, stayed, or held invalid after March 31, 2023, or in a contested case, within 21 days of the entry of judgment foreclosing the property except as stipulated by the parties and approved by this Court.

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



LAWRENCE ROCCA, Petitioner / Macomb County Treasurer



FRANK KRYCIA (P 35383) / Attorney for Petitioner

Dated: June 9, 2022