

STATE OF MICHIGAN
MACOMB COUNTY CIRCUIT COURT

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

No. 2012-2596-CH
Hon. John C. Foster

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TAX FORECLOSURE JUDGMENT

At a session of said Court, held in the City of
Mt. Clemens, County of Macomb, State of
Michigan on February 8, 2013

PRESENT: HONORABLE JOHN C. FOSTER

The Court having conducted the foreclosure hearing in this matter on February 8, 2013 as required by MCL 211.78k and the proofs in this matter having been presented and the record being closed except as to objections filed by Rams Bar & Grill, parcel number 12-13-28-431-027, which is being decided as a contested matter, and the Hall Meadows properties, parcel numbers 20-08-34-326-077 through 20-08-34-326-116 and 20-08-34-326-157 through 20-08-34-326-176, on which the Court heard objections at

the hearing and has taken those objections under advisement:

THE COURT FINDS that Petitioner, the Macomb County Treasurer has complied with the requirements of the Tax Reversion Act, MCL 211.78 *et seq.* as amended and all persons having an interest in properties listed in Exhibit 1 admitted at the hearing have been provided notice and an opportunity to be heard;

Except for the objections filed by Rams Bar & Grill and Hall Meadows, no other objections were made on the record at the February 8, 2013 hearing.

The Court finds that Petitioner is entitled to a judgment of foreclosure pursuant to MCL 211.78k(5):

THEREFORE, IT IS ORDERED THAT JUDGMENT IS GRANTED IN FAVOR OF PETITIONER WITH THE FOLLOWING TERMS AND CONDITIONS:

(a) The amount of forfeited delinquent taxes, interest, penalties, and fees set forth in the list of foreclosed property attached to this Judgment as Exhibit A is valid, and except for the reserved parcels Judgment of Foreclosure is entered in favor of Petitioner against each parcel of property, separately, for payment of the amount set out against the parcel.

(b) That fee simple title to property foreclosed upon by this judgment will vest absolutely in Petitioner, subject to the limitations in paragraphs (c) and (d) below, without any further rights of redemption, if all forfeited delinquent taxes, interest, penalties, and fees foreclosed against the parcel plus any additional interest and fees allowed by statute are not paid to Petitioner on or before March 31, 2013 or as otherwise noted in paragraph (g).

(c) 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 or Petitioner pursuant to the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 *et seq.*, are extinguished, if all forfeited delinquent taxes, interest, penalties, and fees foreclosed against the parcel, plus any additional interest and fees allowed by statute are not paid to Petitioner on or before March 31, 2013 or as otherwise noted in paragraph (g).

(d) All existing recorded and unrecorded interests in each parcel are extinguished, except: (1) a visible or recorded easement or right-of-way, (2) private deed restrictions, (3) restrictions or other governmental interests imposed pursuant to the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 *et seq.*, (4) interests of a lessee or an assignee of a lessee under an oil or gas lease recorded before the date of filing of the Petition in this action, and (5) interests preserved under §1(3) of the Dormant Minerals Act, 1963 PA 42, MCL 554.291(3), if all forfeited delinquent taxes, interest, penalties, and fees foreclosed against the parcel

plus any additional interest and fees allowed by statute are not paid to Petitioner on or before March 31, 2013 or as otherwise noted in paragraph (g).

(e) Petitioner has good and marketable fee simple title to the property, subject to the limitations in paragraphs (c) and (d) above, if all forfeited delinquent taxes, interest, penalties, and fees foreclosed against the parcel plus any additional interest and fees allowed by statute are not paid to Petitioner on or before March 31, 2013 or as otherwise noted in paragraph (g).

(f) The Court finds that all persons entitled to notice and an opportunity to be heard have been provided that notice and opportunity and that the Petitioner complied with the notice requirements in MCL 211.78i and all interested persons have either actual notice or constructive notice of these proceedings.

(g) The redemption period is extended as indicated for parcels listed on Exhibit B to this judgment.

(h) If a parcel other than the Rams Bar & Grill parcel and Hall Meadows parcels numbers 20-08-34-326-077 through 20-08-34-326-116 and 20-08-34-326-157 through 20-08-34-326-176, is not included on the list attached as Exhibit A to this judgment, it is deemed to have been removed by amendment of the original list of properties attached to the petition as Exhibit A, or on this Court's ruling on objections. The properties removed remain forfeited unless redeemed or if the Petitioner has cancelled the forfeiture on a specific property pursuant to MCL 211.78g. Petitioner may add parcels removed from this action to subsequent foreclosure actions to collect the taxes that remain outstanding, including fees, penalties, and interest that remain unpaid and the taxes remain in full force and effect to the extent they remain unpaid.

(i) Pursuant to MCL 211.78k(5)(g) this judgment is a final order as to all property listed on Exhibit A, except for the Rams Bar & Grill parcel and Hall Meadows parcels, numbers 20-08-34-326-077 through 20-08-34-326-116 and 20-08-34-326-157 through 20-08-34-326-176, subject to the terms of this Judgment including Exhibit B. This case remains open pending the resolution of the objections on parcel 12-13-28-431-027 and the Court's decision on Hall Meadows' objections.

2/8/2013

/s/John C. Foster
HON. JOHN C. FOSTER (P28189)
Macomb County Circuit Court Judge

(cpb)