



**House
Legislative
Analysis
Section**

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YORK TOWNSHIP CONVEYANCE

**House Bill 5343 with committee
amendment
First Analysis (1-25-96)**

**Sponsor: Rep. Beverly Hammerstrom
Committee: Regulatory Affairs**

THE APPARENT PROBLEM:

Public Act 246 of 1982 provided for the conveyance of property that was located near a state mental health facility located in Washtenaw County to York Township, which believed the property was ideally suited for a public park. Because the property was not being used by the state, it was argued that conveying it to the township would benefit both the state and local community by relieving the state of costs to maintain it while granting the township land that could be converted for public recreational purposes. In the years since the conveyance occurred, most of the property has been dedicated for use as a wildlife preserve, although a portion of it also contains a soccer field; apparently, these uses have made it a popular destination for those seeking local recreational opportunities. However, the land currently lacks adequate access and there are few places nearby where people can park when visiting. These problems could be resolved, some believe, if the state were to convey a ten-acre parcel of land currently not being used that is adjacent to both the park property and a nearby road, upon which the township could build an entrance and parking area in order to provide better access to the park.

THE CONTENT OF THE BILL:

The bill would permit the state administrative board to convey property currently under the jurisdiction of the Department of Mental Health to York Township, Washtenaw County, for \$1. The conveyance would be by quitclaim deed approved by the attorney general. The state would retain the mineral rights to oil, gas, and other material, but not to sand, gravel, clay, and other nonmetallic minerals. The bill would specify that the property conveyed would have to be used to provide an entrance and parking area for a public park that is located next to the property conveyed, and that the park entrance and parking lot would have to be open to all residents of the state on an equal basis. Any other use of the property could cause the title to revert back to the state. Revenue received under the bill would be deposited in the state treasury and credited to the general fund.

(The parcel of land that would be conveyed by the bill had been the septic tank drain field for the former superintendent's residence at the Ypsilanti Regional Psychiatric Hospital, is approximately 10 acres, and is adjacent to land previously conveyed to York Township by Public Act 246 of 1982.)

FISCAL IMPLICATIONS:

The Department of Management and Budget says the bill would result in minimal cost savings to the state as it no longer would have to pay for maintenance and upkeep of the property that would be conveyed to York Township. The department also said the bill would reduce liability risks to the state. (1-24-96)

ARGUMENTS:

For:

By permitting the conveyance of a ten-acre parcel of surplus state land under the jurisdiction of the Department of Mental Health to York Township, the bill would enable the township to build an entrance to park land that was conveyed to it by the state in 1982. The township also would like to build a parking lot that could be used by the growing number of people interested in pursuing recreational opportunities at the site. The conveyance not only would benefit the township and local citizens, but would relieve the state of costs in maintaining and protecting the property.

For:

The House Regulatory Affairs Committee adopted an amendment to the bill which provides that the land in question "may," rather than "shall," revert back to the state if in the future it no longer were used for public purposes. This is language that the attorney general apparently recommended in 1994 should be included in all conveyance legislation--in order to give the state flexibility in deciding the terms under which conveyed land would revert back to state ownership.

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POSITIONS:

The Department of Management and Budget supports the bill. (1-24-96)

The Department of Mental Health supports the bill. (1-24-96)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.