

# SENATE BILL No. 638

September 19, 2001, Introduced by Senator SHUGARS and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1996 PA 480, entitled

"An act to make appropriations for the judicial branch for the fiscal year ending September 30, 1997; to make appropriations to various state departments for the fiscal year ending September 30, 1997; to make appropriations for a capital outlay program for fiscal years ending September 30, 1997; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies, universities, and community colleges; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for certain advances from the general fund; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; to provide for the acquisition of land and the development of public recreation facilities; to provide for the powers and duties of certain state agencies, employees, and officials; and to provide for the expenditure of the appropriations,"

by amending section 1813.

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

1       Sec. 1813. (1) The state administrative board, on behalf of  
2 the state, may convey for consideration of \$1.00 to the Kalamazoo  
3 community mental health services program or a legal successor  
4 agency to the board, all or any portion of certain property now  
5 under the jurisdiction of the department of community health and  
6 located in the city of Kalamazoo, Kalamazoo County, Michigan, and  
7 more specifically described as follows: Building numbers 44, 62,  
8 63, 64, and 65, located on the campus of Kalamazoo psychiatric  
9 hospital, Kalamazoo, Michigan.

10       (2) The description of the parcels 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) The conveyance authorized in this section shall be by  
15 quitclaim deed approved by the attorney general.

16       (4) The state shall not reserve the mineral rights to the  
17 state owned land sold under this section. However, a conveyance  
18 of the state owned land under this section shall provide that if  
19 the purchaser or any grantee develops the mineral rights that the  
20 state shall receive not less than 1/2 of the net royalties.

21       (5) THE QUITCLAIM DEED ENTERED INTO ON JANUARY 26, 1998,  
22 PURSUANT TO SUBSECTION (1), BETWEEN THE STATE ADMINISTRATIVE  
23 BOARD AND KALAMAZOO COMMUNITY MENTAL HEALTH SERVICES, SHALL BE  
24 AMENDED TO ALLOW KALAMAZOO COMMUNITY MENTAL HEALTH SERVICES TO  
25 CONVEY A PORTION OF THE PROPERTY DESCRIBED IN SUBSECTION (1) FOR

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1 FAIR MARKET VALUE WITHOUT VIOLATING THE RESTRICTION CONTAINED IN  
2 THE DEED REQUIRING THE PROPERTY TO BE USED EXCLUSIVELY FOR PUBLIC  
3 PURPOSES. THE FAIR MARKET VALUE OF THE PORTION OF THE PROPERTY  
4 THAT IS CONVEYED SHALL BE DETERMINED BY AN APPRAISAL BASED ON THE  
5 PROPERTY'S HIGHEST AND BEST USE, AS PREPARED BY THE STATE TAX  
6 COMMISSION OR AN INDEPENDENT FEE APPRAISER. THE PROCEEDS DERIVED  
7 FROM THE CONVEYANCE SHALL BE RETAINED BY KALAMAZOO COMMUNITY  
8 MENTAL HEALTH SERVICES AND SHALL BE EXPENDED ONLY TO PROVIDE  
9 HOUSING SERVICES TO THE DEVELOPMENTALLY DISABLED, MENTALLY ILL,  
10 OR AT-RISK FAMILIES WITHIN THAT SERVICE AREA. THE PORTION OF THE  
11 PROPERTY DESCRIBED IN SUBSECTION (1) THAT MAY BE CONVEYED UNDER  
12 THIS SUBSECTION IS DESCRIBED AS FOLLOWS:

13 PARCEL "A"

14 BEGINNING AT THE NORTHWEST CORNER OF ORCHARD HILLS, AS RECORDED  
15 IN LIBER 11 OF PLATS ON PAGE 30 & 31, KALAMAZOO COUNTY RECORDS;  
16 THENCE SOUTH 00 -00'-00" EAST ALONG THE WEST LINE OF SAID PLAT  
17 AND THE NORTH AND SOUTH 1/4 LINE OF SECTION 21, T. 2 S., R. 11  
18 W., CITY OF KALAMAZOO, KALAMAZOO COUNTY, MICHIGAN, 366.39 FEET TO  
19 A POINT 1,793.25 FEET NORTH OF THE SOUTH 1/4 POST OF SAID  
20 SECTION; THENCE NORTH 90 -00'-00" WEST, 160.40 FEET; THENCE NORTH  
21 16 -47'-57" EAST, 434.45 FEET; THENCE NORTH 89 -12'-05" EAST PAR-  
22 ALLEL WITH THE NORTH LINE OF ORCHARD HILLS, 56.21 FEET TO THE  
23 WESTERLY RIGHT-OF-WAY OF LONG ROAD; THENCE SOUTH 30 -59'-33" EAST  
24 ALONG SAID RIGHT-OF-WAY, 57.85 FEET TO THE NORTH LINE OF ORCHARD  
25 HILLS; THENCE SOUTH 89 -12'-05" WEST, 51.16 FEET (RECORDED AS  
26 SOUTH 89 -09'-00" WEST, 51.13 FEET) TO THE PLACE OF BEGINNING.

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1 SOUTH 1/4 POST WITNESSES. SECTION 21, T. 2 S., R. 11 W.

2 PARCEL "B"

3 COMMENCING AT THE NORTHWEST CORNER OF ORCHARD HILLS, AS RECORDED  
4 IN LIBER 11 OF PLATS ON PAGE 30 & 31, KALAMAZOO COUNTY RECORDS;  
5 THENCE SOUTH 00 -00'-00" EAST ALONG THE WEST LINE OF SAID PLAT  
6 AND THE NORTH AND SOUTH 1/4 LINE OF SECTION 21, T. 2 S., R. 11  
7 W., CITY OF KALAMAZOO, KALAMAZOO COUNTY, MICHIGAN, 759.88 FEET  
8 FOR THE PLACE OF BEGINNING OF THE LAND HEREINAFTER DESCRIBED,  
9 SAID POINT BEING 1,399.76 FEET (RECORDED AS 1,400.00 FEET) NORTH  
10 OF THE SOUTH 1/4 POST OF SAID SECTION; THENCE NORTH 86 -48'-22"  
11 WEST, 275.00 FEET; THENCE NORTH 16 -47'-57" EAST, 395.03 FEET;  
12 THENCE SOUTH 90 -00'-00" EAST, 160.40 FEET TO THE WEST LINE OF  
13 ORCHARD HILLS; THENCE SOUTH 00 -00'-00" EAST ALONG SAID WEST  
14 LINE, 393.49 FEET TO THE PLACE OF BEGINNING.