Order

Entered: June 17, 2004

Michigan Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

121009

CENTRAL CEILING & PARTITION, INC.,
Plaintiff-Appellee,

v

DEPARTMENT OF COMMERCE,
Defendant-Appellant,

and

KITCHEN SUPPLIERS, INC.,
Defendant-Appellee,

and

CAPPY HEATING AND AIR
CONDITIONING, INC.,
Intervening Plaintiff-Appellee,

and

PRIMEAU HOMES, INC.,
Defendant,

and

WAYNE COUNTY REGISTER OF DEEDS,
Defendant.

SC: 121009
COA: 225378
Wayne CC: 98-810597-CH

_____/

After granting leave to appeal, 468 Mich 870 (2003), this Court has carefully considered the written and oral arguments of the parties. We AFFIRM the judgment of the Court of Appeals, albeit for different reasons. On the limited facts of this case, we conclude that the liens presented to the Wayne County Register of Deeds were timely recorded.

In addition, it appearing that the substantial questions about the validity of the liens in this case may have resulted from the failure of the Wayne County Register of Deeds to perform statutorily imposed duties regarding the recording of liens, we ORDER

the Wayne County Register of Deeds to show cause in this Court in writing by July 30, 2004, why the Register of Deeds should not be required to pay the costs incurred by the other parties in the prosecution and defense of this action. The other parties may reply within 21 days after the Register of Deeds files the response to this order.

We further ORDER that until further order of this Court the Wayne County Register of Deeds is to send the Clerk of this Court quarterly written reports on its progress toward bringing its recording system into compliance with the requirements of MCL 565.24 and 565.25.

The affirmance of the Court of Appeals judgment is a final decision. We retain jurisdiction limited to resolving issues regarding imposition of costs.

t0610

I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 17, 2004 Corbin R. Davis

Clerk