



**House
Legislative
Analysis
Section**

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CALEDONIA TWP. LAND TRANSFER

House Bill 4333 as enrolled
Second Analysis (10-19-87)

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NOV 17 1987

Sponsor: Rep. John D. Pridnia
House Committee: State Affairs
Senate Committee: State Affairs, Tourism and
Transportation
Mich. State Law Library

THE APPARENT PROBLEM:

- The state and Caledonia township have been attempting to realign ownership of parcels of land on Hubbard Lake in order to streamline management of the parcels. The 3.01 acre state-owned parcel proposed for conveyance to Caledonia Township lies adjacent to an existing township park located on the north shore of Hubbard Lake in Alcona County. The Department of Natural Resources (DNR) has acquired additional public access sites on the east and south shores of Hubbard Lake and has turned over administration of the northerly 3.01 acre state-owned site to Caledonia Township. Legislation has been proposed to convey the land to the township.
- Public Act 205 of 1973 authorized the State Administrative Board to convey certain property held by the Department of State Police to the Carriage Inn Motel in Manistee. In exchange, the Carriage Inn was to give title to other property on which it would construct and maintain a road to allow access to the post's radio tower. Following enactment of the 1973 legislation, the Carriage Inn proceeded to expand its facilities over the transferred property, and to provide the access as required by the act. The owner only recently learned that the transfer was never brought up for action by the administrative board; thus, legal title to property now occupied by the motel still rests with the state. To remedy the problem, the transfer was placed on the board's August agenda for approval. During the board's review, it was learned that the metes-and-bounds descriptions in Public Act 205 are incorrect. Therefore, the bill is needed to properly describe and transfer the property.

THE CONTENT OF THE BILL:

- The bill would authorize the Department of Natural Resources to transfer 3.01 acres of state-owned land in Alcona County to Caledonia Township for \$1. Revenue received from the conveyance would be deposited in the general fund of the state treasury.
- The bill would authorize the State Administrative Board, on behalf of the State Police, to convey to the Carriage Inn a very small parcel of property that is currently under the jurisdiction of the Department of State Police, in return for easement over a roadway owned by the corporation. The Carriage Inn would be required to maintain the roadway in a reasonable condition, including snow removal, to ensure access to the tower by the state police. The bill would repeal Public Act 205 of 1973 which conveyed certain land in Manistee County from the Department of Natural Resources to Ralph Adamski.

FISCAL IMPLICATIONS:

According to the Department of Natural Resources, the bill would have no fiscal implications to the state. (10-20-87)

ARGUMENTS:

For:

In the first conveyance, the bill would allow land formerly used by the DNR for water access to Hubbard Lake to be transferred to Caledonia Township for park purposes. This action would streamline management of the area by allowing the township to own the land that it already manages, thus relieving the Department of Natural Resources of the administrative responsibility for a local park.

For:

The land transfer that is included in the second conveyance allows the Administrative Board to complete a transfer of property that the legislature originally approved in 1973. The board has not approved the transaction because the original legislation incorrectly described the parcel to be transferred. The bill will correct this problem by repealing Public Act 205 of 1973 and authorizing transfer of the correctly-described parcel from the state to the Carriage Inn. In exchange, the state police are granted easement over the road which has been constructed to provide access to the tower. The legislation will guarantee the state police continued access to its radio tower and legally recognize Carriage Inn's title to property it already occupies.

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