



# BOARD OF COMMISSIONERS

1 S. Main St., 8<sup>th</sup> Floor  
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586.469.5125 FAX 586.469.5993  
macombcountymi.gov/boardofcommissioners

## COURTS & CLERK/REGISTER OF DEEDS COMMITTEE

TUESDAY, JULY 26, 2011

### AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Approval of Minutes dated 04-25-11 (previously distributed)
5. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)
6. Approve Study, Assessment, and Recommendation for Tract Index / Register of Deeds (mailed)
7. New Business
8. Public Participation (five minutes maximum per speaker or longer at the discretion of the Chairperson)
9. Adjournment

**MEMBERS:** Gralewski-Chair, Sauger-Vice-Chair, Carabelli, DiMaria, Fraschetti, Miller, Smith and Vosburg (ex-officio)

### MACOMB COUNTY BOARD OF COMMISSIONERS

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RESOLUTION NO. \_\_\_\_\_

FULL BOARD MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

**MACOMB COUNTY, MICHIGAN**

**RESOLUTION TO:** Authorize the Clerk/Register of Deeds to accept the proposal submitted by Cwiek, Irving PC to provide a study, assessment, and recommendation as the first step towards the formation of a real estate tract index, which would greatly improve Macomb County's real estate system, at a cost not to exceed \$71,550. Funds are available in the Technology Fund #27023601, the use of which is restricted by state law solely to technology improvements in the Register of Deeds.

**BACKGROUND:**

The county's public bid process was used under the guidance of the Purchasing Department to select a vendor to perform professional services for the Macomb County Clerk/Register of Deeds by conducting an assessment of alternatives for the establishment of an automated tract index and systems of abstracts of title.

The Macomb County Office of the Clerk/Register of Deeds has been a leader in innovation and automation for almost two decades. The digital recording and automated indexing system implemented by the Register of Deeds Office in the early 1990's was one of the first in the State of Michigan. The Macomb County Register of Deeds Office was also one of the first county recording offices to offer electronic recording and online property search services. In 2008, and consistent with its track record of innovation, the Macomb County Register of Deeds Office became the first, and may still be the only, county recording office in Michigan to develop an electronic entry book system in conformance with state law. The online entry book has been called "The single most important step undertaken in the last several decades by any register in this state to stem the tide of real estate fraud." An automated tract index system, just like the electronic entry book system, will greatly reduce the risk of fraud and improve public service.

This resolution enables the Register of Deeds to facilitate title searches and improve real estate tracking by providing online information through the creation of an automated tract index. A tract index is a system that enables the public to search and confirm the title history of property based upon an address or property tax identification number. Establishing a tract index would make it easier to determine who owns real estate and would provide opportunities to enhance service by providing an alternative to the grantor/grantee index, which has been in place prior to Michigan becoming a state.

The creation of a tract index is more difficult than it may first appear. Real estate law is centuries old. Michigan law does not require property tax identification numbers to be included on all real estate documents. There is no requirement to affirm whether property tax identification numbers match the legal descriptions on all real estate

documents. There is no process to automatically determine whether legal descriptions on legal documents are correct. In fact, Michigan law does not require all real estate documents to even be recorded. All of these issues, and more, would need to be addressed if a tract index were to be created. Given the complexity of these issues, and large impact to our county for how they are resolved, the Clerk/Register of Deeds needs this resolution to bring in expertise on this subject matter.

This resolution does not provide the hardware or system components needed to create a tract index. Rather, it provides the Clerk/Register with critical information and process alternatives necessary to assess how to best implement a tract index system in Macomb County. The activities outlined in this proposal will provide the Clerk/Register of Deeds Office with the opportunity to continue and maintain its position of leadership by identifying those processes and services relating to a tract index, which may be enhanced or developed to improve public service.

This resolution will provide the Macomb County Clerk-Register of Deeds with all of the following elements:

- Brief history and overview of recording and systems of abstracts of title in Michigan;
- Description of the legal authority for the establishment of a tract index in Macomb County;
- An assessment of current capabilities and functionality of the Macomb County Register of Deeds Office with respect to automated recording search systems;
- Identification of alternative means and methods of establishing an automated tract index that is compatible with the automated recording system and processes currently used in the Macomb County Register of Deeds' Office;
- Identification and objective assessment of persons, companies or entities capable of providing critical data and technical expertise necessary to establish an automated tract index;
- The feasibility of establishing each of the identified alternatives and methods of establishing an automated tract index in Macomb County, and the means of paying for the establishment and maintenance of such a system;
- A summary of findings and recommended course of action for the establishment of an automated tract index system by the Macomb County Clerk-Register of Deeds.
- Drafting necessary policy changes for recording requirements, as well as specifications needed to create an electronic interface/portal between the Register of Deeds recording System and any existing tract index service/system relating to all Macomb County records, or as many as feasible.

This resolution would not be the first time Macomb County Clerk/Register of Deeds Carmella Sabaugh has improved the Register of Deeds indexing system. In addition to implementing a system to electronically scan and index documents, a policy put in place by Sabaugh in 1993 to modify and expand the names reported in the index. Prior to 1993, the Macomb County's grantor-grantee index included only the husband's name

when property owned by married couples was recorded. Sabaugh modified the policy in 1993 and directed staff to enter both the husband's and wife's name in the index so that women's interests in real estate would be recognized and reported in the register of deeds index.

INTRODUCED BY: COMMISSIONER RAY GRALEWSKI, CHAIRPERSON  
COURT & CLERK/REGISTER OF DEEDS COMMITTEE

COMMITTEE/MEETING DATE: *7-26-11*



**MACOMB COUNTY PURCHASING  
BID TABULATIONS**

Date: 7/5/2011

Bid Item: 20-11

Dept: Clerk - Register of Deeds

Time: 10:00 AM

Name: Professional Services - Automation

<b>BIDDER'S NAME →</b>	Cwiek, Irving PC					
<b>DESCRIPTION ↓</b>						
<b>Professional Fee</b>						
564 Hours Billed At:						
Principal - price hr/unit	\$ 140.00					
Assoc. - price hr/unit	\$ 75.00					
<b>TOTAL BID:</b>	<b>\$ 71,550.00</b>					



Todd Schmitz  
Deputy Clerk

*item # 6*

# Carmella Sabaugh

Macomb County  
Clerk/Register of Deeds

Betty A. Oleksik  
Deputy Register of Deeds

REMONUMENTATION PROGRAM  
MARTIN C. DUNN, SURVEYOR REPRESENTATIVE  
OFFICE: 586-469-7916 • CELLULAR: 810-217-7275

July 21, 2011

*Courts & Clerk/Reg.  
of Deeds*

*7-26-11*

*Distributed*

Commissioner Gralewski, Courts & Clerk/Register of Deeds committee chair  
Members of the Courts & Clerk/Register of Deeds Committee  
Macomb County Board of Commissioners  
1 S. Main St. 9<sup>th</sup> Floor  
Mount Clemens, Michigan 48043

Commissioner Gralewski, committee chair & Committee Members,

The resolution to create a tract index system as the principal method to research property records in Macomb County is vital and I fully support the implementation of this system.

Researching land records is a core function of my work as a licensed Professional Surveyor, as well as, the appointed Macomb County Surveyor Representative. This requirement has given me firsthand knowledge of the effectiveness of using a tract index system compared to a grantor-grantee index system.

A tract index allows land records to be easily searched by the location of property within a Section or Private Claim. The tract index uses the Township, Quarter Section or Private Claim as the basis to obtain ownership, in addition to finding recorded encumbrances that affects the ownership of a parcel(s).

Comparatively, searching by a grantor-grantee system is laborious and leaves a margin of error or a break in the chain of title due to not knowing the current or past property owner's name and discrepancies such as the spelling or misspelling of a name.

In essence, a tract index constructs a thorough history of a parcel that can be researched efficiently and accurately when a document contains the legal description which must include the Township, Quarter Section or Private Claim.

Let's bring Macomb County in line with our adjoining counties that implement the tract index system.

Sincerely,

*Martin C. Dunn*

Martin C. Dunn, P.S.  
Macomb County Surveyor Representative  
Great Lakes Geomatics, LLC  
12504 Stephens  
Warren, Michigan 48089

MCD/mj

**Clerk's Office**  
40 N. Main St.  
Mount Clemens, MI 48043  
586-469-5120  
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Fax-on-Demand  
Michigan: 1-888-99-CLERK  
Out-of-State: 310-575-5035

**Register of Deeds**  
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[registerdeeds@macombcountymi.gov](mailto:registerdeeds@macombcountymi.gov)

## y Clerks create one-stop shopping

By Chad Selwski  
Macomb Daily Staff Writer

Republican Secretary of State Ruth Johnson and Democratic Macomb County Clerk Carmella Sabaugh have teamed up to provide a "one-stop shopping" program for those seeking to renew their driver license while also obtaining official documents such as birth or death certificates.

Sabaugh will bring her mobile office to all seven Macomb County Secretary of State offices in July and August to offer numerous services to the public in a single stop.

Secretary of State branch offices provide driver licenses; license plates; registrations for vehicles, motorcycles and recreational vehicles; and other services. The County Clerk's Office provides copies of birth and death certificates, marriage licenses, business registrations, concealed weapons permits, real estate documents and court records.

"We can assist with documents people need at the same time that they're receiving services at the Secretary of State's Office," Sabaugh said. "With people working hard these days and with gas prices the way they are, this saves them time and money."

Johnson gives credit to Sabaugh for the new collaboration, which the county clerk suggested during a discussion last month.

The pilot project will begin July 13 in Romeo.

"We're trying to do as

many public sector and private sector partnerships as we can," said Johnson, who was elected secretary of state in November. "We ... will try this and, if it works, we'll do it in more counties."

Sabaugh launched her mobile unit several years ago, providing one-day services at various local libraries in order to save people a trip to her main office in downtown Mount Clemens. The "unit" that travels the county is essentially just two staffers, armed with computers and printer, who are able to provide documents on the spot.

Johnson, while serving as the Oakland County clerk, copied Sabaugh's mobile unit concept. She said other counties could easily follow suit, even small rural counties with limited resources.

The Macomb County mobile unit will hold hours at Secretary of State offices on seven dates, in each case from 11 a.m. to 1 p.m. The schedule is:

■ July 13 - SOS Romeo office, 71130 Van Dyke, just north of the village.

■ July 27 - North Macomb County "Plus" office, 51305 Gratiot, at 23 Mile Road, Chesterfield Township.

■ Aug. 3 - Southeast Macomb Plus office, 24040 Harper, St. Clair Shores.

■ Aug. 10 - Southwest Ma-

comb Plus office, 28220 Dequindre, Warren.

■ Aug. 16 - Clinton Township "Super Center," 37015 Gratiot.

■ Aug. 24 - Central Macomb Plus office, 50640 Schoenherr, Shelby Township.

■ Aug. 31 - Sterling Heights office, 34208 Van Dyke.

Prices for the documents provided by the Clerk's Office typically range from \$10 to \$20.

The mobile office collaboration represents the third time Johnson and Sabaugh, the 2006 Democratic nominee for Secretary of State, have engaged in teamwork to influence state policies. Previously, when Johnson was the neighboring county clerk, she worked with Sabaugh to speed up the send-and-return process for absentee election ballots sent to troops serving overseas. The two clerks also successfully pushed for state legislation that, in Macomb and Oakland, simplifies homeowners' ability to receive information about how much debt they owe to avoid foreclosure.

Johnson and Sabaugh said they view their bipartisan, pragmatic relationship as an example for other elected officials.

"This is about public service," Sabaugh said. "Party labels go to the wayside when you're talking about services to the public."

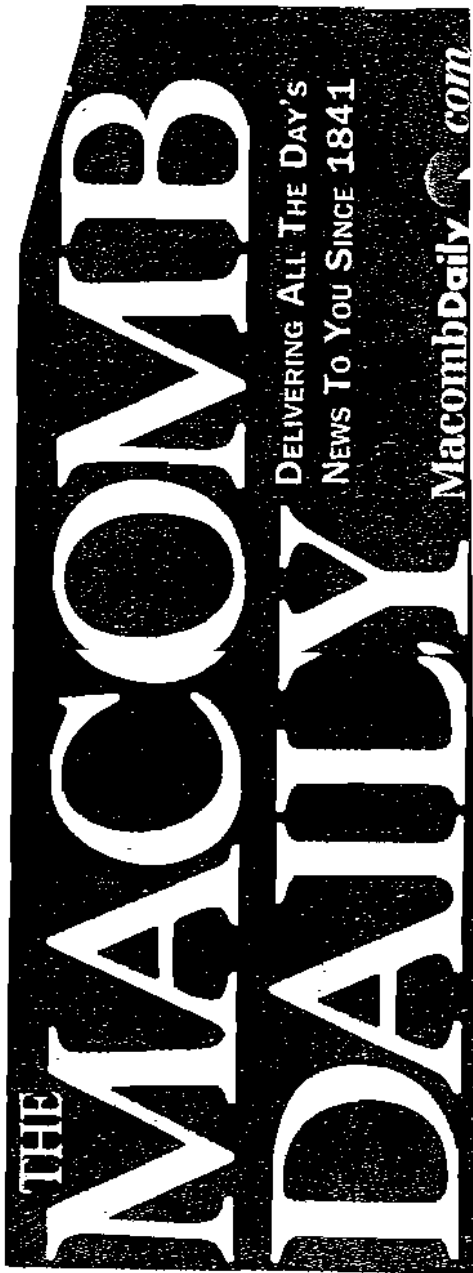
For more information about the mobile unit service, log onto [macombcountymil.gov/clerksoffice](http://macombcountymil.gov/clerksoffice) or call (586) 469-5120.



SABAUGH

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# OPINION

## Clerk's Office deserves credit for years of 'good government' service

Winning good government awards lets us know that Macomb County residents are getting their money's worth from the efficiency and convenience provided by the county Clerk's Office.

This year, the Clerk's Office won all six of Macomb's awards from the National Association of Counties.

In the past, Macomb has dominated the state's 83 counties by winning dozens of NACo awards since Clerk Carmella Sabaugh took office in 1993. She credits her staff and especially her deputy clerk, Todd Schmitz, for many state-of-the-art improvements. This was accomplished despite the Clerk's Office having experienced a reduction of 20 workers and a budget cut of nearly \$1 million since 2008.

NACo awards are given out annually for innovative programs that are placed in a national database for other counties to share. Macomb was the state's leader in these awards for 26 consecutive years until 2008.

The Clerk's Office/Register of the Deeds won one of the awards for creating a website that makes it easier for the public to follow online campaign money funneled to political candidates. Another award was given for creating an online Register of Deeds entry book for property transactions.

Macomb also won good government awards for upgrading the process of granting concealed weapons permits; for using the Google "Checkout" to streamline online credit card fee payments for county services; for preserving history by providing text-searchable county Board of Commissioners' minutes and resolutions online from 1924 to the present. It won for creating online how-to videos for services offered on the Clerk's Office website and on the YouTube channel.

Sabaugh and Clerk's Office employees deserved to be commended for a job well done. County Executive Mark Hackel said Sabaugh and her staff "demonstrate that Macomb County government provides good service, and they help make our county a great place to do business."

Many other innovative programs initiated during Sabaugh's tenure include the posting of a list of politicians who owe campaign finance violation fines and overnight delivery service for vital records and court documents.

The Clerk's Office uses a competitive bid system for election supplies that has saved more than \$500,000. It also helped start up a personal protection order assistance center to help victims of abuse.

It provides free bus service to people summoned for jury duty and offers wireless Internet access for jurors waiting to be sent to courtrooms.

Macomb County Commissioner Chairwoman Kathy D. Vosburg said, "As we work to make government more efficient, I admire Macomb County Clerk Carmella Sabaugh's ability to continue providing many examples of good government."



# THE MACOMB DAILY

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MacombDaily.com

Sunday, June 12, 2011

## Macomb County clerk sweeps national awards

By Chad Selwski  
Macomb Daily Staff Writer

For two decades, Macomb dominated Michigan's other 82 counties in winning dozens of "good government" awards from a national organization.



SABAUGH

But this year, one Macomb agency, the county Clerk's Office, has dominated by winning all six of Macomb's awards from the National Association of Counties. Clerk Carmella Sabaugh said she pulled off a clean sweep of this year's NACo awards by concentrating on efficiency and convenience when providing county services.

Though the Clerk's Office has endured a reduction of 20 workers and a budget cut of nearly \$1 million since 2008, Sabaugh has introduced a long series of high-tech improvements to her agency. Her staff has now earned 38 NACo awards since she took office in 1993.

"No matter what you do, people always want to know,

# CLERK:

Continued from Page 1A

"What have you done for me lately?" said Sabaugh, the former Warren city clerk. "So, you've got to be on board with technology or you're not going anywhere."

The county clerk emphasized her appreciation for her "unionized" team of workers — in unmistakable contrast to repeated nationwide criticisms of bargaining rights for government employees — and praised her deputy clerk, Todd Schmitz, for his "vision" in generating numerous ideas for state-of-

the-art improvements.

Sabaugh also earned kudos from county Executive Mark Hackel and county board Chairwoman Kathy Vosburg.

The awards are bestowed annually on innovative programs, and information about them is placed in a NACo national database, allowing other counties to emulate them.

Macomb County was Michigan's leader in NACo awards for 25 consecutive years until 2008, when its standing slipped. Since then, a slide has occurred, with Sabaugh winning half of Macomb's NACo awards bestowed last year.

NACo awards for Macomb County departments were unlikely this year as every aspect of the bureaucracy is retrenching to help eliminate budget deficits. On a more fundamental level, some departments now lack the manpower to compile a detailed nomination form.

The awards won by the Clerk's Office/Register of Deeds are for:

■ Making it easier for the public to follow online campaign money funneled to political candidates, including searches for contributions by individuals and businesses which makes it easy to cross-check and get the bigger picture during an

election season. The new website system has been called "the most transparent in Michigan for reporting county and local political money," and "a model for other counties to follow."

■ Creating an online Register of Deeds entry book for property transactions, which has been hailed as the single-most important step undertaken by any clerk's office/register of deeds in the state to stem the tide of real estate fraud.

■ Upgrading the process of granting concealed weapons permits by issuing fraud-resistant, pocket-sized pistol licenses with digital photos of the permit holder.

■ Using the Google "Checkout" to streamline online credit card payments, making it easier for customers to pay fees for services rendered.

■ Preserving history by providing text-searchable county Board of Commissioners minutes and resolutions online from 1924 to the present.

■ And creating online "how to" videos, explaining services offered via the Clerk's Office website and on the YouTube channel, including titles such as "Your day at the gun board," and "How to obtain a marriage license."