



**House
Legislative
Analysis
Section**

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CONVEY STATE LAND TO WAYNE COUNTY

House Bill 5629 as introduced
First Analysis (6-21-88)

RECEIVED

Sponsor: Rep. Gerald H. Law
Committee: Appropriations

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THE APPARENT PROBLEM:

Heavy traffic near the Scott Correctional Facility in the city of Plymouth prompted Wayne County road officials to widen sections of Five Mile and Beck Roads recently. The road improvements were done with the understanding that the county would be granted a right-of-way from the state along Five Mile Road. The Department of Corrections has jurisdiction over the land near Five Mile which the county apparently has been planning to use to drain the roads recently improved near the prison. The county has therefore requested the state to convey a small strip of land along Five Mile and Beck Roads, from the DOC to the county of Wayne, to be used for drainage purposes.

THE CONTENT OF THE BILL:

The bill would permit the state to convey a certain 27' x 27' strip of state-owned land under the jurisdiction of the Department of Corrections to the Wayne County Road Commission for consideration of \$1. The conveyance would be by quitclaim deed approved by the attorney general, and revenue received under the conveyance would have to be deposited into the general fund.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, except for a \$1 revenue increase from the conveyance, the bill would not affect state expenditures. (Because the conveyance would be for a public purpose, the bill does not specify that the state would have to sell the land at its market value.) The bill has no major fiscal implications to local units of government other than the benefit associated with widening Five Mile Road in Wayne County. (6-7-88)

ARGUMENTS:

For:

The bill would simply permit the state to convey land under the jurisdiction of the DOC, near the Scott Correctional Facility in Plymouth, to Wayne County's road officials. The county recently widened two roads close to the prison because of increased traffic in the area, and did the work with the understanding it would be given right-of-way to specific state land next to the roads for drainage purposes. Because the conveyance is for a public road improvement, the land is not being sold to the county at its fair market value.

SUGGESTED AMENDMENTS:

According to a spokesperson from Wayne County's Department of Public Services' engineering division, there currently is no Wayne County "Road Commission" and the bill should be amended to clarify that the conveyance would be specifically to the county of Wayne. Also, the county originally requested a 60' x 60' strip of land for drainage purposes, not 27' x 27' as the bill currently specifies; according to the spokesperson, the strip of land the bill would convey would not give the county adequate right-of-way area for drainage purposes.

POSITIONS:

The Department of Corrections supports the bill. (6-20-88)

The Department of Transportation supports the bill. (6-20-88)

H.B. 5629 (6-21-88)