

HOUSE BILL No. 4598

April 12, 2007, Introduced by Rep. Brown and referred to the Committee on Government Operations.

A bill to authorize the state administrative board to convey certain state owned property in Tuscola county; to prescribe conditions for the conveyance; to provide for disposition of revenue derived from the conveyance; and to provide for certain powers and duties of the department of management and budget.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The state administrative board, on behalf of the
2 state, may convey to Indianfields township in Tuscola county, for
3 consideration of \$1.00 plus the cost necessary to prepare the real
4 property for sale, all of certain real property now under the
5 jurisdiction of the department of community health and located in
6 Tuscola county, Michigan, and more particularly described as:
7 Part of the Southeast 1/4 and Southwest 1/4 of Section 17, and part
8 of the Northwest 1/4 of Section 20, T12N, R9E, Indianfields

1 Township, Tuscola County, Michigan, described as commencing at the
2 Center of said Section 17; thence along the East-West 1/4 line of
3 said Section 17, S. 88° 41' 50" E., 335.38 feet to the Point of
4 Beginning; thence continuing along said East-West 1/4 line of
5 Section 17, S. 88° 41' 50" E., 2177.53 feet to a traverse line on
6 the top of bank of the Cass River; thence along said traverse line,
7 S. 41° 54' 49" W., 1422.68 feet and S. 82° 35' 09" W., 751.00 feet
8 and S. 62° 37' 43" W., 572.95 feet and S. 34° 54' 06" W., 865.51
9 feet and S. 63° 47' 30" W., 1325.94 feet and S. 46° 04' 24" W.,
10 492.67 feet to the centerline of Chambers Road; thence along said
11 centerline of Chambers Road on a curve to the right having a radius
12 of 327.40 feet, central angle of 83° 39' 40", and long chord
13 bearing and distance of N. 16° 26' 39" W., 436.71 feet; thence
14 continuing along said centerline of Chambers Road, N. 25° 23' 11"
15 E., 1028.69 feet to a point on a curve; thence on said curve to the
16 left having a radius of 230.00 feet, central angle of 52° 44' 42",
17 and long chord bearing and distance of N. 00° 57' 57" W., 204.33
18 feet to the Southeasterly line of railroad right-of-way; thence on
19 a non-tangent curve to the left having a radius of 3447.47 feet,
20 central angle of 10° 18' 35", and long chord bearing and distance
21 of N. 50° 54' 56" E., 619.50 feet; thence continuing along said
22 Southeasterly line of railroad right-of-way, N. 47° 34' 00" E.,
23 1723.14 feet to the Point of Beginning; containing 116.54 acres to
24 the water's edge, more or less; subject to riparian rights
25 pertaining to the Cass River and other rights-of-way, easements and
26 restrictions of record.

27 Sec. 2. The description of the real property in section 1 is

1 approximate and for purposes of the conveyance is subject to
2 adjustment as the state administrative board or the attorney
3 general considers necessary by survey or other legal description.

4 Sec. 3. The property described in section 1 includes all
5 surplus, salvage, and scrap property and equipment.

6 Sec. 4. The department of management and budget shall take the
7 steps necessary to convey the property described in section 1.

8 Sec. 5. The conveyance authorized by section 1 shall provide
9 for all of the following:

10 (a) The property shall be used exclusively for the purpose of
11 a public park and if any fee, term, or condition for the use of the
12 property is imposed on members of the public, or if any of those
13 fees, terms, or conditions are waived for use of this property,
14 resident and nonresident members of the public shall be subject to
15 the same fees, terms, conditions, and waivers.

16 (b) Upon termination of the use described in subdivision (a)
17 or use for any other purpose, the state may reenter and repossess
18 the property, terminating the grantee's estate in the property.

19 (c) If the grantee disputes the state's exercise of its right
20 of reentry and fails to promptly deliver possession of the property
21 to the state, the attorney general, on behalf of the state, may
22 bring an action to quiet title to, and regain possession of, the
23 property.

24 Sec. 6. The conveyance authorized by this act shall be by
25 quitclaim deed. The department of attorney general shall approve as
26 to legal form the quitclaim deed authorized under this section. The
27 conveyance authorized by this act shall not reserve to the state

1 any gas, oil, or mineral rights found on, within, or under the
2 conveyed property, but shall provide for the exercise of the
3 state's ongoing property interests in and regulatory jurisdiction
4 over any historic artifacts and antiquities subsequently found on
5 the site.

6 Sec. 7. The revenue received from the conveyance authorized by
7 this act shall be deposited in the state treasury and credited to
8 the general fund.