

Act No. 26
Public Acts of 2017
Approved by the Governor
May 4, 2017
Filed with the Secretary of State
May 4, 2017
EFFECTIVE DATE: May 4, 2017

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Senator Casperson

ENROLLED SENATE BILL No. 119

AN ACT to require the state administrative board to convey state-owned property in Marquette County; to prescribe conditions for the conveyance; to provide for powers and duties of state departments, agencies, and officers in regard to the property; and to provide for disposition of revenue derived from the conveyance.

The People of the State of Michigan enact:

Sec. 1. (1) The state administrative board shall convey to Northern Michigan University real property owned by this state described as follows:

That part of Section 36, Township 48 North, Range 25 West, City of Marquette, Marquette County, Michigan, being described as follows:

Commencing at the South one-quarter (S 1/4) Corner of said Section 36, thence N01° 10'26"E along the North-South one quarter (N-S 1/4) Line of said Section 36, a distance of 1318.11 feet to the Center-South one-sixteenth (C-S 1/16) corner of said Section 36; thence N89° 32'33"W, a distance of 732.77 feet to a 1" iron pipe with Beaver 25828 cap, thence N01° 22'07"E, a distance of 528.87 feet; thence N02° 24'08"E, a distance of 507.69 feet to a 4" Aluminum Michigan DNR monument; thence N61° 49'30"W, a distance of 187.31 feet to a 4" Aluminum Michigan DNR monument; thence N88° 45'01"W, a distance of 154.46 feet; thence S62° 13'59"W, a distance of 62.54 feet; thence N41° 24'01"W, a distance of 108.30 feet to a 4" Aluminum Michigan DNR monument and the POINT OF BEGINNING of the parcel to be described. Thence N41° 24'01"W, a distance of 103.20 feet; thence N03° 15'45"W, a distance of 234.56 feet; thence N13° 19'15"E, a distance of 183.17 feet; thence N41° 47'36"E, a distance of 91.29 feet to the southwesterly right-of-way of US-41/M-28 (90 feet wide); thence along the southwesterly right-of-way of US-41/M-28 (90 feet wide) on a curve to the left, having a

radius of 11553.50 feet, a central angle of 01° 16'39", a chord distance of 257.58 feet, a chord bearing S48° 50'43"E, a arc distance of 257.59 feet; thence continuing along the southwesterly right-of-way of US-41/M-28 (90 feet wide) S49° 29'05"E, a distance of 78.26 feet; thence along the northerly line of the MDNR Property for the next 3 calls S42° 08'38"W, a distance of 92.80 feet; thence S58° 14'23"W, a distance of 142.96 feet to a 4" Aluminum Michigan DNR monument; thence S25° 12'23"W, a distance of 213.84 feet to a 4" Aluminum Michigan DNR monument and the POINT OF BEGINNING. And including an easement for ingress and egress to and from the above described real property and highway US-41/M-28, described as follows:

A 20 foot wide easement for ingress/egress being part of Section 36, Township 48 North, Range 25 West, City of Marquette, Marquette County, Michigan, the centerline of said 20 foot wide strip is described as follows:

Commencing at the South one-quarter (S 1/4) Corner of said Section 36, thence N01° 10'26"E along the North-South one quarter (N-S 1/4) Line of said Section 36, a distance of 1318.11 feet to the Center South one-sixteenth (C-S 1/16) corner of said Section 36; thence N89° 32'33"W, a distance of 732.77 feet to a 1" iron pipe with Beaver 25828 cap, thence N01° 22'07"E, a distance of 528.87 feet; thence N02° 24'08"E, a distance of 507.69 feet to a 4" Aluminum Michigan DNR monument; thence N61° 49'30"W, a distance of 187.31 feet to a 4" Aluminum Michigan DNR monument; thence N88° 45'01"W, a distance of 154.46 feet; thence S62° 13'59"W, a distance of 62.54 feet; thence N41° 24'01"W a distance of 108.30 feet to a 4" Aluminum Michigan DNR monument; thence N41° 24'01"W, distance of 91.74 feet to the POINT OF BEGINNING. Thence S19° 20'44"W, a distance of 108.58 feet; thence along a curve to the left, having a radius of 175.00 feet, a central angle of 36° 47'31", a chord distance of 110.45 feet, a chord bearing of S00° 56'59"W, a arc distance of 112.37 feet; thence S17° 26'47"E, a distance of 57.69 feet; thence N37° 35'56"E, a distance of 34.85 feet; thence N27° 04'42"E, a distance of 69.84 feet; thence along a curve to the right, having a radius of 190.00 feet, a central angle of 50° 50'10", a chord distance of 163.10 feet, a chord bearing of N52° 29'47"E, a arc distance of 168.58 feet; thence N77° 54'52"E, a distance of 135.08 feet; thence N63° 44'51"E, a distance of 293.50 feet to the southwesterly right-of-way of US-41/M-28 (90 feet wide) and the POINT OF TERMINATION.

(2) The description of the property in subsection (1) is approximate and, for purposes of conveyance under this act, may be adjusted as the state administrative board or the department of attorney general considers necessary because of a survey or another legal description.

(3) The state administrative board shall transfer the property described in subsection (1) by quitclaim deed for the consideration of \$1.00. The deed must be approved as to legal form by the department of attorney general.

(4) The conveyance under this act must contain the following restrictions:

(a) The property must be used exclusively by Northern Michigan University for studies related to forensic anthropology and directly related activities.

(b) The use of the property must not interfere with the use of contiguous or nearby property for correctional purposes by or on behalf of the department of corrections.

(c) Northern Michigan University shall not convey or sell the property to any person other than this state.

(5) The state administrative board shall not reserve oil, gas, or mineral rights to property conveyed under this section. However, the conveyance under this act must provide that, if the grantee or any successor develops any oil, gas, or minerals found on, within, or under the conveyed property, the grantee or any successor must pay this state 1/2 of the gross revenue generated from the development of the oil, gas, or minerals. A payment under this subsection must be deposited in the general fund.

(6) The conveyance under this act must reserve to this state all aboriginal antiquities, including mounds, earthworks, forts, burial and village sites, mines, or other relics lying on, within, or under the property, with power to this state and all others acting under its authority to enter the property for any purpose related to exploring, excavating, and taking away the aboriginal antiquities.

(7) If property conveyed under this section was used by this state as a historical monument, memorial, burial ground, park, or protected wildlife habitat area, the grantee shall maintain and protect the property for that purpose in perpetuity in accordance with applicable law.

(8) The state administrative board shall deposit the net revenue received from the sale of property under this section in the state treasury. The state treasurer shall credit the money deposited to the general fund.

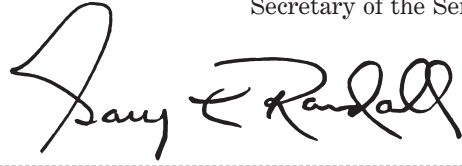
(9) If property conveyed under this section is used in a manner that violates any of the restrictions imposed under subsection (4), the grantee shall reconvey the property to this state or this state may reenter and take the property, terminating the grantee's or any successor's estate in the property. An action to regain possession of the property under this section may be brought and maintained by the attorney general on behalf of this state.

(10) If this state reenters and repossesses property under subsection (9), this state is not liable to reimburse any person for any improvements made on the property or to compensate any person for any part of an unfulfilled contract or license issued to provide goods or services on or for the property.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor