



**House
Legislative
Analysis
Section**

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CONVEY DOC LAND TO WAYNE COUNTY

House Bill 4227 as enrolled
Second Analysis (6-15-89)

Sponsor: Rep. Gerald H. Law
House Committee: State Affairs
**Senate Committee: State Affairs, Tourism, and
Transportation**

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 (DOC) has state jurisdiction over the land near Five Mile Road, which the county apparently has been planning to use to drain the roads near the prison that have recently been improved. The county has therefore requested the state to convey a small strip of land near 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 authorize the state to convey a certain 60' x 60' strip of state-owned land under the jurisdiction of the DOC to Wayne County for consideration of \$1. The conveyance would be by quitclaim deed approved by the attorney general, and would reserve all rights to coal, oil, gas, and other minerals to the state. The conveyance would also provide that the property be used only for a road and sewer, and that upon termination of that use, or upon use for any other purpose, title to the property would revert immediately to the state, which would assume no liability for any improvements made by Wayne County.

FISCAL IMPLICATIONS:

According to the Department of Management and Budget, the bill would have no fiscal implications for the state, except for a \$1 revenue increase from the conveyance. (3-31-89)

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 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.