

TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN: Your County Finance Committee respectfully recommends the adoption of the following:

R E S O L U T I O N

WHEREAS, ad valorem real property taxes are imposed by the County and the local taxing units within the County on July 1 and December 1 of each year; and

WHEREAS, a portion of these taxes remain unpaid and uncollected on March 1 of the year following assessment, at which time they are returned delinquent to the County Treasurer (“Treasurer”); and

WHEREAS, annually on March 1, the Treasurer begins a three year process of attempting to collect the delinquent taxes by issuing statutory notices and site visits to avoid property tax foreclosure; and

WHEREAS, in the second year of delinquency, a title search is conducted on each forfeited parcel which can be a complicated process, providing details of parties of interest, history of ownership, and property description; and

WHEREAS, through a long-standing mutually agreed upon process, the Berrien County Register of Deeds Office has provided the title searches to the Treasurer with temporary workers who search approximately 2,000 properties each year; and

WHEREAS, the Register of Deeds and Treasurer concluded that the title searches should be outsourced due to the liability associated with the process that has compounded due to the 2020 changes in the General Property Tax Law that gives prior property owners the right to claim excess proceeds from the tax foreclosure auction; and

WHEREAS, Title Check, LLC has conducted the tax foreclosure auctions for Berrien County in 2020 and 2021 and they also provide foreclosure services to 77 of 83 Michigan counties; and

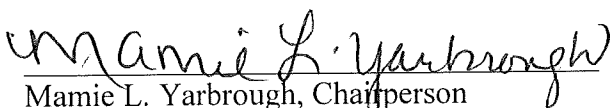
WHEREAS, the Treasurer obtained a Waiver approval from the Finance Committee to contract with Title Check, LLC for title searches which will reflect a cost savings to Berrien County; and

WHEREAS, it is estimated that for 2022, there will be 1,702 (or less) title searches completed at \$124 per parcel; and

WHEREAS, all costs associated with title searches are replenished by the foreclosure fund.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners approve the outsourcing of the foreclosure process to Title Check LLC of Kalamazoo, MI, and authorizes the Treasurer to execute the agreement with Title Check, LLC on behalf of the County.

**Respectfully Submitted,
Berrien County Finance Committee**


Mamie L. Yarbrough, Chairperson

Jon Hinkelman, Vice Chairperson



Ezra A. Scott

Teri Sue Freehling

