

**NOTICE OF PROPERTIES SUBJECT TO FORECLOSURE IN 2024 FOR DELINQUENT
PROPERTY TAX**

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Supplement to the Macomb Daily

DO NOT LOSE YOUR PROPERTY DUE TO UNPAID TAXES!

On March 1, 2023 real estate with **unpaid 2021 and prior property taxes** were forfeited to the Macomb County Treasurer pursuant to the General Property Tax Act, Public Act 206 of 1893, MCL 211.1 to 211.157, as amended.

The Macomb County Treasurer is acting as the Foreclosing Governmental Unit (FGU) in proceedings to foreclose on this property for unpaid property taxes. **UNLESS THE FORFEITED DELINQUENT TAXES, PENALTIES, INTEREST AND FEES ARE PAID ON OR BEFORE March 31(unless weekend), 2024, YOU WILL LOSE YOUR INTEREST IN THE PROPERTY, INCLUDING ANY EQUITY ASSOCIATED WITH AN INTEREST IN THE PROPERTY, AND TITLE TO THE PROPERTY WILL VEST ABSOLUTELY IN THE MACOMB COUNTY TREASURER** and all existing interests in the property shall be extinguished except interest of lessees or assignees for recorded oil or gas leases or oil and gas interests as identified in MCL 554.291(3).

There are two hearings scheduled to finalize the foreclosure process. This publication is intended to provide additional notice to parties of interest in these parcels as to the nature, time, and location of these hearings.

A SHOW CAUSE HEARING is scheduled for January 18, 2024 at 8:30 A.M. at the office of the Macomb County Treasurer, One South Main St., 2nd Floor, Mt. Clemens, MI 48043. YOU DON'T NEED TO WAIT FOR THE SHOW CAUSE TO APPLY FOR A PAYMENT PLAN. TO APPLY NOW VISIT WWW.TREASURER.MACOMBGOV.ORG If you would like to schedule an appointment with our staff, appointments are available 1/16/24 and 1/17/24. Please call (586) 469-5190. Any person with an interest in the property forfeited to the County Treasurer may appear at the show cause hearing and redeem that property or show cause why absolute title to that property should not vest in the FGU.

A JUDICIAL FORECLOSURE HEARING is scheduled for February 2, 2024 at 10:00 A.M. at the courtroom of Judge JAMES M. BIERNAT, JR., 40 N. Main, 3rd Floor, Mt. Clemens, MI 48043. At this hearing the Foreclosing Governmental Unit shall ask that the court enter a judgment foreclosing the property as requested in the petition for foreclosure. A person claiming an interest in a parcel of property set forth in the petition for foreclosure, who desires to contest that petition, must file written objections with the clerk of the circuit court and serve those objections on the Macomb County Treasurer, the Foreclosing Governmental Unit and Macomb County Corporation Counsel. This case is subject to e filing. The docket number of the petition is 2023-1951-CH.

If you are a person with an interest in property being foreclosed:

A person claiming an interest in a parcel of property may contest the validity or correctness of the forfeited unpaid delinquent taxes, interest, penalties and fees for 1 or more of the following reasons:

- a. No law authorized the tax.
- b. The person appointed to decide whether a tax shall be levied under a law of this state acted without jurisdiction, or did not impose the tax in question.
- c. The property was exempt from the tax in question, or was not legally assessed.
- d. The tax has been paid within the time limited by law for payment or redemption.
- e. The tax was assessed fraudulently.
- f. The description of the property used is indefinite or erroneous.

You may lose your interest in the property as a result of these foreclosure proceedings. You have the right to redeem this property by paying the delinquent taxes, penalties and interest to the Macomb County Treasurer. If the property is not redeemed by March 31, 2024 or in a contested case, within 21 days of entry of the judgment foreclosing the property under MCL 211.78k, the right to redeem will expire and the title to the property shall vest absolutely in the foreclosing governmental unit and all existing interests in the property shall be extinguished except for: (i) the interests of a lessee or an assignee of an interest of a lessee under an oil or gas lease in effect as to the property or any part of the property if the lease

was recorded in the office of the register of deeds in the county in which the property is located before the date of filing the petition for foreclosure under MCL 211.78h or (ii) oil and gas interests preserved as provided in section 1(3) of the dormant minerals act, MCL 554.291(3). You have the right to redeem this parcel from the foreclosure process by payment of all forfeited unpaid delinquent taxes, interest, penalties, and fees prior to the expiration of the redemption period. You should contact the County Treasurer for the amount required to redeem.

Any party who holds a legal interest in the property at the time of foreclosure has the right to make a claim for remaining proceeds, which first requires completing and sending the Notice of Intention required by MCL 211.78t(2) to the FGU no later than July 1, immediately following foreclosure. Those who wish to consult with an attorney about this notice and pending tax foreclosure may go to the State Bar of Michigan's legal resource and referral web page at <https://lrs.michbar.org> or may call (800) 968-0738 for assistance in finding private legal counsel.

PLEASE NOTE:

The following list represents parties that appear to have title, lien or other apparent rights to the parcels being foreclosed by the Foreclosing Governmental Unit. Your rights may be affected even if you are not named in the list, if the person named is deceased and you are an heir to the estate, received an assignment or purchased the property from a named person.

This notice is required to be given by law, even if the party no longer claims or desires an interest if it appears they hold any undischarged, apparent, or potential title or lien right to the property.

Listing of a party does NOT necessarily indicate that they are the owner of a parcel, or that they are liable for the property taxes.

This list is NOT an offering of property for sale. These parcels are **NOT** being sold, auctioned, or otherwise made available by virtue of this notice. There is **no procedure** for purchasing these parcels from the Foreclosing Governmental Unit at this point in the foreclosure proceeding. Those parcels that are foreclosed and not redeemed **may** become available at **public auction** in August, September and/or October of **2024**. **These parcels remain the property of their current owner** until redemption rights have expired. **No party should make any attempt to inspect or enter upon these parcels** assuming them to be for sale. This may constitute trespassing and subject the offender to criminal prosecution. The street address of the parcels listed is based on local records and is not guaranteed to be the actual location of the property.

The **current amount** required to redeem **must be obtained from the Macomb County Treasurer, One South Main, 2nd Floor, Mt. Clemens, MI 48043, phone: (586) 469-5190,** as additional penalties, fees, and interest have accrued since forfeiture.

HOW TO SAVE YOUR PROPERTY FROM TAX FORECLOSURE

www.treasurer.macombgov.org

It is important that you contact the Macomb County Treasurer's Office as soon as possible to avoid property tax foreclosure. Please do not wait until the January Show Cause Hearing.

To assist you in preventing foreclosure, and to help you KEEP MACOMB YOUR HOME, my office offers a variety of payment programs. The first is a Pay AS You Stay (PAYS) program, the second is a Tax Foreclosure Avoidance Agreement (TFAA), the third is a Delinquent Property Tax Installment Plan (DPTIP), and the fourth is an Extension of Redemption agreement (EOR).

PAY AS YOU STAY (PAYS)

If you own and occupy your property as a principal residence, have a poverty exemption on the property, and reside in a municipality that has opted into the program, you may be eligible for a waiver of interest and fees and up to three years to pay your delinquent taxes.

TAX FORECLOSURE AVOIDANCE AGREEMENT (TFAA)

If you occupy your property as your primary residence, your income falls below 100% of federal poverty guidelines, and your assets do not exceed the Macomb County Treasurer's Office Asset Threshold, you may be eligible to reduce your interest rate from 18% to 6%. This plan will bundle all of your delinquent taxes together and pay them the reduced interest rate of 6% over three years, and in some circumstances within no more than 5 years.

DELINQUENT PROPERTY TAX INSTALLMENT PLAN (DPTIP)

If you own and occupy your property as your primary residence, and your income falls below 200% of the federal poverty guidelines, you may be eligible to receive a reduction in interest from 18% to 12% for your 2021 and prior year taxes. Your 2021 and prior year taxes must be paid in full by December 31, 2024.

EXTENSION OF REDEMPTION AGREEMENT (EOR)

This agreement is available for residential and commercial property and you do not need to live in the property. You will receive an extension of the time to pay your taxes. This program requires monthly payments, and if you are compliant with your payment plan you will receive a deferral from Foreclosure.



To apply for a payment plan to avoid tax foreclosure, please visit our website at www.treasurer.macombgov.org or scan this QR Code and fill out the form. A representative of the Macomb County Treasurer's Office will follow up with you once your application has been submitted.

PETITION FOR TAX FORECLOSURE

Petitioner, Lawrence Rocca, the Macomb County Treasurer, through his attorneys, Macomb County Corporation Counsel, Frank Krycia and Molly Zappitell, 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, 2024 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, 2024, 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, 2024, 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, 2024, 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, 2024, 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, 2024, 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.

Dated: June 13, 2023

LAWRENCE ROCCA, Petitioner / Macomb County Treasurer

FRANK KRYCIA (P35383) / Attorney for Petitioner

MOLLY ZAPPITELL (P56996) / Attorney for Petitioner