

HOUSE BILL NO. 6154

June 01, 2022, Introduced by Reps. Markkanen, Cambensy, Whiteford, Berman, Damoose, LaFave, Beson and Borton and referred to the Committee on Government Operations.

A bill to require the department of technology, management, and budget to convey a parcel of state-owned property in Baraga County; to prescribe conditions for the conveyance; to provide for powers and duties of state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The department of technology, management, and budget,
2 on behalf of this state, shall convey the property described in
3 this section, previously authorized to be sold under 2016 PA 512,

1 to the Upper Peninsula Human Trafficking Task Force for \$1.00,
 2 subject to the restrictions under section 3. The property to be
 3 conveyed under this act is described as:

4 Parcel 1

5 Starting at the Iron Pin marking the S.E. Corner of the N.W.
 6 1/4 of the N.W. 1/4 of Section 9, T 50 N, R 33 W, thence N 0° 18' W
 7 883.1 feet to a point on the tangent of U.S. 41, thence S 44° 18'
 8 30" E 750 feet, thence N 44° 18' 30" E 75 feet to the point of
 9 beginning, thence N 44° 18' 30" E 125 feet, thence S 44° 18' 30" E
 10 75 feet, thence S 44° 18' 30" W 125 feet, thence N 44° 18' 30" W 75
 11 feet to the point of beginning, containing approximately 0.22 acres
 12 more or less.

13 Parcel 2

14 A parcel of land located in the Village of L'Anse, Michigan,
 15 Part of the S1/2 of NE1/4 of the NW1/4, Section 9, T50N, R33W.
 16 Described as follows: Commencing at the SW corner of said NE1/4 of
 17 the NW1/4, Sec. 9; thence N0°-18'W a distance of 883.1 ft; thence S
 18 44°-18'30"E a distance of 750.0 ft; thence N 45°-41'-30" E a
 19 distance of 200.0 ft; thence S 44°-19'E a distance of 15.0 ft. to
 20 the P.O.B. of described parcel; thence N 45°-41'E a distance of
 21 48.5 ft; thence S 44°-19'E a distance of 17.4 ft; thence S89°-19'E
 22 a distance of 18.0 ft; thence S 0°-18'W a distance of 42.0 ft;
 23 thence S 45°-41'W a distance of 31.7 ft; thence N 44°-19'W a
 24 distance of 60.0 ft. to the P.O.B. Described parcel contains 1 0.07
 25 acres more or less.

26 Sec. 2. The description of the property in section 1 is
 27 approximate and for purposes of the conveyance is subject to
 28 adjustments as the department of technology, management, and budget
 29 or the attorney general considers necessary by survey or other

1 legal description.

2 Sec. 3. The conveyance of the property described in this act
3 must provide for all of the following:

4 (a) The property must be used exclusively for public purposes
5 and if any fee, term, or condition for the use of the property is
6 imposed on members of the public, or if any of those fees, terms,
7 or conditions are waived for use of the property, all members of
8 the public must be subject to the same fees, terms, conditions, and
9 waivers. On termination of the property's exclusive use for public
10 purposes, this state may reenter and repossess the property,
11 terminating the grantee's estate in the property.

12 (b) If the grantee or successor disputes this state's exercise
13 of its right of reentry and fails to promptly deliver possession of
14 the property to this state, the attorney general, on behalf of this
15 state, may bring an action to quiet title to, and regain possession
16 of, the property.

17 (c) If this state reenters and repossesses the property, the
18 state is not liable to reimburse any party for any improvements
19 made on the property.

20 (d) The grantee or successor shall reimburse this state for
21 requested costs necessary to prepare the property for conveyance.

22 (e) If the grantee or successor intends to convey the property
23 within 30 years after the conveyance from this state, the grantee
24 or successor shall provide notice to the department of technology,
25 management, and budget of its intent to offer the property for
26 sale. The department of technology, management, and budget shall
27 retain a right to first purchase of the property at the original
28 sale price within 180 days after the notice. If this state waives
29 its first refusal right, the grantee shall pay to this state 100%

1 of the difference between the sale price of the conveyance from
2 this state and the sale price of the grantee's subsequent sale to a
3 third party.

4 Sec. 4. The conveyance of the property under this act must
5 include all surplus, salvage, and scrap property or equipment
6 remaining on the property on the date of the conveyance.

7 Sec. 5. The conveyance under this act must be by quitclaim
8 deed, as approved by the department of attorney general.

9 Sec. 6. This state shall not reserve oil, gas, or mineral
10 rights to the property conveyed under this act. However, a
11 conveyance authorized under this act must provide that, if the
12 purchaser or any grantee develops any oil, gas, or minerals found
13 on, within, or under the conveyed property, the purchaser or any
14 grantee shall pay this state 1/2 of the gross revenue generated
15 from the development of the oil, gas, or minerals. This payment
16 must be deposited in the general fund of this state.

17 Sec. 7. This state reserves all aboriginal antiquities
18 including mounds, earthworks, forts, burial and village sites,
19 mines, or other relics lying on, within, or under the property with
20 power to this state and all others acting under its authority to
21 enter the property for any purpose related to exploring,
22 excavating, and taking away the aboriginal antiquities.

23 Sec. 8. The net revenue received from the sale of property
24 under this act must be deposited in the state treasury and credited
25 to the general fund. As used in this section, "net revenue" means
26 the proceeds from the sale of the property less reimbursement for
27 any costs associated with the sale of the property, including, but
28 not limited to, administrative costs, including employee wages,
29 salaries, and benefits; costs of reports and studies and other

- 1 materials necessary to the preparation of sale; environmental
- 2 remediation; legal fees; and any litigation related to the
- 3 conveyance of the property.