

Act No. 440
Public Acts of 2002
Approved by the Governor
June 12, 2002
Filed with the Secretary of State
June 13, 2002
EFFECTIVE DATE: June 13, 2002

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

Introduced by Senator Gougeon

ENROLLED SENATE BILL No. 540

AN ACT to authorize the state administrative board to convey certain state owned property in Macomb 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:

Sec. 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 section 3, all or any portion of property now under the jurisdiction of the department of community health and located in the township of Clinton, Macomb county, Michigan, and more particularly described as:

A parcel of land in the NE 1/4 of section 7, T2N, R13E, Clinton Township, Macomb County, Michigan, consisting of the north 1354.27 of the following described parcel; commencing at the N 1/4 corner of said section 7; thence N 88°16'00"E 432.03 feet, on the north line of said section 7 to the point of beginning of this description; thence N88°16'00" 887.77 feet, on the north line of said section 7, thence S01°26'00"E 2303.13 feet, on the West line of St. Joseph subdivision (and its extension) to the center of Canal Road; thence N71°21'30"W 762.85 feet, on the center of Canal Road; thence N01°18'30"E 377.58 feet; thence S88°50'00"W 196.94 feet; thence N01°10'00"W (computed as N01°10'12"W) 1658.58 feet, to the point of beginning. The above described parcel contains 26 acres, more or less. Reference to deed recorded in Liber2086, Pages 879 and 880, Macomb County Records.

Sec. 2. The parcel in section 1 comprises a total of approximately 26 acres. The description of the parcel in section 1 is approximate, and for the purposes of conveyance is subject to adjustments as the state administrative board or the attorney general considers necessary by survey or other legal description. The conveyance of the parcel in section 1 is subject to any easements, rights-of-way, or restrictions, if any, and restrictions and easements determined by the director of the department of management and budget and approved by the state administrative board as necessary for development of the property.

Sec. 3. The fair market value of the property described in section 1 shall be determined by an appraisal based on using the property for providing services to the mentally ill or developmentally disabled citizens.

Sec. 4. The property described in section 1 shall be conveyed for the purpose of providing outpatient services to indigent persons requiring community health services due to mental illness, aging, substance abuse, or developmental disability, and the deed conveying the property shall provide for both of the following:

(a) That the property shall be used exclusively for providing outpatient services to indigent persons requiring community health services due to mental illness, aging, substance abuse, or developmental disability, for a period of

50 years after the date of the conveyance and that upon termination of that use or use for any other purpose during that period, 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. The conveyance authorized by this act shall be by quitclaim deed approved by the attorney general.

Sec. 6. The state shall not reserve the mineral rights to the property conveyed under this act. However, the conveyance authorized under this act shall provide that if the purchaser or any grantee develops any minerals found on, within, or under the conveyed property, the purchaser or any grantee shall pay 1/2 of that revenue to the state, for deposit in the state general fund.

Sec. 7. (1) The net revenue received under this act shall be deposited in the state treasury and credited to the general fund.

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

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved

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Governor.