

Leelanau County Board of Commissioners
Regular Session – May 21, 2013

Motion #160-05212013 Regular Session

MOTION AMENDED BY BUNEK TO RESCIND LEELANAU COUNTY RESOLUTION #2009-009, AND APPROVE LEELANAU COUNTY RESOLUTION #2013-010, LEELANAU COUNTY LAND BANK FAST TRACK AUTHORITY POLICY, WITH CHANGE AS NOTED. SECOND AMENDED BY LAUTNER.

ROLL CALL: Lautner – YES; Rentenbach – YES; Rushton – YES; Watkoski – YES; Zemaitis – YES; Bunek – YES; Van Pelt – YES.

AYES – 7 NO – 0

MOTION CARRIED.

**Leelanau County Resolution #2013-010
Land Bank Fast Track Authority Policy**

Purpose

This Policy addresses the County's role in the real property tax foreclosure process, and the acquisition and conveyance of tax foreclosed properties, with respect to the Leelanau County Land Bank Fast Track Authority ("the Land Bank"). This Policy replaces the July 21, 2009 Land Bank Agreement adopted in Resolution #2009-009, which has been rescinded.

Tax Foreclosed Properties

The Leelanau County Treasurer serves as the Foreclosing Governmental Unit (FGU) for the County under the General Property Tax Act, MCL 211.78 *et seq.* The FGU is vested with fee simple title to all tax foreclosed properties as of April 1 of each year.

On or before July 1 of each year, the County Treasurer shall prepare a list of tax foreclosed properties suitable for acquisition by the Land Bank, and submit that list to the Land Bank and the County Board of Commissioners. The Land Bank shall make a list from among those tax foreclosed properties listed by the County Treasurer that it wishes to acquire, and submit that list to the County Treasurer and the County Board of Commissioners. To the extent the tax foreclosed properties so listed by the Land Bank are not first purchased by the State, or a city, village or township in which the property is located, the County may purchase the listed properties from the FGU for the minimum bid, pursuant to MCL 211.78m(1).

The FGU shall deliver a deed to the County for each tax foreclosed property purchased by the County. The County shall have the option, thereafter to promptly convey the tax foreclosed properties to the Land Bank by deed upon payment by the Land Bank to the County of the same minimum bid price paid by the County to acquire the properties.

Any remaining tax foreclosed properties shall be offered for public sale by the FGU, or transferred to a city, village, or township in which the property is located. On or after January 1 of each year, for any tax foreclosed properties that are not sold to the public or transferred to a city, village or township, that remain in the possession of the FGU pursuant to MCL 211.78m(7), the Land Bank shall prepare a list of those remaining tax foreclosed properties that it wishes to acquire, and submit that list to the FGU and the County Board of Commissioners. The tax foreclosed properties so listed by the Land Bank may be conveyed from the FGU to the Land Bank by deed, as permitted by MCL 124.755(6).