

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4547**

A bill to authorize the department of natural resources to convey certain state owned property in Macomb county; to authorize the state administrative board to convey certain parcels of state owned property in Delta county and Ingham county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue from the conveyances.

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

1       Sec. 1. (1) The department of natural resources, on behalf  
2 of the state, may convey to the charter township of Shelby, for  
3 consideration of \$1.00, property under the jurisdiction of the  
4 department of natural resources and located in the charter town-  
5 ship of Shelby, Macomb county, Michigan, and further described as  
6 follows:

7       All state-owned land dedicated as the Rochester-Utica State  
8 Recreation Area located in Shelby Township, Macomb County, more

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1 specifically described as land located in Section 19, T3N, R12E;  
2 all state-owned lands in the E 1/2 of Section 19 and all  
3 state-owned lands in the W 1/2 of Section 19 lying east of the  
4 Clinton River, T3N, R12E, Macomb county.

5 (2) The conveyance authorized by this section shall provide  
6 for all of the following:

7 (a) The property shall be used exclusively for public park  
8 purposes and if any fee, term, or condition for the use of the  
9 property is imposed on members of the public, or if any of those  
10 fees, terms, or conditions are waived for use of this property,  
11 resident and nonresident members of the public shall be subject  
12 to the same fees, terms, conditions, and waivers.

13 (b) Upon termination of the use described in subdivision (a)  
14 or use for any other purpose, the state may reenter and repossess  
15 the property, terminating the grantee's estate in the property.

16 (c) If the grantee disputes the state's exercise of its  
17 right 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 (3) The conveyance authorized by this section shall be by  
22 quitclaim deed approved by the attorney general and shall not  
23 reserve mineral rights to the state.

24 (4) The conveyance authorized by this section shall require  
25 that, within 30 days after the date of the conveyance, a restric-  
26 tive covenant be filed with the register of deeds for recording,  
27 which shall specify the land use or resource use restrictions, or

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1 both, that are necessary to protect the public health, safety, or  
2 welfare, or the environment, and to assure the effectiveness and  
3 integrity of the environmental contamination remedies consistent  
4 with part 201 of the natural resources and environmental protec-  
5 tion act, 1994 PA 451, MCL 324.20101 to 324.20142, and the com-  
6 prehensive environmental response compensation and liability act  
7 of 1980, Public Law 96-510, 94 Stat. 2767. The form and content  
8 of the restrictive covenant is subject to the approval of the  
9 department of environmental quality.

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

12 (6) This section pertains solely to the conveyance and  
13 restricted use of the property described in subsection (1) and  
14 does not alter the obligations, rights, or duties, either sub-  
15 stantive or procedural, of any party under any judicial or admin-  
16 istrative action that took effect before the effective date of  
17 this section.

18 Sec. 2. (1) The state administrative board, on behalf of  
19 the state and subject to the terms stated in this section, may  
20 convey to Delta county certain property now under the jurisdic-  
21 tion of the family independence agency in the city of Escanaba,  
22 Delta county, Michigan, and further described as follows:

23 Commence at NW corner of SW 1/4 of NE 1/4 of Section 13,  
24 T 39 N, R 23 W, thence South 89 degrees 47 minutes 05 seconds  
25 East 669.48 feet, thence South 9 deg 17 minutes West 607.59 feet,  
26 thence N 89 deg 47 minutes 05 seconds West 572.50 feet, thence N  
27 0 deg 04 minutes 45 seconds East 600 feet to POB.

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1       (2) In exchange for the property described in  
2 subsection (1), the family independence agency shall receive from  
3 Delta county a 4.525-acre parcel of land, further described as  
4 follows:

5       From the Southeast corner of the SE 1/4 of NW 1/4 of  
6 Section 13, T 39N, R 23 W, thence N 0 degrees 04 minutes 45 sec-  
7 onds East 300 feet, thence S 88 degrees 36 minutes 08 seconds  
8 West 659.43 feet, thence S 0 deg 00 minutes 11 seconds East 300  
9 feet, thence North 88 degrees 36 minutes 08 seconds East 659 feet  
10 to POB.

11       (3) The descriptions of the parcels in subsections (1) and  
12 (2) are approximate and for purposes of the conveyance are  
13 subject to adjustments as the state administrative board, the  
14 department of management and budget, or the attorney general con-  
15 siderers necessary by survey or other legal description.

16       (4) The department of management and budget is responsible  
17 for brokering, managing, and implementing the land exchange on  
18 behalf of the state, in accordance with the provisions of this  
19 section. The department of management and budget shall be com-  
20 pensated directly by the family independence agency or Delta  
21 county, or both, as the parties may mutually agree in advance,  
22 for all costs incurred in discharging those functions, including,  
23 but not limited to, the costs of commissioning any professional  
24 surveys the department of management and budget considers neces-  
25 sary and prudent.

26       (5) The conveyances authorized by this section shall be by  
27 quitclaim deed approved by the attorney general.

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1       Sec. 3. (1) The state administrative board, on behalf of  
2 the state and subject to the terms stated in this section, may  
3 convey to the city of Lansing all or portions of certain state  
4 owned property now under the jurisdiction of the department of  
5 management and budget and located in the city of Lansing,  
6 Michigan, and more particularly described as:

7       Lots 10, 11 and 12 of Block 116 of the original plat of the  
8 Town of Michigan, now the City of Lansing.

9       Excepting any easements of record

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

14       (3) In exchange for the property described in subsection  
15 (1), the department of management and budget shall receive from  
16 the city of Lansing property equal in value, based on fair market  
17 value.

18       (4) If the property described in subsection (1) is not  
19 exchanged for property of equal value pursuant to subsection (3),  
20 the city of Lansing may purchase the property for fair market  
21 value.

22       (5) The city of Lansing has the exclusive right, for a  
23 period of 12 months after the effective date of this act, to  
24 acquire the property described in subsection (1) for the purpose  
25 described in subsection (6).

26       (6) Any conveyance or exchange of the property described in  
27 subsection (1) shall be for a project that includes city owned

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1 parking. The deed transferring the property shall provide for  
2 all of the following:

3 (a) The property shall be used for a project that will  
4 include city owned parking.

5 (b) The city of Lansing shall cause to be provided to the  
6 state of Michigan, within the parcel of property described in  
7 subsection (1), not less than 400 or more than 500 reserved park-  
8 ing spaces for senate employees for a period of not less than 50  
9 years. Senate employees who are designated to park in these  
10 spaces shall pay a rate of not more than \$40.00 per month,  
11 adjusted annually by the Detroit consumer price index.

12 (c) If the city of Lansing subsequently conveys all or any  
13 part of the property to another party, both of the following  
14 apply:

15 (i) The city shall notify the secretary of the Michigan  
16 senate and the majority leader of the Michigan senate of its  
17 intent to convey the property. The notice shall be in writing  
18 and shall be delivered at least 30 days before the date on which  
19 the city conveys the property to the other party.

20 (ii) The party that purchases the property from the city,  
21 and any successor or assignee, shall be obliged to meet all the  
22 requirements described in subdivisions (a) and (b) regarding the  
23 provision of parking spaces to the state of Michigan.

24 (7) An agreement between the city of Lansing and the state,  
25 providing for the state of Michigan parking places, shall be exe-  
26 cuted before the property is conveyed to the city of Lansing by  
27 the state administrative board.

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1       (8) The fair market value of the properties described in  
2 subsections (1) and (3) shall be determined according to their  
3 highest and best use by an appraisal prepared by the state tax  
4 commission or an independent fee appraiser.

5       (9) The conveyances authorized by this section shall be by  
6 quitclaim deed approved by the attorney general.

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