

**HL
AS** House
Legislative
Analysis
Section

Manufacturer's Bank Building, 12th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

CONVEY DNR LAND TO HANOVER TOWNSHIP

House Bill 4502 as enrolled
Second Analysis (5-21-90)

Sponsor: Rep. Philip Hoffman
House Committee: State Affairs
Senate Committee: State Affairs, Tourism, and
Transportation

THE APPARENT PROBLEM:

Farwell, Pine Hill, Rainbow, and Fox Lakes in Jackson County constitute a chain of natural inland lakes, channels, and artificial lakes known as the Farwell Lake Chain. The Department of Natural Resources (DNR) purchased property on Pine Hill Lake some three years ago to provide a public access site to the chain of lakes. Payment was made by a waterways public access site appropriation from the State Recreational Land Acquisition Trust Fund. The DNR acquisition, however, met with opposition from a riparian property owners' association on Farwell Lake, which sought to keep the lake "private," and which was concerned that a state-owned public access site would lead to littering and vandalism problems. Because of the controversy, the public access site has never been developed. After three years of negotiation between those who wanted the lake to remain private — the property owners' association and the local township — and those who wanted public access to fishing and boating — the DNR and the Michigan United Conservation Clubs — agreement has been reached that the property should remain under local control, and that it should be conveyed to Hanover Township. The township would maintain the property as a public park for recreational purposes and for a boat launch. Legislation is needed to effect the conveyance.

THE CONTENT OF THE BILL:

The bill would authorize the Department of Natural Resources to convey, by quitclaim deed and without consideration, three parcels of property to Hanover Township in Jackson County. Under the bill, the conveyance would be made for public boating access and recreation purposes, and would provide that the property be used only for public park purposes and be open to all residents of the state on the same terms, fees, and conditions. Upon termination of public park use, or use for any other purpose, the property would revert immediately to the state, which would assume no liability for any improvements made by the township. The state would reserve rights to all coal, oil, gas, and metallic minerals found on, within, or under the property.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have a minimal impact on state funds. The parcel was purchased by the Department of Natural Resources for \$29,750, and annual taxes have been less than \$100. (5-21-90)

ARGUMENTS:

For:

Conveyance of the three parcels of property would serve the public by assuring that people would have access to some of the area's most attractive lakes for boating and

fishing. Under the bill, Hanover Township would be required to develop the property for "public boating access and recreation purposes." Should the township attempt to use the land for any other purpose, the property would revert to the state.

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H.B. 4502 (5-21-90)