



SENATE BILL No. 395

February 16, 1993, Introduced by Senators MC MANUS, PRIDNIA, KOIVISTO, ARTHURHULTZ, GAST, DI NELLO, WARTNER, DE GROW, SCHWARZ, DINGELL, CISKY, O'BRIEN, HART, EMMONS and GEAKE and referred to the Committee on Mental Health, Human Resources, and Senior Citizens.

A bill to authorize the state administrative board to transfer or convey certain parcels of state owned property in Grand Traverse county; to prescribe conditions for the transfers and conveyances; to provide for the disposition of revenue received from the conveyances; and to repeal certain acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The state administrative board may transfer from
2 the department of mental health to the department of management
3 and budget, without consideration, a parcel of land in the town-
4 ship of Garfield, Grand Traverse county, Michigan, which is now
5 under the jurisdiction of the department of mental health, former
6 Traverse City regional psychiatric hospital, and is more
7 particularly described as follows:

1 A parcel of land in the NE 1/4 of Section 9, Town 27 North,
2 Range 11 West, Grand Traverse County, Michigan and more
3 specifically described as commencing at the NE corner of
4 said Section 9; thence South 84 degrees 59 minutes 04 sec-
5 onds West 1,323.93 feet, on the north line of said Section
6 9 to the west line of the E 1/2 of the NE 1/4; thence South
7 00 degrees 48 minutes 36 seconds West 504.52 feet, on said
8 west line to the point of beginning of this description;
9 thence South 89 degrees 11 minutes 24 seconds East 300.00
10 feet; thence South 00 degrees 48 minutes 36 seconds West
11 914.35 feet, to the centerline of 11th Avenue, as now
12 exists; thence westerly 173.95 feet, on a curve to the
13 right with a radius of 5,728.32 feet and a central angle of
14 01 degrees 44 minutes 24 seconds; thence South 88 degrees
15 05 minutes 11 seconds West 126.40 feet, to the west line of
16 the E 1/2 of the NE 1/4 of said Section 9; thence North 00
17 degrees 48 minutes 36 seconds East 928.74 feet, to the
18 point of beginning. The above described parcel contains
19 6.35 acres, more or less. All bearings are relative and
20 referenced to a previous survey of this property by Fred
21 J. W. Soll, R.L.S. #1090, by which observations of Polaris
22 were taken. The above described property is subject to any
23 easements and/or rights of record as may pertain to said
24 parcel.

25 (2) The transfer authorized in this section is effective
26 when approved by a resolution of the state administrative board.

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

3 Sec. 2. (1) The state administrative board is authorized to
4 transfer from the department of mental health to the department
5 of transportation, without consideration, certain parcels of land
6 in the township of Garfield, Grand Traverse county, Michigan,
7 which are now under the jurisdiction of the department of mental
8 health, former Traverse City regional psychiatric hospital, and
9 are more specifically described as:

10 A strip of land 50 feet wide, 25 feet each side of the
11 center line of the existing railroad track, over, across
12 and through Lots 3, 4, vacated alley, 8-17, Block 6,
13 according to the recorded plat of Hannah, Lay & Company's
14 Fourteenth Addition to Traverse City, Michigan, subject to
15 final survey.

16 Lots 3-5, and 8-15, and the alley lying next west of Lot 8,
17 Block 5, according to the recorded plat of Hannah, Lay &
18 Company's Fourteenth Addition to Traverse City, Michigan,
19 except a parcel described as: Beginning at the southwest
20 corner of Lot 5; thence north along the east line of Cass
21 Street 16.1 feet; thence south 80 degrees 48' east 165.3
22 feet to the east line of said lot; thence south 6.9 feet to
23 the southeast corner of said lot; thence west along the
24 south line of said lot 165 feet; to the point of beginning;
25 subject to final survey.

26 A strip of land 50 feet wide, 25 feet on each side of a 13
27 degree curved line which has a length of 236.5 feet through

1 land conveyed hereby; P.O.B. of curved line is at the point
2 of its intersection with the West R.O.W. line, 219.9 feet
3 southerly from the point at which the south line of
4 Fourteenth Street intersects the west line of the Pere
5 Marquette Railroad Right-of Way; point of ending is located
6 by measuring 158.7 feet west on the south line of
7 Fourteenth Street from its point of intersection with the
8 west line of the Pere Marquette Railroad Right-of-Way and
9 178.2 feet east on south line of Fourteenth Street from an
10 iron monument located at the Northeast corner of Lot 9 of
11 Block 3 of Wilhelm's Addition to Traverse City, Michigan;
12 subject to final survey.

13 (2) The descriptions of the parcels in subsection (1) are
14 approximate, and for purposes of the transfer are subject to
15 adjustment as the state administrative board or attorney general
16 considers necessary by survey or other legal description.

17 (3) The transfer authorized in this section is effective
18 when approved by a resolution of the state administrative board.

19 (4) All documents regarding the transfer authorized in this
20 section shall be approved by the attorney general.

21 Sec. 3. (1) The state administrative board, on behalf of the
22 state, may convey for a consideration of not less than fair
23 market value as determined pursuant to subsection (2), or for
24 less than fair market value if use for a public purpose is made a
25 condition of the conveyance, all or any portion of certain prop-
26 erty now under the jurisdiction of the department of mental
27 health, known as:

Traverse City Regional Psychiatric Hospital, located in Grand Traverse County and Leelanau County, Michigan, and more specifically described as follows:

Parcel #1

Commencing at the West 1/4 corner of Section 28, T29N, R11W, Leelanau County, Michigan; thence South 00 degrees 21' 00" East 1,319.39 feet, on the west line of said Section 28 to the south line of the North 1/2 of the Southwest 1/4 of said Section 28 and the south line of Government Lot #3; thence North 89 degrees 22' 20" East 1,491.59 feet, on said south line to the easterly right-of-way of Michigan Highway M-22 and the point of beginning of this description; thence 398.97 feet, on the arc of a curve to the right with a central angle of 06 degrees 04' 48" and a radius of 3,759.72 feet, on the easterly right-of-way of M-22 to the southerly right-of-way of Bingham Road; thence South 53 degrees 57' 12" East 178.01 feet, on said Bingham Road right-of-way; thence South 64 degrees 18' 41" East 321.98 feet, on said Bingham Road right-of-way to the Ordinary High Water Mark elevation of 579.8: thence South 24 degrees 14' 59" West 142.65 feet, on said Ordinary High Water Mark to the south line of Government Lot #3; thence South 89 degrees 22' 20" West 497.00 feet, on said south line to the point of beginning containing 2.89 acres, more or less. All bearings are relative and referenced to a survey as recorded in Liber 1, Page 67, Leelanau County Record.

Parcel #2

Beginning at the Northeast corner of Section 9, T27N, R11W, Grand Traverse County, Michigan; thence South 84 degrees 59' 05" West 1,323.93 feet, on the north line of said Section 9 to the west line of the East 1/2 of the Northeast 1/4 of said Section 9; thence northerly 144.44 feet, on said west line; thence westerly approximately 1,125 feet, parallel with the center line of Sixth Street to the west side of a 33.00 foot wide road; thence southwesterly 543.33 feet, on the west side of said road; thence westerly 1,494 feet, to the center line of Long Lake Road; thence southwesterly approximately 1,800 feet, to the west line of said Section 9; thence South 00 degrees 54' 19" West 1,261.65 feet, on said west section line to the West 1/4 corner of Section 9; thence South 00 degrees 49' 09" West 1,314.33 feet, on said west section line to the north line of the Southwest 1/4 of the Southwest 1/4 of said Section 9; thence North 89 degrees 35' 43" East 659.33 feet, on said north line to the west line of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 9; thence South 00 degrees 48' 06" West 1,316.54 feet, on said west line to the south line of said Section 9; thence North 89 degrees 48' 13" East 122 feet, on the south line of said Section 9 to the center line of Silver Lake Road; thence northeasterly approximately 5,250 feet, on the center line of Silver Lake Road to the East 1/4 corner of said Section 9; thence North 00 degrees 52' 01" East 3,045.04 feet, on

the east line of said Section 9 to the point of beginning. The above described parcel contains approximately 470 acres, subject to survey and less road right-of-ways, where applicable, on Long Lake Road, Silver Lake Road, Elmwood Road, and Division Street and excluding a 11.38 acre parcel, more or less, previously conveyed to Traverse Bay Area Intermediate School District.

Parcel #3

State owned land from Division Street to the main line of the Pere Marquette Railroad being a strip 50 feet wide, 25 feet each side of the center line of the track, being a part of Hannah's Fifth Addition; Perry Hannah's Fourth Addition; Hannah, Lay & Company Second Addition; and Hannah, Lay & Company Fourteenth Addition; the City of Traverse City, Grand Traverse County, Michigan, subject to survey.

(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) The description of parcels numbers 2 and 3 in subsection (1) are approximate, and for purposes of conveyance are subject to adjustment as the state administrative board or attorney general considers necessary by survey or other legal description.

(4) A strip of land included within the property described in subsection (1) not less than 66 feet wide shall be conveyed to the appropriate local governmental unit for dedication as a

1 public access from Silver Lake road north to the southeast corner
2 of the Traverse Bay area intermediate school district, building
3 46, property. The alignment of the public access shall be deter-
4 mined and is subject to final survey.

5 (5) Land owners adjacent to the property described in sub-
6 section (1), parcel #3, shall have first right-of-refusal to
7 acquire the property at fair market value with the exception of
8 those transfers to the department of transportation identified in
9 section 2.

10 (6) The conveyances authorized in subsection (1) shall be by
11 quitclaim deed approved by the attorney general and shall reserve
12 to the state all rights to coal, oil, gas, and other materials,
13 excluding sand, gravel, clay, or other nonmetallic minerals found
14 on, within, or under the conveyed land.

15 (7) Any conveyances authorized for less than fair market
16 value under this section shall provide that the property shall be
17 used exclusively for public purposes and that upon termination of
18 that use, or upon use for any other purpose, the property con-
19 veyed shall revert immediately to the state with the state assum-
20 ing no liability for any subsequent improvements made to the
21 property.

22 (8) The revenue received from the conveyances under this
23 section shall be deposited in the state treasury and credited to
24 the department of mental health as provided in section 708 of Act
25 No. 167 of the Public Acts of 1992.

1 Sec. 4. (1) Two parcels of property contained within the
2 property described in section 3, parcel #3, are excluded from any
3 conveyance under that section and may be conveyed as follows:

4 (a) The state administrative board, on behalf of the state,
5 may convey to O-C-T Oil, Inc., for not less than fair market
6 value as determined pursuant to subsection (2) property now under
7 the jurisdiction of the department of mental health, being a por-
8 tion of the C & O railroad property leading into Traverse City
9 psychiatric hospital in the city of Traverse City, Grand Traverse
10 county, Michigan, and more specifically described as follows:

11 Lots 1, 2, 3, Block 17, Hannah, Lay and Company's Second
12 Addition to Traverse City, Michigan, excluding the west 55 feet
13 of Lots 1, 2, 3, Block 17, Hannah, Lay and Company's Second
14 Addition to Traverse City, Michigan.

15 (b) The state administrative board, on behalf of the state,
16 may convey to Watson printing, inc., for not less than fair
17 market value, as determined pursuant to subsection (2), property
18 that is now under the jurisdiction of the department of mental
19 health, is located adjacent to the property described in subdivi-
20 sion (a), and is more specifically described as follows:

21 The West 55 feet of Lots 1, 2, 3, Block 17, Hannah, Lay and
22 Company's Second Addition to Traverse City, Michigan.

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

1 (3) The descriptions of the parcels in subsection (1) are
2 approximate, and for purposes of the conveyances are subject to
3 adjustment as the state administrative board or attorney general
4 considers necessary by survey or other legal description.

5 (4) The conveyances authorized in subsection (1) shall be by
6 quitclaim deed approved by the attorney general and shall reserve
7 to the state all rights to coal, oil, gas, and other materials,
8 excluding sand, gravel, clay, or other nonmetallic minerals found
9 on, within, or under the conveyed land.

10 (5) The revenue received under this section shall be depos-
11 ited in the state treasury and credited to the department of
12 mental health as provided in section 708 of Act No. 167 of the
13 Public Acts of 1992.

14 Sec. 5. (1) The state administrative board, on behalf of
15 the state, may convey for a consideration of not less than fair
16 market value as determined pursuant to subsection (2), or for
17 less than fair market value if use for a public purpose is made a
18 condition of the conveyance, all or any portion of the property
19 now under the jurisdiction of the department of social services,
20 located in Grand Traverse county, Michigan, and more specifically
21 described as:

22 The Northwest fractional 1/4 of Section 9, and the
23 Northeast fractional 1/4 of Section 8, T27N, R11W, Grand
24 Traverse County, Michigan; begin at the Northwest corner of
25 Section 9; thence southerly, along west line of Section 9
26 to the intersection of said west line and center line of
27 Brockway Road; thence northeasterly, along center line of

1 Brockway Road to a point of the north line of Section 9;
2 thence westerly, along the north line of Section 9 to the
3 point of beginning, +26.3 acres; also begin at an iron pipe
4 in the intersection of the centerline of Brockway Road and
5 the east line of Section 8, North 81 degrees 55' 30" West
6 210.35 feet, along said center line; North 50 degrees 25'
7 West 181.1 feet; North 26 degrees 07' East 275.0 feet;
8 South 68 degrees 08' East 255.0 feet, to a point on the
9 east line of Section 8; southerly 297.0 feet along section
10 line to the point of beginning, +/- 2.25 acres excepting
11 all right-of-ways heretofore granted for highway purposes.

12 (2) If the property described in subsection (1) is conveyed
13 for fair market value, the fair market value shall be determined
14 by an appraisal based on the property's highest and best use, as
15 prepared by the state tax commission or an independent fee
16 appraiser.

17 (3) A conveyance of the property described in subsection (1)
18 for less than fair market value shall provide that the land be
19 used exclusively for public purposes and that upon termination of
20 that use, or upon use for any other purpose, the property shall
21 revert immediately to the state, with the state assuming no
22 liability for improvements made by the grantee or any other
23 party.

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

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

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

8 Sec. 6. Act No. 222 of the Public Acts of 1989 is
9 repealed.