

# EATON COUNTY CLERK'S OFFICE

*Diana Bosworth*  
Clerk and Register of Deeds

*Kimberly Morris*  
Chief Deputy Clerk

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1045 Independence Blvd.  
Charlotte, MI 48813

517-543-2426 or 517-485-3417 Ext. 2426  
Fax 517-541-0666

1/3/2017

## **PROCEDURE TO DISCHARGE LIEN (Filed less than 1 year) Cash/Surety Bond required**

- Letter from person with an interest in the property requesting discharge of lien
- Letter must reference Liber and Page to be discharged
- Requester must present a copy of the recorded lien (all pages of the lien with Register of Deeds stamps on it) with the letter requesting discharge
- \$10.00 to process paperwork
- Cash bond or surety bond to discharge the lien in twice the amount of the lien (check the lien to be sure the bond is twice the amount of the lien)
- Bond must reference Liber and Page of lien to be discharged
- Bond must have legal description
- County Clerk has 10 calendar days after receiving bond to notify each lien claimant that a bond has been filed
- Notification is sent by certified mail with return receipt requested
- Lien claimants have 10 calendar days after being notified of the bond within which to file an objection to the sufficiency of the surety on the bond
- If no objection is received within 10 calendar days the Clerk will prepare a Certificate of County Clerk to Vacate and Discharge Lien
- It is the requester's responsibility to record the discharge papers with the Register of Deeds. Fee of \$30 is required.
- County Clerk retains cash/surety bond until dispute is settled and proof of the settlement is presented to the Clerk
- MCL 570.1116

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1/3/2017

## **PROCEDURE TO DISCHARGE LIEN (if filed over 1 year) Clerk Search/Affidavit**

- Letter from person with an interest in the property, or that person's agent or attorney, requesting discharge of lien
- Letter must reference Liber and Page to be discharged
- Requester must present a copy of the recorded lien (all pages of the lien with Register of Deeds stamps on it) with the letter requesting discharge
- \$10.00 to process paperwork
- County Clerk has 10 calendar days after receiving request to search the Circuit Court Records to determine if proceedings have been started to enforce the lien.
- The County Clerk then prepares a Discharge of Lien
- It is the requester's responsibility to record the discharge papers with the Register of Deeds. Fee of \$30.00 is required.
- MCL 570.1128. Sec. 128