

Act No. 188
Public Acts of 1995
Approved by the Governor
November 2, 1995
Filed with the Secretary of State
November 2, 1995

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995**

Introduced by Senator Van Regenmorter

ENROLLED SENATE BILL No. 642

AN ACT to authorize the state administrative board to transfer or convey certain parcels of state owned property located in Allegan county; to provide conditions for the transfer and conveyance; and to provide for the disposition of revenue received from the conveyance.

The People of the State of Michigan enact:

Sec. 1. (1) The state administrative board may transfer from the department of corrections to the department of natural resources, without consideration, a parcel of land in the township of Laketown, Allegan county, Michigan, which is under the jurisdiction of the department of corrections, and is described as follows:

A parcel of land in the Southeast 1/4 of Section 28, Town 4 North, Range 16 West, Laketown Township, Allegan County, Michigan, and more particularly described as commencing at the southeast corner of said Section 28; thence North 02 degrees 04' 52" West 1,333.60 feet, on the east line of said Section 28 to the northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 28 and the point of beginning of this description; thence South 89 degrees 51' 15" West 200.00 feet, on the north line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence South 02 degrees 04' 52" East 150.00 feet; thence North 89 degrees 51' 15" East 200.00 feet, to the east line of said Section 28; thence North 02 degrees 04' 52" West 150.00 feet, on the east line of said Section 28 to the point of beginning, containing 0.68 acre, more or less.

(2) The transfer authorized in this section takes effect when approved by a resolution of the state administrative board.

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

Sec. 2. (1) The state administrative board, on behalf of the state, may convey to Laketown township in Allegan county, for consideration of \$1.00, property now under the jurisdiction of the department of corrections, and more specifically described as follows:

Dunes correctional facility, located in Laketown township, Allegan county, Michigan, and more specifically described as follows:

The Southeast 1/4 of the Southeast 1/4 of fractional Section 28, T4N, R16W, and the South 600 feet of the West 300 feet of the Southwest 1/4 of the Southwest 1/4 of Section 27 T4N, R16W, Allegan County, Michigan.

(2) The conveyance authorized under this section shall provide for both of the following:

(a) That the property shall be used exclusively for public purposes and that upon termination of that use or use for any other purpose, the state may reenter and repossess the property, terminating the grantee's estate in the property, except that for a 2-year period beginning on the date of the conveyance the township may defer making the property open to the public while the township prepares the site for a public use and arranges financing for that site preparation.

(b) That if the grantee disputes the state's exercise of its right of reentry and fails to promptly deliver possession of the property to the state, the attorney general, on behalf of the state, may bring an action to quiet title to, and regain possession of, the property.

(3) The conveyance authorized under this section shall provide that if the property is used for the purpose of a public park, all members of the public using the park shall be subject to the same annual and daily fees, terms, and conditions. The conveyance also shall provide that the grantee may waive daily fees or waive fees for the use of specific areas or facilities in the case of use by specified groups or classes of persons, but the waiver of fees shall apply to all members of that group or class regardless of their residence. The conveyance also shall provide that a violation of the provisions required by this subsection constitutes a use for a nonpublic purpose allowing the state to reenter and repossess the property as provided in subsection (2).

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

(5) The revenue received under this section shall be deposited in the state treasury and credited to the general fund.

Sec. 3. The descriptions of the parcels being transferred or conveyed under this act are approximate, and for purposes of the transfer or conveyance may be adjusted as the state administrative board or attorney general considers necessary by survey or other legal description.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.