

HOUSE BILL No. 5140
(As passed the Senate, December 13, 2001)

October 4, 2001, Introduced by Rep. Bovin and referred to the Committee on Regulatory Reform.

A bill to authorize the department of natural resources to convey certain state owned property in Dickinson county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The department of natural resources, on behalf of
2 the state, may convey to the county of Dickinson, for considera-
3 tion of \$1.00, property under the jurisdiction of the department
4 of natural resources and located in the township of Waucedah,
5 Dickinson county, Michigan, and further described as follows:
6 Town 39 North, Range 28 West, Section 30
7 That part of Government Lot 4 and the southwest one-quarter
8 of the northwest one-quarter (SW1/4 NW1/4), described as
9 follows: assuming the section line or range line from the
10 one-quarter corner of Sections 25 and 30 to the section corners

1 of Sections 19, 24, 25, and 30 to be a due north course and
2 beginning at the meander corner on the south bank of lake, thence
3 due south for a distance of 136 feet to the northwest corner of
4 the southwest one-quarter of the northwest one-quarter (SW1/4
5 NW1/4), Section 30, thence due south 345.10 feet to a point on
6 the north right-of-way of county road, thence along the said
7 north right-of-way North 83 42' East a distance of 197.66 feet,
8 thence around a 166.7 foot radius curve to the left a distance of
9 113.47 feet, thence North 44 42' East a distance of 174.20 feet,
10 thence around a 247.18 feet radius curve to the right a distance
11 of 350.22 feet to the point of tangency of said curve, thence
12 North 41 53' East along the west bank of the lake outlet a dis-
13 tance of 189.84 feet, thence North 44 43' West along said west
14 bank of outlet a distance of 234.70 feet to bank of lake, thence
15 along the south bank of lake, South 42 17' west a distance of
16 80.80 feet, thence South 69 54' West a distance of 136.50 feet,
17 thence North 53 53' west a distance of 100.60 feet, thence North
18 80 16' west a distance of 197.70 feet, thence South 88 10' West a
19 distance of 106.90 feet, thence South 77 44' West a distance of
20 135.40 feet to the meander corner and point of beginning.

21 Sec. 2. The conveyance authorized by this act shall provide
22 for all of the following:

23 (a) The property shall be used exclusively for recreational
24 purposes and if any fee, term, or condition for the use of the
25 property is imposed on members of the public, or if any of those
26 fees, terms, or conditions are waived for use of this property,

1 resident and nonresident members of the public shall be subject
2 to the same fees, terms, conditions, and waivers.

3 (b) Upon termination of the use described in subdivision (a)
4 or use for any other purpose, the state may, at its option,
5 reenter and repossess the property, terminating the grantee's
6 estate in the property.

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

12 Sec. 3. The conveyance authorized by this act shall be by
13 quitclaim deed and shall reserve all of the following rights to
14 the state:

15 (a) The right to ingress and egress over and across the
16 property along any watercourse or stream, pursuant to part 5 of
17 the natural resources and environmental protection act, 1994 PA
18 451, MCL 324.501 to 324.511.

19 (b) The rights to all aboriginal antiquities, including
20 mounds, earthworks, forts, burial and village sites, mines, or
21 other relics.

22 (c) The right to explore and excavate for any aboriginal
23 antiquities or relics described in subdivision (b), by and
24 through employees or authorized agents of the state, pursuant to
25 part 761 of the natural resources and environmental protection
26 act, 1994 PA 451, MCL 324.76101 to 324.76118.

1 Sec. 4. The conveyance authorized under this act is subject
2 to mining rights and mineral exceptions and reservations
3 contained in or referred to in former conveyances of the property
4 described in section 1, which may be of record.

5 Sec. 5. The revenue received under this act shall be depos-
6 ited in the state treasury and credited to the game and fish pro-
7 tection fund created in section 43553 of the natural resources
8 and environmental protection act, 1994 PA 451, MCL 324.43553.