

STATE OF MICHIGAN
COURT OF APPEALS

ZEF DEDVUKAJ,

UNPUBLISHED
February 17, 1998

Plaintiff-Appellant,

v

No. 200031
Macomb Circuit Court
LC No. 94-003592 CH

COUNTY OF MACOMB,

Defendant-Appellee.

Before: Markey, P.J., and Doctoroff and Smolenski, JJ.

MEMORANDUM.

Plaintiff appeals by right the summary dismissal of his quiet title action pursuant to MCR 2.116(C)(10). We affirm.

The equities do not favor the application of a good-faith rule in this case. *Hill v Wurm*, 194 Mich App 573, 577-579; 487 NW2d 512 (1992). Although plaintiff made a good-faith attempt to pay the delinquent 1988 property taxes and was precluded from making payment in full by erroneous information from defendant's treasurer, the treasurer informed plaintiff at least three times during the reconveyance period, MCL 211.140(2); MSA 7.198(2), of the calculation error and the need to remedy it. Despite these notices, plaintiff failed to timely pay the correct amount needed to protect his rights. Accordingly, in this case, as in *Hill*, establishing a good-faith rule on these facts would create an equitable remedy to a noncompliance with a statute and would divest a third party of a property interest validly acquired. This we will not do.

Plaintiff has abandoned his claim that the trial court abused its discretion when it denied his motion to amend by failing to explain what amendment he sought and how that proposed amendment would allow the instant action to survive. *City of Midland v Helger Construction Co, Inc*, 157 Mich App 736, 745; 403 NW2d 218 (1987).¹

Affirmed.

/s/ Jane E. Markey

/s/ Martin M. Doctoroff

/s/ Michael R. Smolenski

¹ Superseded in part on another ground as stated in *Michigan Millers Mut Ins Co v West Detroit Building Co, Inc*, 196 Mich App 367, 377; 494 NW2d 1 (1992).