

**SUBSTITUTE FOR**

**SENATE BILL NO. 1297**

(As amended, June 23, 2004)

A bill to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for the disposal of certain buildings; to provide for certain powers and duties of certain state departments in regard to the parcels of property; to provide for disposition of revenue derived from the conveyances; and to repeal acts and parts of acts.

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

1       Sec. 1. (1) The state administrative board, on behalf of  
2 the state, may convey, for not less than fair market value, all  
3 or portions of state owned property now under the jurisdiction of  
4 the department of state police and located in the city of Mount  
5 Pleasant, Isabella county, Michigan, and further described as  
6 follows:  
7 Commencing at a point 445.85 feet North of the intersection of

1 the North line of Pickard Street and the West line of Mission  
2 street thence Southerly along the West line of Mission Street one  
3 hundred feet (100 feet) thence West one hundred thirty two feet  
4 (132 feet) thence North one hundred feet (100 feet) thence East  
5 about one hundred thirty two feet (132 feet) to the place of  
6 beginning.

7 (2) Before offering the property described in subsection (1)  
8 for public sale, the director of the department of management and  
9 budget shall first offer the property for sale [  
10 ] to the local units of government in which the  
11 property is located. [An offer to a local unit of government may be for  
12 less than fair market value.] In order to exercise its right to purchase  
13 the property under this subsection, a local government must enter  
14 into a purchase agreement within 60 days after the date of the  
15 offer and must complete the purchase within 120 days after the  
16 date of the offer. If a local unit of government purchases the  
17 property and, within 1 year after the date of that purchase,  
18 conveys the property for use other than for public purposes, the  
19 local unit of government shall pay to the state [both of the following  
amounts:

(a) An amount equal to the fair market value of the property at the  
time it was sold to the local unit of government by the state, less the  
price the local unit of government paid to the state for the property.

(b) An amount equal to 50% of the price paid by the subsequent  
purchaser to the local unit of government for the property, less the fair  
market value of the property at the time it was sold to the local unit of  
government by the state.]

20 (3) Any conveyance to a local unit of government authorized  
21 by subsection (2) shall provide [that the

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

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

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10 (4) The fair market value of the property described in  
11 subsection (1) shall be determined by an appraisal prepared by an  
12 independent appraiser.

13 (5) If the property described in subsection (1) is offered  
14 for sale at not less than fair market value, the sale shall be  
15 conducted in a manner designed to realize the highest price from  
16 the sale or the highest value to the state. The sale of this  
17 property shall be done in an open manner that utilizes 1 or more  
18 of the following:

- 19 (a) A competitive sealed bid.
- 20 (b) Real estate brokerage services.
- 21 (c) A public auction.

22 (6) A notice of a sealed bid, public auction sale, or use of  
23 broker services regarding the property described in subsection  
24 (1) shall be published at least once in a newspaper as defined in  
25 section 1461 of the revised judicature act of 1961, 1961 PA 236,  
26 MCL 600.1461, not less than 10 business days before the sale. A  
27 notice shall describe the general location and size of the

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1 property to be offered, highlights of the general terms of the  
2 offer, and directions on how to get further information about the  
3 property, as available, prior to the sale. The notice shall also  
4 list the date, time, and place of the sale or bid opening.

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

10 (8) The net revenue received under this section shall be  
11 deposited in the state treasury and credited to the general  
12 fund. As used in this subsection, "net revenue" means the  
13 proceeds from the sale of the property less reimbursement for any  
14 costs to the department of management and budget associated with  
15 the sale of the property, including the cost of securing  
16 discharge of liens or encumbrances. If the revenue received  
17 under this section is insufficient to reimburse the department of  
18 management and budget for its costs of using outside vendors in  
19 surveying, appraising, and closing the sale of the property  
20 offered in this section, those costs shall be reimbursed by the  
21 department of state police within 30 days after being presented  
22 an itemized bill for those costs.

23 (9) The conveyance authorized by this section shall be by  
24 quitclaim deed prepared and approved by the attorney general,  
25 subject to easements and other encumbrances of record. The  
26 quitclaim deed shall provide [that the

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3           ] state shall reserve all rights in aboriginal  
4 antiquities, including mounds, earthworks, forts, burial and  
5 village sites, mines, or other relics, including the right to  
6 explore and excavate for the aboriginal antiquity by the state or  
7 its authorized agents.

8           (10) The state shall not reserve the mineral rights to the  
9 property conveyed under this section. However, the conveyance  
10 authorized under this section shall provide that, if the  
11 purchaser or any grantee develops any minerals found on, within,  
12 or under the conveyed property, the purchaser or any grantee  
13 shall pay 1/2 of the gross revenue generated from the development  
14 of the minerals to the state, for deposit in the state general  
15 fund.

16           (11) If the property described in subsection (1) is not sold  
17 pursuant to subsection (2) and fails to sell at a public sale for  
18 fair market value, the director of the department of management  
19 and budget with the concurrence of the state administrative board  
20 may do any of the following:

21           (a) Order a reappraisal of the property.

22           (b) Withdraw the property from sale.

23           (c) Offer the property for sale for less than fair market

24 value [in an open manner that utilizes 1 or more of the following:

          (i) A competitive sealed bid.

          (ii) Real estate brokerage services.

          (iii) A public auction.

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2 Sec. 2. (1) The state administrative board, on behalf of  
3 the state, may convey to the township of Calumet, in Houghton  
4 county, for consideration of \$1.00, property now under the  
5 jurisdiction of the department of state police and located in the  
6 township of Calumet, Houghton county, Michigan, and further  
7 described as follows:

8 Lots thirty-two (32), thirty-three (33), and forty-two (42)  
9 Plat of Calumet Avenue Estates, Calumet Township, Houghton  
10 County, Michigan as recorded in Liber I, pages 94 and 95.

11 Excepting and reserving, however, to a previous Grantor (UOP  
12 Inc., City of Des Plaines, Cook County, Illinois), its successors  
13 and assigns forever, all ores, metals, and minerals in, on, or  
14 under the said described parcels of land and the right to mine  
15 the same to within fifteen (15) feet of the surface of the rock,  
16 and the right at all times to carry on mining operations of all  
17 kinds under and beneath the said parcels of land and to within  
18 fifteen (15) feet of the surface of the rock; and further  
19 expressly saving, reserving, and excepting to the said Grantor,  
20 its successors and assigns, the right to cause subsidence of the  
21 said premises by the withdrawal of lateral or subjacent support,  
22 whether through the conduct of mining operations, or otherwise.

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

25 (a) The property shall be used exclusively for public  
26 purposes and if any fee, term, or condition for the use of the  
27 property is imposed on members of the public, or if any of those

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1 fees, terms, or conditions are waived for use of the property,  
2 resident and nonresident members of the public shall be subject  
3 to the same fees, terms, conditions, and waivers.

4 (b) Upon termination of the public purpose use described in  
5 subdivision (a) or in the event of use for any nonpublic purpose,  
6 the state may reenter and repossess the property, terminating the  
7 grantee's estate in the property.

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

13 (3) If the property described in subsection (1) is not sold  
14 to the township of Calumet under subsection (1), the director of  
15 management and budget may offer the property for sale, for a  
16 public purpose, to the government of the United States or its  
17 subdivisions, under the same conditions. [If the property described in  
subsection (1) is not sold to either the township of Calumet or the  
government of the United States or its subdivisions, the property may be  
offered for not less than fair market value pursuant to subsections (4)  
to (6).]

18 (4) The fair market value of the property described in  
19 subsection (1) shall be determined by an appraisal prepared by an  
20 independent appraiser.

21 (5) If the property is offered for sale at not less than fair  
22 market value, the sale shall be conducted in a manner designed to  
23 realize the highest price from the sale or the highest value to  
24 the state. The sale of this property shall be done in an open  
25 manner that utilizes 1 or more of the following:

26 (a) A competitive sealed bid.

27 (b) Real estate brokerage services.

1 (c) A public auction.

2 (6) A notice of a sealed bid, public auction sale, or use of  
3 broker services regarding the property described in this section  
4 shall be published at least once in a newspaper as defined in  
5 section 1461 of the revised judicature act of 1961, 1961 PA 236,  
6 MCL 600.1461, not less than 10 business days before the sale. A  
7 notice shall describe the general location and size of the  
8 property to be offered, highlights of the general terms of the  
9 offer, and directions on how to get further information about the  
10 property, as available, prior to the sale. The notice shall also  
11 list the date, time, and place of the sale or bid opening.

12 (7) The description of the parcel in subsection (1) is  
13 approximate and for purposes of the conveyance is subject to  
14 adjustments as the state administrative board or the attorney  
15 general considers necessary by survey or other legal  
16 description.

17 (8) The net revenue received under this section shall be  
18 deposited in the state treasury and credited to the general  
19 fund. As used in this subsection, "net revenue" means the  
20 proceeds from the sale of the property less reimbursement for any  
21 costs to the department of management and budget associated with  
22 the sale of the property, including the cost of securing  
23 discharge of liens or encumbrances. If the revenue received  
24 under this section is insufficient to reimburse the department of  
25 management and budget for its costs of using outside vendors in  
26 surveying, appraising, and closing the sale of the property  
27 offered in this section, those costs shall be reimbursed by the

1 department of state police within 30 days of being presented an  
2 itemized bill for those costs.

3 (9) The conveyance authorized by this section shall be by  
4 quitclaim deed prepared and approved by the attorney general,  
5 subject to easements and other encumbrances of record. The  
6 quitclaim deed shall provide for both of the following:

7 (a) If the property is reentered and repossessed by the  
8 state, the state shall have no liability for any improvements  
9 made on the property.

10 (b) The state shall reserve all rights in aboriginal  
11 antiquities, including mounds, earthworks, forts, burial and  
12 village sites, mines, or other relics, including the right to  
13 explore and excavate for the aboriginal antiquity by the state or  
14 its authorized agents.

15 (10) The state shall not reserve the mineral rights to the  
16 property conveyed under this section. However, the conveyance  
17 authorized under this section shall provide that, if the  
18 purchaser or any grantee develops any minerals found on, within,  
19 or under the conveyed property, the purchaser or any grantee  
20 shall pay 1/2 of the gross revenue generated from the development  
21 of the minerals to the state, for deposit in the state general  
22 fund.

23 (11) If the property described in subsection (1) is not sold  
24 pursuant to subsection (2) or (3) and fails to sell at a public  
25 sale for fair market value, the director of the department of  
26 management and budget with the concurrence of the state  
27 administrative board may do any of the following:

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- 1 (a) Order a reappraisal of the property.
- 2 (b) Withdraw the property from sale.
- 3 (c) Offer the property for sale for less than fair market
- 4 value [in an open manner that utilizes 1 or more of the following:
- (i) A competitive sealed bid.
- (ii) Real estate brokerage services.
- (iii) A public auction.

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9 Sec. 3. (1) The state administrative board, on behalf of

10 the state and subject to the terms stated in this section, may

11 convey for not less than fair market value all or portions of

12 certain state owned property now under the jurisdiction of the

13 department of management and budget and located in the city of

14 Detroit, Wayne county, Michigan, commonly known as the Michigan

15 labor building and land, and more particularly described as:

16 PARCEL A:

17 All of Lots 1 through 9, inclusive, the strip of land twenty

18 (20) feet in width lying between the east line of said Lots 1 and

19 2 and the west line of said Lot 3, being the alley vacated by the

20 Common Council of the City of Detroit by resolution adopted

21 October 22, 1912, and the West 11.80 feet of Lot 10, Atkinson's

22 Subdivision of the South Part of Lot One of the Subdivision of

23 Quarter Section Fifty Seven, Ten Thousand Acre Tract, Township of

24 Hamtramck (now City of Detroit), Wayne County, Michigan, as

25 recorded in Plat Liber 7, Page 33, Wayne County Records, and the

26 Southerly 27-1/2 feet and the Easterly 155 feet of the North 80

27 feet of Lot 1, Bagg's Subdivision of part of Lot 1 in Quarter

1 Section 57, Ten Thousand Acre Tract, Town 1 South, Range 12 East,  
2 as recorded in Plat Liber 7, Page 33, Wayne County Records, said  
3 parcel of land being more particularly described as:

4 BEGINNING at the northeast corner of Woodward Avenue and East  
5 Grand Boulevard at the southwest corner of said Lot 1 of said  
6 Atkinson's Subdivision; thence N25 degrees 59 minutes 43 seconds  
7 W 145.04 feet along the northeasterly line of said Woodward  
8 Avenue to the southerly line of said Southerly 27-1/2 feet of  
9 said Lot 1 of said Bagg's Subdivision; thence N63 degrees 57  
10 minutes 05 seconds E 65.00 feet along said southerly line; thence  
11 N25 degrees 59 minutes 43 seconds W 80.03 feet to the  
12 southeasterly line of Horton Avenue; thence N63 degrees 57  
13 minutes 39 seconds E 155.00 feet along said southeasterly line to  
14 the easterly line of said Lot 1 of said Bagg's Subdivision and  
15 the west line of a 20 foot wide public alley; thence S25 degrees  
16 59 minutes 43 seconds E 107.5 feet to the southeasterly line of a  
17 15 foot wide public alley; thence N63 degrees 57 minutes 05  
18 seconds E 361.41 feet along said southeasterly line and  
19 northwesterly line of said Lots 3 through 10 to the southwesterly  
20 line of John R Street; thence S25 degrees 46 minutes 52 seconds E  
21 109.95 feet along said southwesterly line to the northwest corner  
22 of said John R Street and East Grand Boulevard; thence S63  
23 degrees 56 minutes 30 seconds W 581.00 feet along the  
24 northwesterly line of East Grand Boulevard to the Point of  
25 Beginning, containing 1.928 acres and being subject to easements  
26 and restrictions of record.

27 PARCEL B:

1 The East 10 feet of Lot 2, all of Lots 3 through 13, inclusive,  
2 and the West 1.80 feet of Lot 14, Bagg's Subdivision of Part of  
3 Lot 1 in Quarter Section 57, Ten Thousand Acre Tract, Town 1  
4 South, Range 12 East, as recorded in Plat Liber 7, Page 33, Wayne  
5 County Records; said parcel of land being more particularly  
6 described as:

7 BEGINNING at the southwest corner of Horton Avenue and John R  
8 Street at the northeast corner of said West 1.80 feet of Lot 14  
9 of said Bagg's Subdivision; thence S25 degrees 46 minutes 52  
10 seconds E 99.95 feet along the southwesterly line of said John R  
11 Street to the northwesterly line of a 15 foot wide public alley;  
12 thence S63 degrees 57 minutes 05 seconds W 341.47 feet along said  
13 northwesterly line and southeasterly line of said Lots 3 through  
14 13 to the northeasterly line of a 20 foot wide public alley;  
15 thence N25 degrees 59 minutes 43 seconds W 100.00 feet to the  
16 southeasterly line of Horton Avenue; thence N63 degrees 57  
17 minutes 39 seconds E 341.80 feet along said southeasterly line to  
18 the Point of Beginning, containing 0.784 of an acre and being  
19 subject to easements and restrictions of record.

20 PARCEL C:

21 All of Lots 88, 89, and the Northerly 53 feet of Lot 90, Hibbard  
22 Baker's Subdivision of Lot No. 2 of the Subdivision of 1/4  
23 Section 57, Ten Thousand Acre Tract, Hamtramck (now City of  
24 Detroit), Town 1 South, Range 12 East, as recorded in Plat Liber  
25 7, Page 90, Wayne County Records, said parcel of land being more  
26 particularly described as:  
27 BEGINNING at the southeast corner of said Lot 89 on the

1 northwesterly line of Horton Avenue which is S63 degrees 57  
2 minutes 39 seconds W 31.82 feet from the southeast corner of  
3 Horton Avenue and John R Street at the northwest corner of said  
4 Lot 90 of said Hibbard Baker's Subdivision; thence continuing  
5 along said northwesterly line of Horton Avenue S63 degrees 57  
6 minutes 39 seconds E 60.03 feet to the southwest corner of said  
7 Lot 88; thence N25 degrees 48 minutes 16 seconds W 124.95 feet to  
8 the southeasterly line of a 20 foot wide public alley; thence N63  
9 degrees 56 minutes 35 seconds E 91.90 feet along said line to the  
10 northeast corner of said Lot 90; thence S25 degrees 46 minutes 52  
11 seconds E 53.00 feet to the southerly line of said Northerly 53  
12 feet of Lot 90; thence S63 degrees 56 minutes 35 seconds W 31.83  
13 feet along said line to the southwesterly line of said Lot 90;  
14 thence S63 degrees 47 minutes 36 seconds E 71.97 feet along the  
15 northeasterly line of said Lot 89 to the Point of Beginning,  
16 containing 0.211 of an acre and being subject to easements and  
17 restrictions of record.

18 PARCEL D:

19 All of Lots 61 and 62, Hibbard Baker's Subdivision of Lot No. 2  
20 of the Subdivision of 1/4 Section 57, Ten Thousand Acre Tract,  
21 Hamtramck (now City of Detroit), Town 1 South, Range 12 East, as  
22 recorded in Plat Liber 7, Page 90, Wayne County Records, said  
23 parcel of land being more particularly described as:  
24 BEGINNING at the southwest corner of Custer Avenue and John R  
25 Street at the northeast corner of said Lot 61 of said Hibbard  
26 Baker's Subdivision; thence S25 degrees 46 minutes 52 seconds E  
27 124.98 feet to the southeasterly line of a 20 foot wide public

1 alley; thence S63 degrees 56 minutes 35 seconds W 61.89 feet  
2 along said line to the southwest corner of said Lot 62; thence  
3 N25 degrees 48 minutes 16 seconds W 124.96 feet along the  
4 southeasterly line of said Lot 62 to the southeasterly line of  
5 said Horton Avenue; thence N63 degrees 55 minutes 31 seconds E  
6 61.94 feet along said line to the Point of Beginning, containing  
7 .0178 of an acre and being subject to easements and restrictions  
8 of record.

9 PARCEL E:

10 The West 10 feet of Lot 287 and all of Lots 288 and 289, except  
11 that part taken for East Grand Boulevard, Frisbie and Foxen's  
12 Subdivision of Part of Fractional Section 31 and Lot 18 of  
13 Theodore J. and Denis J. Campau's Subdivision of Fractional  
14 Sections 29 and 32, T 1 S, R. 12 E, Detroit, Wayne County,  
15 Michigan, as recorded in Plat Liber 6, Page 78, Wayne County  
16 Records, said parcel of land being more particularly described  
17 as:

18 BEGINNING at the northwest corner of said Lot 289 of said  
19 Frisbie and Foxen's Subdivision; thence N63 degrees 59 minutes 51  
20 seconds E 70.00 feet to the northeast corner of said West 10 feet  
21 of said Lot 287; thence S25 degrees 44 minutes 45 seconds E  
22 175.32 feet to the southeast corner of said West 10 feet of said  
23 Lot 287; thence S63 degrees 59 minutes 51 seconds W 70.00 feet  
24 along the southeasterly line of said Lots 287 to 289 to the  
25 southwest corner of said Lot 289; thence N25 degrees 44 minutes  
26 45 seconds W 175.32 feet along the southwesterly line of said Lot  
27 289 to the Point of Beginning, containing 0.282 of an acre and

1 being subject to easements and restrictions of record.

2 (2) The fair market value of the parcels of property  
3 described in subsection (1) shall be determined by an appraisal  
4 prepared by an independent appraiser.

5 (3) If the property is offered for sale at not less than fair  
6 market value, the sale shall be conducted in a manner designed to  
7 realize the highest price from the sale or the highest value to  
8 the state. The sale of this property shall be done in an open  
9 manner that utilizes 1 or more of the following:

10 (a) A competitive sealed bid.

11 (b) Real estate brokerage services.

12 (c) A public auction.

13 (4) A notice of a sealed bid, public auction sale, or use of  
14 broker services regarding the property described in this section  
15 shall be published at least once in a newspaper as defined in  
16 section 1461 of the revised judicature act of 1961, 1961 PA 236,  
17 MCL 600.1461, not less than 10 business days before the sale. A  
18 notice shall describe the general location and size of the  
19 property to be offered, highlights of the general terms of the  
20 offer, and directions on how to get further information about the  
21 property, as available, prior to the sale. The notice shall also  
22 list the date, time, and place of the sale or bid opening.

23 (5) The descriptions of the parcels of property in subsection  
24 (1) are approximate and for purposes of the conveyance are  
25 subject to adjustments as the state administrative board or the  
26 attorney general considers necessary by survey or other legal  
27 description.

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1 (6) The net revenue received under this section shall be  
2 deposited in the state treasury and credited to the general  
3 fund. As used in this subsection, "net revenue" means the  
4 proceeds from the sale of the property less reimbursement for any  
5 costs to the department of management and budget associated with  
6 the sale of the property, including the cost of securing  
7 discharge of liens or encumbrances.

8 (7) The conveyance authorized by this section shall be by  
9 quitclaim deed prepared and approved by the attorney general,  
10 subject to easements and other encumbrances of record. The  
11 quitclaim deed shall not reserve mineral rights to the state.

12 (8) If the property described in subsection (1) fails to sell  
13 at a public sale for fair market value, the director of the  
14 department of management and budget with the concurrence of the  
15 state administrative board may do any of the following:

16 (a) Order a reappraisal of the property.

17 (b) Withdraw the property from sale.

18 (c) Offer the property for sale for less than fair market  
19 value [in an open manner that utilizes 1 or more of the following:  
(i) A competitive sealed bid.  
(ii) Real estate brokerage services.  
(iii) A public auction.

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24 Sec. 4. The department of management and budget may  
25 demolish, dismantle, or otherwise dispose of the surplus building  
26 known as the "The Grounds Shop", which is under the jurisdiction  
27 of the department of management and budget and is located due

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as amended July 14, 2004

- 1 west of, and directly behind, the Lewis Cass building, in the  
2 city of Lansing, Michigan.

<<Sec. 5. (1) The state administrative board may accept from the county of Marquette a parcel of real property described in subsection (3), which the state conveyed to the county of Marquette on or about December 31, 1982, pursuant to section 36 of 1982 PA 280.

(2) The state administrative board may quit claim the property described in subsection (3) to teaching family homes of upper Michigan, a nonprofit organization, for fair market value.

(3) The property is described as follows: All that part of the Southwest Quarter of the Southeast Quarter (SW1/4-SE1/4), Excepting the East Five-hundred and thirty feet (530.00); and the East Five-hundred and forty-one feet (541.00) of the Southeast Quarter of the Southwest Quarter (SE1/4-SW1/4 of Section Eleven (11), in T.47 N., R.25 W, in Sands Township, Marquette Co., Michigan. Said parcel subject to a One Hundred-fifty (150') wide right of way which crosses said parcel whose centerline is described as follows: Commencing at the SW Corner of said Section 11; thence S 89°40'05"E 659.77 feet (along the South Section Line); thence N 0°13'05"E 945.51 feet, (along the East Line of W1/2-SW1/4-SW1/4 and a point of curvature) and the Point of Beginning of said C/L; thence 526.29 feet along a curve to the right (D=21°03'06", R=1432.39 feet, L.C. bears S 70°47'08"E 523.33 feet); thence S 60°15'35"E 208.34 feet; thence 323.65 feet on a curve to the left (D=37°51'14", R=489.87 feet, L.C. bears S 79°11'12"E 317.79 feet; thence N 81°53'11"E 193.51 feet; thence 599.14 feet on a curve to the right (D=53°33'30", R=640.94 feet, L.C. bears S71°20'04"E 577.56 feet); thence 352.49 feet on a curve to the left (D=12°58'17", R=1556.98 feet, L.C. bears S 51°02'27"E 351.73 feet); thence S 57°31'35"E 590.74 feet; thence 299.01 feet on a curve to the left (D=52°21'08", R=327.25 feet, L.C. bears S 83°42'09"E 288.72 feet; thence 155.80 feet on a curve to the right (D=10°51'13", R=822.48 feet, L.C. bears N 75°32'53"E 155.57 feet, to the West end of Silver Creek Road, and Point of Ending. Also subject to all conditions and reservations contained in the recorded chain of title to said land. Said parcel contains 40.0± acres including right of ways.

(4) The state shall retain and reserve all mineral, coal, oil, and gas on, within, or beneath the property.

(5) The state shall reserve all aboriginal antiquities including mounds, earthworks, forts, burial and village sites, mines, or other relics, including the right to explore and excavate for the aboriginal antiquity of the state or its authorized agents.

(6) The conveyance authorized by subsection (2) shall be by quitclaim deed, prepared and approved by the department of attorney general.

(7) Any revenue received pursuant to the conveyance authorized by subsection (2) shall be deposited in the state treasury and credited to the general fund.>>

[Sec. 6. (1) The department of natural resources, on behalf of the state, may convey to Osceola county, for consideration of \$1.00, certain property under the jurisdiction of the S06709'04 (S-2)

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department of natural resources and located in Rose Lake township, Osceola county, Michigan, commonly known as Sunrise Lake park, and further described as follows:

A parcel of land located in Section 24, T19N, R9W, Rose Lake Township, Osceola county, containing 72.4 acres, more or less.

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

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

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

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

(c) If the grantee disputes the state's exercise of its right 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.

(4) The conveyance authorized by this section shall be by quitclaim deed approved by the attorney general and shall reserve mineral rights to the state.

(5) The revenue received under this section shall be deposited in the state treasury and credited to the general fund.]

<<Enacting section 1. Sections 1 to 7 of 2003 PA 166 are repealed.>>