

STATE OF MICHIGAN  
COURT OF CLAIMS

SOUTHGATE VENTURE, L.L.C., a Michigan  
limited liability company,

Plaintiff,

No. 18-000101-MT

v

Hon.

STATE OF MICHIGAN, DEPARTMENT OF  
TREASURY- COLLECTIONS,

Defendant.

~~RECEIVED  
2018 JUN 27 PM 4:00~~

---

BRADLEY S. DEFOE (P70233)  
Varnum LLP  
Attorneys for Plaintiff  
39500 High Pointe Blvd., Suite 350  
Novi, MI 48375  
(248) 567-7400  
bsdefoe@varnumlaw.com

MOE FREEDMAN (P74224)  
Assistant Attorney General  
Attorney for Defendant Michigan  
Department of Treasury  
SCFRA & Collections Division  
3030 W Grand Blvd, Ste 10-200  
Detroit, MI 48202  
(313) 456-0140

---

**STIPULATION AND ORDER**  
**QUIETING TITLE AND**  
**DISMISSING CASE AGAINST MICHIGAN DEPARTMENT OF TREASURY**

**STIPULATION**

Plaintiff, Southgate Venture, L.L.C. , through its attorneys, Bradley S. Defoe,  
and Defendant, Michigan Department of Treasury, through its attorneys, BILL  
SCHUETTE, Michigan Attorney General, and Moe Freedman, Assistant Attorney  
General, stipulate as follows:

1. Plaintiff, Southgate Venture, L.L.C. , named Defendant, the State of  
Michigan's Department of Treasury (Treasury) in this action which originated in

Wayne County Circuit Court Case No. 18-002008-CH because it seeks to quiet title to property that Treasury may have once held an interest in as the result of a State Tax Lien recorded with the Wayne County Register of Deeds. Plaintiff has no monetary claims against Treasury but is simply seeking to quiet title to a property.

2. Plaintiff is seeking to quiet title to a property in Wayne County that is described in the complaint as:

Parcel 1: Lots 526 and 527 of Dix-Toledo Highway Sub, according to the plat thereof recorded in Liber 55 of Plats, Page 94 of Wayne. County Records.

Parcel 2: Lot 528 except North triangular part thereof measuring 15 feet on the Northwest Lot line and 20.6 feet on the East Lot line of Dix-Toledo Highway Sub. According to the plat thereof in Liber 55 of Plats, Page 94 of Wayne County Records.

Tax Parcel ID:

More commonly known as: 13247 Dix-Toledo

3. On May 11, 2010, Defendant Treasury recorded Tax Lien #1614143 with the Wayne County Register of Deeds against the real property interests of Gary Smith.

4. On April 9, 2012, Defendant Treasury recorded Tax Lien #1724211 with the Wayne County Register of Deeds against the real property interests of Gary Smith.

5. On January 8, 2013, Defendant Treasury recorded Tax Lien 1765996 with the Wayne County Register of Deeds against the real property interests of Gary Smith.

6. Treasury recognizes that while it may have at one time held an interest in the property through its tax liens, it does not currently hold an interest and does not object to an order quieting title in the Plaintiff.

8. This Stipulation and Order does not affect Plaintiff's Complaint against the remaining Defendants in Circuit Court, and Plaintiff's case against the remaining Defendants will proceed unaffected by this Stipulation and Order.

*Bradley S. Defoe for Plaintiff*      *Moe Freedman for Defendant*  
\_\_\_\_\_  
Bradley S. Defoe (P70233)      Moe Freedman (P74224)  
Attorney for Plaintiff,      Attorney for Defendant, State of  
Southgate Venture, L.L.C.      Michigan Department of Treasury

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ORDER QUIETING TITLE AS TO THE STATE OF MICHIGAN AND  
DISMISSING CASE AGAINST DEFENDANT MICHIGAN DEPARTMENT  
OF TREASURY**

At a session of said Court,  
held in the State of Michigan,  
on August 3, 2018.

PRESENT:  
HON: Colleen A. O'Brien  
Court of Claims Judge

RECEIVED  
2018 AUG 21 PM 1:00

HONORABLE

As Stipulated above between Plaintiff, Southgate Venture, L.L.C. and Defendant, State of Michigan Department of Treasury, title is hereby quieted as to the Michigan Department of Treasury in favor of the Plaintiff for the real property described as:

Parcel 1: Lots 526 and 527 of Dix-Toledo Highway Sub, according to the plat thereof recorded in Liber 55 of Plats, Page 94 of Wayne. County Records.

Parcel 2: Lot 528 except North triangular part thereof measuring 15 feet on the Northwest Lot line and 20.6 feet on the East Lot line of Dix-Toledo Highway Sub. According to the plat thereof in Liber 55 of Plats, Page 94 of Wayne County Records.

Tax Parcel ID:

More commonly known as: 13247 Dix-Toledo

and this case is dismissed without Prejudice and Costs as to the Defendant, Michigan Department of Treasury, only.

**IT IS SO ORDERED.**

**This is a Final Order and Resolves the last Pending Claim in this case.**



COURT OF CLAIMS JUDGE

~~RECEIVED~~  
2019 JUN 21 PM 1:00  
2019 JUN 21 PM 1:00