

Act No. 157  
Public Acts of 1996  
Approved by the Governor  
April 3, 1996  
Filed with the Secretary of State  
April 3, 1996

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1996**

**Introduced by Reps. Gilmer, LaForge, Perricone, Mathieu and Law**

# **ENROLLED HOUSE BILL No. 5102**

AN ACT to authorize the state administrative board to transfer or convey certain parcels of state owned property located in Kalamazoo county; to provide conditions for the transfer and conveyance; and to provide for the disposition of revenue received from the conveyance.

*The People of the State of Michigan enact:*

Sec. 1. (1) The state administrative board, on behalf of the state, may convey for consideration of not less than fair market value as determined pursuant to subsection (2), or, for less than fair market value subject to subsection (3), all or any portion of the property now under the jurisdiction of the department of mental health-Kalamazoo regional psychiatric hospital and located in the city of Kalamazoo, Kalamazoo county, Michigan, and more particularly described as follows:

Located in the NW 1/4 of Section 16, Town 02 South, Range 11 West, City of Kalamazoo, Kalamazoo County, Michigan, land commencing North 1/2 Lot 36, except East 19 rods of North 20 rods. Also except West 264 ft. of South 434.5 ft. Also all that part of South 1/2 Lot 36 lying East of Hilbert St. and North of North St. & West of a line parallel with and 165 ft. West of East line said Lot 36, except commencing at NW corner Lot 36, thence South along West line said Lot 33 ft to place of beginning, thence continuing South along West line Lot 36, 196.77 ft., thence South 88 degrees 31 minutes, East 297 ft., thence South parallel to West line said Lot, 440 ft. to North line Assessors plat of Newtons Addition, thence South 88 degrees 30 minutes 30 seconds East along North line of the plat 66 ft., thence North 21 degrees 37 minutes East 300 ft. to a point which is 473.5 ft. East of West line Lot 36, thence North 20 degrees 31 minutes 30 seconds West 374.77 ft. to South line Blakeslee St., thence North 88 degrees 22 minutes West along South line Blakeslee St. 33 ft., thence North 88 degrees 25 minutes West along South line Blakeslee St. 306.82 ft. to place of beginning; commonly known as the Northwest Unit, 1501 Blakeslee Street, Kalamazoo, Michigan.

(2) The fair market value of the property described in subsection (1) shall be determined by an appraisal based on the property's highest and best use, as prepared by the state tax commission or an independent fee appraiser.

(3) Any conveyance of the property described in this section for less than fair market value shall provide for both of the following:

(a) That the property shall be used exclusively for public purposes and shall be subject to the requirements of subsection (4), and that upon termination of that use or use for any other purpose, the state may reenter and repossess the property, terminating the grantee's estate in the property.

(b) That if the grantee disputes the state's exercise of its right of reentry and fails to promptly deliver possession of the property to the state, the attorney general, on behalf of the state, may bring an action to quiet title to, and regain possession of, the property.

(4) The conveyance authorized by this section shall provide that if the property conveyed is used for a public park or for other public recreational purposes, all resident and nonresident members of the public using the property shall be subject to the same annual and daily fees, terms, and conditions. The conveyance also shall provide that the grantee may waive daily fees or waive fees for the use of specific areas or facilities.

(5) The description of the parcel in subsection (1) is approximate and for purposes of the conveyance is subject to adjustment as the state administrative board or attorney general considers necessary by survey or other legal description.

(6) The conveyance authorized by this section shall be by quitclaim deed approved by the attorney general and shall reserve to the state all rights to coal, oil, gas, and other materials, excluding sand, gravel, clay, or other nonmetallic minerals found on, within, or under the conveyed lands.

(7) The revenue received under this section shall be deposited in the state treasury and credited to the general fund.

Sec. 2. (1) The state administrative board may transfer from the department of mental health to the department of corrections, without consideration, a parcel of land in the city of Kalamazoo, Kalamazoo county, Michigan, which is under the jurisdiction of the department of mental health-Kalamazoo regional psychiatric hospital and is described as follows:

A parcel of land in the SW 1/4 of Section 21, T2S, R11W, City of Kalamazoo, Kalamazoo County, Michigan, and more particularly described as commencing at the S1/4 corner of said Section 21; thence S89°48'12"W 1,564.12 feet, on the south line of said Section 21 to the centerline of Oakland Drive; thence N22°47'00"E 258.39 feet, on the centerline of Oakland Drive; thence N79°05'07"W 32.72 feet, to the point of beginning of this description and westerly right-of-way of Oakland Drive; thence N79°05'07"W 488.27 feet; thence S00°17'51"W 270.00 feet, to the northerly right-of-way of Howard Street; thence S78°11'48"E 32.94 feet, on said right-of-way; thence 293.13 feet on the arc of a curve to the left whose central angle is 12°00'00", radius of 1,399.40 feet and a long chord bearing and distance of S84°29'48" E 292.60 feet, on said right-of-way; thence N89°48'12"E 68.27 feet, on said right-of-way to the westerly right-of-way of Oakland Avenue; thence N22°47'00"E 230.06 feet, on said right-of-way to the point of beginning, containing 2.55 acres, more or less. All bearings are relative and referenced to previous surveys/descriptions of Kalamazoo Regional Psychiatric Hospital properties.

(2) The transfer authorized in this section takes effect when approved by a resolution of the state administrative board.

(3) All documents regarding the transfer authorized under this section shall be approved by the attorney general.

This act is ordered to take immediate effect.

-----  
Clerk of the House of Representatives.

-----  
Secretary of the Senate.

Approved -----

-----  
Governor.