

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5069

A bill to authorize the state administrative board to convey certain state owned property in Ingham county; to authorize the department of natural resources to convey certain parcels of state owned property in Roscommon county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to certain property; and to provide for disposition of the revenue derived from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The state administrative board, on behalf of the
2 state, may convey to the recipient determined under sections 2 to
3 4, for consideration as determined pursuant to sections 2 to 4,
4 all or a portion of certain real property under the jurisdiction
5 of the department of management and budget located in the city of

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1 Lansing, Ingham county, Michigan, and further described as
2 follows:

3 East parcel description:

4 That part of the Northwest 1/4 of the Northeast 1/4 and that
5 part of the Northeast 1/4 of the Northwest 1/4 of Section 15,
6 Town 4 North, Range 2 West, City of Lansing, Ingham County
7 Michigan, bounded on the North by Saginaw Street (M-43); being
8 more particularly described as follows:

9 Commencing at the North 1/4 Corner of Section 15, Town 4
10 North, Range 2 West, City of Lansing, Ingham County Michigan;
11 thence S 01 degree 21 minutes 25 seconds W, 40.00 feet along a
12 line to the point of beginning of the following described parcel,
13 said point also being an angle point in the Southerly
14 right-of-way of Saginaw Street (M-43); thence S 88 degrees 44
15 minutes 10 seconds E, 816.53 feet along the said Southerly
16 right-of-way line of Saginaw Street to a point at the Northwest
17 Corner of the land owned by the Catholic Diocese of Lansing, said
18 right-of-way line being 40 feet Southerly of and parallel with
19 the North line of the Northeast 1/4 of said Section 15; thence S
20 01 degree 42 minutes 50 seconds W, 938.68 feet along the West
21 property line of the land owned by the Catholic Diocese of
22 Lansing; thence N 89 degrees 00 minutes 10 seconds W, 1055.47
23 feet to a point; thence N 01 degree 52 minutes 00 seconds E,
24 115.77 feet along a line parallel with the Easterly right-of-way
25 line of Pennsylvania Avenue; thence N 88 degrees 08 minutes 00
26 seconds W, 99.59 feet to a point; thence N 01 degree 52 minutes
27 30 seconds E, 827.89 feet along the Easterly line, and its

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1 extension, of Fairview Subdivision; as recorded in Liber 3 of
2 Plats, page 46 and the plat of Jones and Porter's addition, as
3 recorded in Liber 2 of Plats, page 20 all in the Ingham County
4 Records, to a point on the right-of-way line of Saginaw Street,
5 said point being 7.00 feet Southerly of the Northeast Corner of
6 the plat of Jones and Porter's addition; thence S 88 degrees 29
7 minutes 30 seconds E, 3.86 feet along said right-of-way line of
8 Saginaw Street to an angle point; thence S 88 degrees 33 minutes
9 00 seconds E, 331.99 feet along said right-of-way line of Saginaw
10 Street to the point of beginning, containing 24.670 acres, more
11 or less. Subject to all easements and restrictions of record, if
12 any.

13 West parcel description:

14 That part of the Northwest 1/4 of the Northeast 1/4 and that
15 part of the Northeast 1/4 of the Northwest 1/4 of Section 15,
16 Town 4 North, Range 2 West, city of Lansing, Ingham County
17 Michigan, bounded on the North by Orchard Street and on the West
18 by Pennsylvania Avenue; being more particularly described as
19 follows:

20 Commencing at the North 1/4 Corner of Section 15, Town 4
21 North, Range 2 West, City of Lansing, Ingham County Michigan;
22 thence S 01 degree 21 minutes 25 seconds W, 40.00 feet along a
23 line to an angle point in the Southerly right-of-way of Saginaw
24 Street (M-43); thence N 88 degrees 33 minutes 00 seconds W,
25 331.99 feet along said Southerly right-of-way line of Saginaw
26 Street to a point; thence N 88 degrees 29 minutes 30 seconds W,
27 3.86 feet continuing along said Southerly right-of-way line of

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1 Saginaw Street to a point on the Easterly line of the plat of
2 Jones and Porter's addition, as recorded in Liber 2 of Plats,
3 page 20 in the Ingham County Records, said point being 7.00 feet
4 Southerly of the Northeast Corner of the Plats of Jones and
5 Porter's addition; thence S 01 degree 52 minutes 30 seconds W,
6 395.00 feet along the Easterly line of said plat of Jones and
7 Porter's addition, and the plat of Fairview Subdivision, as
8 recorded in Liber 3 of Plats page 46 of the Ingham County
9 Records, to the point of beginning of the following described
10 parcel, said point being the Southeast Corner of said Fairview
11 Subdivision; thence S 01 degree 52 minutes 30 seconds W, 432.89
12 feet along the extension of the Easterly line of said Fairview
13 Subdivision and Jones and Porter's addition to a point; thence N
14 88 degrees 08 minutes 00 seconds W, 130.41 feet to a point;
15 thence S 01 degree 52 minutes 00 seconds W, 60.00 feet along a
16 line parallel with the Easterly right-of-way line of Pennsylvania
17 Avenue; thence N 88 degrees 05 minutes 06 seconds W, 810.00 feet
18 to a point on the Easterly right-of-way line of said Pennsylvania
19 Avenue, said point being N 01 degree 52 minutes 00 seconds E,
20 1288.00 feet along the right-of-way line of Pennsylvania Avenue
21 from the Northeasterly intersection of Pennsylvania Avenue and
22 Jerome Street; thence N 01 degree 52 minutes 00 seconds E, 485.60
23 feet along the Easterly right-of-way line of said Pennsylvania
24 Avenue to the Southwest Corner of said Fairview Subdivision;
25 thence S 88 degrees 32 minutes 10 seconds E, 940.50 feet along
26 the Southerly right-of-way line of Orchard Street to the
27 Southeast Corner of said Fairview Subdivision, and the point of

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1 beginning, containing 10.384 acres, more or less. Subject to all
2 easements and restrictions of record, if any.

3 Sec. 2. (1) The city of Lansing has the exclusive right,
4 for a period of 12 months after the effective date of this act,
5 to purchase the property described in section 1. The purchase
6 price shall be 1 of the following:

7 (a) One dollar, if the city agrees to use the property for
8 public purposes.

9 (b) Fair market value, if the city does not agree to use the
10 property for public purposes.

11 (2) If the city of Lansing intends to use a portion of the
12 property described in section 1 for public purposes and the
13 remainder for nonpublic purposes, the purchase price shall be
14 adjusted so that the portion used for public purposes is conveyed
15 for \$1.00, and the portion used for nonpublic purposes is con-
16 veyed for fair market value.

17 Sec. 3. If the property described in section 1 is not sold
18 to the city of Lansing pursuant to section 2 within 12 months
19 after the effective date of this act, the director of the depart-
20 ment of management and budget shall offer the property for sale
21 on the open market for fair market value or by broker contract.

22 Sec. 4. If the property described in section 1 is not sold
23 pursuant to section 2 or 3, the director of the department of
24 management and budget with the concurrence of the state adminis-
25 trative board may do any of the following:

26 (a) Order a reappraisal of the property.

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1 (b) Withdraw the property from sale.

2 (c) Offer the property for sale at less than fair market
3 value.

4 Sec. 5. Any conveyance of property described in section 1
5 for less than fair market value shall provide for both of the
6 following:

7 (a) That the property shall be used exclusively for public
8 purposes and if any fee, term, or condition is imposed on members
9 of the public for recreational use of the conveyed property, all
10 resident and nonresident members of the public shall be subject
11 to the same fees, terms, and conditions, except that the grantee
12 may waive daily fees or waive fees for the use of specific areas
13 or facilities; and that upon termination of that use or use for
14 any other purpose, the state may reenter and repossess the prop-
15 erty, terminating the grantee's estate in the property.

16 (b) That if the grantee disputes the state's exercise of its
17 rights of reentry and fails to promptly deliver possession of the
18 property to the state, the attorney general, on behalf of the
19 state, may bring an action to quiet title to, and regain posses-
20 sion of, the property.

21 Sec. 6. The fair market value of the property described in
22 section 1 shall be determined by an appraisal based on the
23 property's highest and best use, as prepared by the state tax
24 commission or an independent fee appraiser.

25 Sec. 7. The description of the parcel in section 1 is
26 approximate and for purposes of the conveyance is subject to
27 adjustments as the state administrative board or the attorney

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1 general considers necessary by survey or other legal
2 description.

3 Sec. 8. The conveyance authorized by sections 1 to 7 shall
4 be by quitclaim deed approved by the attorney general. The con-
5 veyance shall not reserve the mineral rights to the state; how-
6 ever, the conveyance shall provide that if the grantee derives
7 any revenue from the development of any minerals found on,
8 within, or under the conveyed property, the grantee shall pay 1/2
9 of that revenue to the state, for deposit in the state general
10 fund.

11 Sec. 9. (1) The net revenue received from the conveyance of
12 the property described in section 1 shall be deposited in the
13 state treasury and credited to the general fund.

14 (2) For the purposes of this section, "net revenue" means
15 the proceeds from the sale of the property described in section 1
16 less reimbursement for any costs to the state associated with the
17 sale of that property.

18 Sec. 10. (1) The department of natural resources, on behalf
19 of the state, may convey to the Roscommon metropolitan recreation
20 authority, for consideration of \$1.00, certain real property
21 under the jurisdiction of the department of natural resources and
22 located in Higgins township, in Roscommon county, Michigan, and
23 further described as follows:

24 T 24 N. R 2W, Section 7: S.E. 1/4 N.W. 1/4

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

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1 (a) That the property shall be used exclusively for public
2 recreational purposes and that upon termination of that use or
3 use for any other purpose, the state may reenter and repossess
4 the property, terminating the grantee's estate in the property.

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

10 Sec. 11. (1) The department of natural resources, on behalf
11 of the state, may convey to Lyon township, in Roscommon county,
12 for consideration of \$1.00, certain real property under the
13 jurisdiction of the department of natural resources and located
14 in Lyon township, in Roscommon county, Michigan, and further
15 described as follows:

16 Blocks 16, 17 & 18 of the Michigan Central Park and blocks
17 23, 24 east of U.S. 27 right of way, 33 east of U.S. 27 right of
18 way & 34 of the Second Addition to the Michigan Central Park.

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

21 (a) That the property shall be used exclusively for public
22 purposes and that upon termination of that use or use for any
23 other purpose, the state may reenter and repossess the property,
24 terminating the grantee's estate in the property.

25 (b) That if the grantee disputes the state's exercise of its
26 right of reentry and fails to promptly deliver possession of the
27 property to the state, the attorney general, on behalf of the

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1 state, may bring an action to quiet title to, and regain
2 possession of, the property.

3 Sec. 12. The descriptions of the parcels in sections 10 and
4 11 are approximate, and for purposes of the conveyances may be
5 adjusted as the department of natural resources or attorney gen-
6 eral considers necessary, by survey or other legal description.

7 Sec. 13. The conveyances authorized by sections 10 to 12
8 shall be by quitclaim deed approved by the attorney general and
9 shall convey all rights held by the state to coal, oil, gas, and
10 other minerals found on or under the property conveyed.

11 Sec. 14. The revenue received from the conveyances autho-
12 rized in sections 10 to 12 shall be deposited in the state trea-
13 sury and credited to the general fund.