

**SUBSTITUTE FOR  
HOUSE BILL NO. 6033**

(As passed the House, November 12, 1998 )

A bill to authorize the state administrative board to convey certain parcels of state owned property in Oakland county and Genesee county; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to that property; to prescribe conditions for the conveyances; and to provide for disposition of the revenue derived from the conveyances; and to alter certain use restrictions.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. (1) The state administrative board, on behalf of  
2 the state, may convey to the county of Oakland, for consideration  
3 of not less than fair market value as determined pursuant to sub-  
4 section (3), or for less than fair market value subject to sub-  
5 sections (6) and (7), and in exchange for an easement at the  
6 southernmost section of county owned property that is appropriate  
7 to service developed parcels described in section 2, property

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1 under the jurisdiction of the department of community health and  
2 located in the city of Pontiac, Oakland county, Michigan, and  
3 further described as follows:

4 A parcel of land in the south 1/2 of section 19, town 3 north,  
5 range 10 east, City of Pontiac, Oakland county, Michigan and more  
6 particularly described as commencing at the southwest corner of  
7 said section 19; thence south 89 degrees 15 minutes 33 seconds  
8 east 555.42 feet, to the point of beginning of this description;  
9 thence north zero degrees 19 minutes 40 seconds west 515.69 feet;  
10 thence north 53 degrees 48 minutes 53 seconds west 235.87 feet;  
11 thence north 19 degrees 40 minutes 35 seconds east 148.12 feet;  
12 thence north zero degrees 08 minutes 40 seconds west 595.43 feet;  
13 thence south 86 degrees 45 minutes 45 seconds east 564.40 feet;  
14 thence north zero degrees 00 minutes 54 seconds west 754.13 feet;  
15 south 79 degrees 46 minutes 59 seconds east 1531.00 feet; thence  
16 211.98 feet, on the arc of a curve to the left with a central  
17 angle of 21 degrees 11 minutes 27 seconds, a radius of 573.14  
18 feet and a long chord bearing and distance of north 21 degrees 46  
19 minutes 23 seconds west 210.77 feet to the southwesterly  
20 right-of-way of the Grand Trunk Western Railroad right-of-way;  
21 thence south 43 degrees 47 degrees 15 minutes east 1022.11 feet,  
22 on said right-of-way; thence south 47 degrees 53 minutes 39 sec-  
23 onds west 1488.46 feet; thence south zero degrees 00 minutes 00  
24 seconds west 319.13 feet; thence north 89 degrees 15 minutes 33  
25 seconds west 1450.00 feet, to the point of beginning, containing  
26 87.95 acres, more or less.

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1           (2) The conveyance of the parcel described in subsection (1)  
2 shall not be effective until parcels in section 2 are conveyed  
3 under section 2, or 18 months after the effective date of this  
4 act, whichever is first. Any conveyance under this section shall  
5 be first approved by the director of the department of management  
6 and budget.

7           (3) The fair market value of the property described in sub-  
8 section (1) shall be determined by an appraisal based on the  
9 property's highest and best use, as prepared by the state tax  
10 commission or an independent fee appraiser.

11           (4) The description of the parcel in subsection (1), which  
12 is estimated to be 88 acres, is approximate and for purposes of  
13 the conveyance is subject to adjustments as the state administra-  
14 tive board or the attorney general considers necessary by survey  
15 or other legal description. The conveyance of the parcel of land  
16 is subject to any easements, rights-of-way, or restrictions if  
17 any, and restrictions and easements determined by the director of  
18 the department of management and budget and approved by the state  
19 administrative board as necessary for the development and use of  
20 the remaining parcel or parcels of land owned by the state in the  
21 city of Pontiac.

22           (5) If the property described in subsection (1) is not sold  
23 pursuant to subsection (1) within 21 months after the effective  
24 date of this act, the director shall offer the property for sale  
25 for fair market value first to local government and then through  
26 open bid or by broker contract.

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1 (6) If the property described in subsection (1) is not sold  
2 pursuant to subsection (5), the director of the department of  
3 management and budget with the concurrence of the state adminis-  
4 trative board may do any of the following:

5 (a) Order a reappraisal of the property.

6 (b) Withdraw the property from sale.

7 (c) Determine that the property should be sold for less than  
8 fair market value because it is not in the best interest of the  
9 state to continue to hold and maintain the property.

10 (7) Any conveyance of the property described in this section  
11 for less than fair market value shall provide for both of the  
12 following:

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

22 (b) That if the grantee disputes the state's exercise of its  
23 rights of reentry and fails to promptly deliver possession of the  
24 property to the state, the attorney general, on behalf of the  
25 state, may bring an action to quiet title to, and regain posses-  
26 sion of, the property.

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1 (8) The conveyance authorized by this section shall be by  
2 quitclaim deed approved by the attorney general. The conveyance  
3 shall not reserve the mineral rights to the state; however, the  
4 conveyance shall provide that if the grantee derives any revenue  
5 from the development of any minerals found on, within, or under  
6 the conveyed property, the grantee shall pay 1/2 of that revenue  
7 to the state, for deposit in the state general fund.

8 Sec. 2. (1) The state administrative board, on behalf of  
9 the state, may convey for consideration of not less than fair  
10 market value as determined pursuant to subsection (2), or for  
11 less than fair market value subject to subsections (7) and (8),  
12 all or a portion of 2 parcels of property now under the jurisdic-  
13 tion of the department of community health and located in the  
14 city of Pontiac, Oakland county, Michigan, and further described  
15 as follows:

16 Starting at a point on the property line along Telegraph Road  
17 approximately 1300 feet north of the intersection of Elizabeth  
18 Lake Road and Telegraph Road; thence in an easterly direction  
19 approximately 1800 feet; thence in a southerly direction approxi-  
20 mately 500 feet; thence in an easterly direction approximately  
21 1600 feet; thence in a northeasterly direction approximately 924  
22 feet; thence in a northwesterly direction parallel with the Grand  
23 Trunk Western Railroad approximately 2100 feet; thence in a  
24 northeasterly direction approximately 1000 feet to the Grand  
25 Trunk Western Railroad right-of-way; thence in a southeasterly  
26 direction along the Grand Trunk Western Railroad right-of-way  
27 approximately 3500 feet to the property line along Johnson

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1 Avenue; thence in a southwesterly direction along the property  
2 line on Johnson Avenue to the property line along Elizabeth Lake  
3 Road thence in a westerly direction along the property line on  
4 Elizabeth Lake Road to Telegraph Road; thence north to the point  
5 of beginning; and excluding the following parcels, the parcel on  
6 Johnson Avenue which is under the jurisdiction of the department  
7 of military affairs, and the parcels facing Elizabeth Lake Road  
8 and recorded in the Oakland County Register of Deeds liber 9346,  
9 pages 99 through 103; liber 12850, page 305; liber 10942, pages  
10 245 through 247; and liber 10529, pages 626 through 629.

11 and

12 A parcel of land in sections 19 and 30, town 3 north, range 10  
13 east, City of Pontiac, Oakland County, Michigan and more particu-  
14 larly described as commencing at the southwest corner of said  
15 section 19; thence south 89 degrees 15 minutes 33 seconds east  
16 1453.02 feet, to the point of beginning of this description;  
17 thence south 89 degrees 15 minutes 33 seconds east 552.40 feet;  
18 thence north zero degrees 00 minutes 00 seconds east 319.13 feet;  
19 thence north 47 degrees 3 minutes 39 seconds east 488.46 feet;  
20 thence south 43 degrees 47 minutes 15 seconds 2100.00 feet;  
21 thence south 23 degrees 13 minutes 36 seconds west 924.20 feet;  
22 thence north 89 degrees 15 minutes 33 seconds west 1600.00 feet;  
23 thence north zero degrees 13 minutes 24 seconds west 500.00 feet;  
24 thence north 89 degrees 15 minutes 33 seconds west 396.98 feet;  
25 thence north zero degrees 13 minutes 24 seconds west 1200.00  
26 feet, to the point of beginning, containing 84.94 acres, more or  
27 less.

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

5           (3) The description of the parcels in subsection (1), which  
6 is estimated to be 220 acres, is approximate and for purposes of  
7 the conveyance is subject to adjustments as the state administra-  
8 tive board or the attorney general considers necessary by survey  
9 or other legal description. These parcels of land are subject to  
10 any easements, rights-of-way, or restrictions, if any, and  
11 restrictions and easements determined by the director of the  
12 department of management and budget and approved by the state  
13 administrative board as necessary for the development and use of  
14 the remaining parcel or parcels of land owned by the state in the  
15 city of Pontiac.

16           (4) For 18 months after the effective date of this act, any  
17 plan for reusing the property and the conveyance and development  
18 of the property shall be done in partnership by the city of  
19 Pontiac and the state of Michigan. The city of Pontiac, through  
20 a statutory authorized development agency or agencies, including  
21 the economic development corporation, shall act as an agent of  
22 the state or the state may option the land to the city of Pontiac  
23 for disposition of the property, in whole or in part. Any con-  
24 veyance under this section shall be first approved by the direc-  
25 tor of the department of management and budget in accordance with  
26 subsection (5).

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1 (5) The city of Pontiac and the state of Michigan, in  
2 partnership, and within 60 days after the effective date of this  
3 act, shall develop a request for proposals to develop parcels  
4 described in subsection (1), addressing: possible public pur-  
5 poses, financial structure/ownership, highest and best use, and  
6 maximizing the tax base, consistent with securing or approaching  
7 fair market value, which shall not conflict with the city of  
8 Pontiac's plan 2010 as amended. The request for proposals shall  
9 be sent to the director of the department of management and  
10 budget, and the director must approve or offer reasons for denial  
11 within 30 days of receipt. Response to the request for proposal  
12 shall be received within 6 months after the effective date of  
13 this act and be reviewed by the city of Pontiac and the director  
14 within 9 months after the effective date of this act. The direc-  
15 tor must approve or offer reasons for denial of the recommended  
16 proposal within 30 days of receipt. A denial by the director of  
17 submitted request for proposal or recommended proposal shall  
18 extend all subsequent dates by 30 days. Any other extension of  
19 dates may be approved by the director.

20 (6) If the property described in subsection (1) is not sold  
21 pursuant to subsection (4) within 18 months after the effective  
22 date of this act, the director of the department of management  
23 and budget may offer the property for sale for fair market value  
24 first to local government and then through open bid or by broker  
25 contract.

26 (7) If the property described in subsection (1) is not sold  
27 pursuant to subsection (6), the director of the department of

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1 management and budget with the concurrence of the state

2 administrative board may do any of the following:

3 (a) Order a reappraisal of the property.

4 (b) Withdraw the property from sale.

5 (c) Determine that the property should be sold for less than  
6 fair market value because it is not in the best interest of the  
7 state to continue to hold and maintain the property.

8 (8) Any conveyance of the property described in this section  
9 for less than fair market value shall provide for both of the  
10 following:

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

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

25 (9) The conveyance authorized by this section shall be by  
26 quitclaim deed approved by the attorney general. The conveyance  
27 shall not reserve the mineral rights to the state; however, the

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1 conveyance shall provide that if the grantee derives any revenue  
2 from the development of any minerals found on, within, or under  
3 the conveyed property, the grantee shall pay 1/2 of that revenue  
4 to the state, for deposit in the state general fund.

5       Sec. 3. (1) The state administrative board, on behalf of  
6 the state, may convey for consideration of not less than fair  
7 market value as determined pursuant to subsection (2), or for  
8 less than fair market value subject to subsections (5) and (6),  
9 all or a portion of property now under the jurisdiction of the  
10 department of community health and located in the city of  
11 Pontiac, Oakland county, Michigan, commonly known as the Clinton  
12 Valley Center, Fairlawn center campus, and further described as  
13 follows:

14 A parcel of land in the NW 1/4 of section 30, T3N, R10E, City of  
15 Pontiac, Oakland County, Michigan and more particularly described  
16 as commencing at the northwest corner of said section 30; thence  
17 S00°00'00"W 2482.90 feet; thence S90°00'00"E 1396.89 feet, to the  
18 point of beginning of this description on the northerly right of  
19 way line of Elizabeth Lake Road; thence N00°13'24"W 1264.98 feet;  
20 thence N89°15'33"W 887.40 feet; thence N00°13'24"W 1200.00 feet;  
21 thence S89°15'33"E 953.02 feet; thence S00°13'24"E 2451.81 feet,  
22 to the northerly right of way line of Elizabeth Lake Road; thence  
23 S79°21'30"W 66.71 feet, on said right of way to the point of  
24 beginning, containing 28.15 acres.

25       (2) The fair market value of the property described in sub-  
26 section (1) shall be determined by an appraisal prepared by the  
27 state tax commission or an independent fee appraiser.

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1 (3) The description of the property in subsection (1) is  
2 approximate and for purposes of the conveyance is subject to  
3 adjustments as the state administrative board or the attorney  
4 general considers necessary by survey or other legal  
5 description.

6 (4) The director of management and budget shall offer the  
7 property described in this section for sale on the open market  
8 for fair market value or by broker contract.

9 (5) If the property described in subsection (1) is not sold  
10 pursuant to subsection (4) and fails to sell at a public sale for  
11 fair market value, the director of management and budget with the  
12 concurrence of the state administrative board may do any of the  
13 following:

14 (a) Order a reappraisal of the property.

15 (b) Withdraw the property from sale.

16 (c) Offer the property for sale for less than fair market  
17 value.

18 (6) Any conveyance of the property described in this section  
19 for less than fair market value shall provide for both of the  
20 following:

21 (a) That the property shall be used exclusively for public  
22 purposes and if any fee, term, or condition is imposed on members  
23 of the public for recreational use of the conveyed property, all  
24 resident and nonresident members of the public shall be subject  
25 to the same fees, terms, and conditions, except that the grantee  
26 may waive daily fees or waive fees for the use of specific areas  
27 or facilities; and that upon termination of that use or use for

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1 any other purpose, the state may reenter and repossess the  
2 property, terminating the grantee's estate in the property.

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

8 (7) The conveyance authorized by this section shall be by  
9 quitclaim deed approved by the attorney general. The conveyance  
10 shall not reserve the mineral rights to the state; however, the  
11 conveyance shall provide that if the grantee derives any revenue  
12 from the development of any minerals found on, within, or under  
13 the conveyed property, the grantee shall pay 1/2 of that revenue  
14 to the state, for deposit in the state general fund.

Sec. 4. (1) The state administrative board, on behalf of the state, may convey, for consideration of not less than fair market value as determined pursuant to subsection (3) or for less than fair market value subject to subsection (4), all of the property commonly known as Brown Hall, which is under the jurisdiction of the department of education and located in the city of Flint, Genesee county, Michigan, and is further described as follows:

A parcel of land located in Section 8 of Indian Reservation of 11 Sections at near The Grand Traverse on Flint River, City of Flint, Genesee County, Michigan; the surveyed boundary being described as Commencing at the Southwest corner of Section 24, Town 7 North, Range 6 East, City of Flint, Genesee County, Michigan; thence North 89 degrees 32 minutes 40 seconds East along the South line of said Section 24 a distance of 946.72 feet; thence North 00 degrees 27 minutes 20 seconds West perpendicular to the South line of said Section 24 a distance of 5,249.20 feet to the Northeast corner of The Plat of Woodcroft No. 1 as recorded in Liber 8, Pages 34-36 of Genesee County Records; thence North 58 degrees 29 minutes 55 seconds East a distance of 1,103.54 feet along the centerline of Miller Road as established by the Michigan Department of Transportation (recorded as North 58 degrees 51 minutes 00 seconds East, 1,103.54 feet); thence continuing along said centerline on a curve to the left 426.00 feet, said curve having a central angle of 38 degrees 18 minutes 00 seconds, a radius of 637.27 feet, a chord of 418.11 feet bearing North 39 degrees 20 minutes 55 seconds East (recorded as radius of 637.27 feet, chord 418.10 feet bearing North 39 degrees 42 minutes 00 seconds East); thence North 20 degrees 11 minutes 55 seconds East continuing along said centerline a distance of 244.83 feet (recorded as North 20 degrees 33 minutes 00 seconds East 244.83 feet); thence continuing on said centerline on a curve to the right 345.46 feet, said curve having a central angle of 31 degrees 03 minutes 35 seconds, a radius of 637.27 feet, a chord of 341.25 feet bearing North 35 degrees 43 minutes 40 seconds East (recorded as radius of 637.27 feet, chord 341.23 feet bearing North 36 degrees 04 minutes 45 seconds East); thence North 51 degrees 15 minutes 25 seconds East continuing along said centerline a distance of 162.30 feet (recorded as North 51 degrees 36 minutes 30 seconds East 158.66 feet) to a point on the centerline of Court Street as

established by the Michigan Department of Transportation; thence South 89 degrees 53 minutes 35 seconds East along the centerline of said Court Street a distance of 831.03 feet (recorded as South 89 degrees 32 minutes 30 seconds East 837.65 feet); thence North 58 degrees 28 minutes 55 seconds East along the centerline of said Court Street a distance of 52.18 feet (recorded as North 58 degrees 50 minutes 00 seconds East); thence South 31 degrees 51 minutes 45 seconds East a distance of 50.00 feet to the Southerly right of way line of Court Street and the point of beginning of this description; thence North 58 degrees 28 minutes 55 seconds East along the Southerly line of Court Street (recorded as North 58 degrees 50 minutes 00 seconds East) a distance of 248.00 feet; thence South 31 degrees 31 minutes 05 seconds East perpendicular to the Southerly right of way line of Court Street a distance of 343.24 feet; thence South 21 degrees 37 minutes 55 seconds West a distance of 186.15 feet; thence North 44 degrees 41 minutes 55 seconds West a distance of 154.71 feet (recorded as North 44 degrees 00 minutes 10 seconds West 154.71 feet); thence South 60 degrees 59 minutes 50 seconds West a distance of 28.99 feet (recorded as South 61 degrees 41 minutes 37 seconds West 28.99 feet); thence North 59 degrees 50 minutes 20 seconds West a distance of 70.27 feet (recorded as North 59 degrees 08 minutes 34 seconds West 70.27 feet); thence North 31 degrees 51 minutes 45 seconds West a distance of 241.12 feet (recorded as North 31 degrees 10 minutes 00 seconds West) to the point of beginning; said parcel containing 2.086 acres.

Subject to all easements and restrictions of use or record.

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

(3) The fair market value of the property described in subsection (1) shall be the price determined by an appraisal as prepared by the state tax commission or an independent fee appraiser or the price as established by competitive solicitation.

(4) A conveyance authorized by this section for less than fair market value shall provide for both of the following:

(a) That the property shall be used exclusively for a public purpose, 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.

(b) That if the grantee disputes the state's exercise of its rights 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.

Sec. 5. In addition to the purposes permitted in 1998 PA 363, the conveyance of property previously under the jurisdictions of the department of natural resources located in Higgins Township, in Roscommon county, Michigan, and further described as follows: T 24. R 2W, Section 7: S.E. 1/4 N.W. 1/4 may also be used for wildlife education purposes.

15 Sec. 6. (1) The net revenue received under sections 1 to 4  
16 shall be deposited in the state treasury and credited to  
17 the general fund.

18 (2) For the purposes of this act, "net revenue" means the  
19 proceeds from the sale of the property described in sections 1  
20 to 4 less reimbursement for any costs to the state associated  
21 with the sale of that property.

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