

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 457

A bill to authorize the state administrative board to convey certain parcels of state owned property in Ionia county and in Wayne county; to prescribe conditions for the conveyances; to prescribe certain powers and duties of certain state officers, departments, and agencies with regard to the conveyances; and to provide for disposition of revenue derived from the conveyances.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

6 PARCEL A

1 A parcel of land in sections 23, 24 and 26, T7N - R7W, Easton
 2 Township, Ionia County, Michigan, more particularly described as
 3 commencing at the NE corner of said section 26; thence N00°14'39"E
 4 90.26 feet to a point on the northwesterly right of way of the
 5 Grand Trunk Railroad (100 feet wide) and the point of beginning of
 6 this description; thence 543.35 feet on a curve to the right with a
 7 radius of 5779.65 feet, a delta angle of 5°23'11" and a long chord
 8 bearing and distance of N54°54'01"E 543.15 feet; thence N28°31'41"W
 9 33.00 feet to the centerline of Main Street (66' wide); thence
 10 S61°28'19"W 53.64 feet; thence S57°42'04"W 450.89 feet on said
 11 centerline; thence S67°16'59"W 394.91 feet on said centerline;
 12 thence S13°03'30"E 194.44 feet to the northwesterly right of way of
 13 the Grand Trunk Railroad; thence 416.93 feet on said right of way
 14 on a curve to the right with a radius of 5779.65 feet, a delta
 15 angle of 4°08'00" and a long chord bearing and distance of
 16 N50°08'26"E 416.84 feet to the point of beginning, containing 1.65
 17 acres including road right of way.

18 PARCEL B

19 A parcel of land in the N1/2 of section 26, T7N - R7W, Easton
 20 Township, Ionia County, Michigan, more particularly described as
 21 commencing at the NE corner of said section 26; thence N89°29'41"W
 22 864.01 feet on the north line of said section; thence S00°00'00"W
 23 204.62 feet to a point on the centerline of Main Street and the
 24 point of beginning of this description; thence along said
 25 centerline for the following four (4) courses:
 26 1. S67°16'59"W 1794.61 feet;
 27 2. S80°27'49"W 958.57 feet;

3. 441.07 feet on a curve to the left with a radius of 4022.59 feet, a delta angle of $6^{\circ}16'57''$ and a long chord bearing and distance of $S77^{\circ}14'15''W$ 440.85 feet;

4. $S73^{\circ}48'27''W$ 109.52 feet to the east line of the west 1/2 of the NW 1/4 of said section 26; thence $S00^{\circ}20'39''W$ 720.70 feet on said east line to a point on the northerly bank of the Grand River; thence along said northerly bank for the following six (6) courses:

1. $N70^{\circ}17'46''E$ 618.88 feet;

2. $N78^{\circ}05'08''E$ 616.44 feet;

3. $N77^{\circ}39'11''E$ 472.89 feet;

4. $N87^{\circ}38'02''E$ 350.81 feet;

5. $S73^{\circ}30'12''E$ 55.36 feet;

6. $S35^{\circ}08'39''E$ 503.68 feet to the northwesterly right of way of the Grand Trunk Railroad; thence

$N33^{\circ}18'46''E$ 674.99 feet on said railroad right of way; thence

904.48 feet on said railroad right of way on a curve to the right

with a radius of 5779.65 feet, a delta angle of $8^{\circ}57'59''$ and a long chord bearing and distance of $N37^{\circ}42'57''E$ 903.56 feet; thence

$N17^{\circ}23'04''W$ 416.79 feet to the point of beginning, containing 55.88 acres including road right of way.

PARCEL C

A parcel of land in sections 24, 25 and 26, T7N - R7W, Easton

Township, Ionia County, Michigan, more particularly described as

commencing at the NE corner of said section 26; thence $S00^{\circ}29'34''W$

37.53 feet on the east line of said section to the southeasterly

right of way of the Grand Trunk Railroad (100 feet wide) and the

point of beginning of this description; thence 1802.04 feet along said right of way on a curve to the left with a radius of 5679.65 feet, a delta angle of $18^{\circ}10'44''$ and a long chord bearing and distance of $S42^{\circ}19'19''W$ 1794.49 feet; thence $S33^{\circ}18'46''W$ 716.91 feet on said railroad right of way to the northerly bank of the Grand River; thence along said northerly bank for the following six (6) courses:

1. $S19^{\circ}18'21''E$ 600.94 feet;
2. $S60^{\circ}20'04''E$ 401.58 feet;
3. $S84^{\circ}22'48''E$ 573.41 feet;
4. $N69^{\circ}29'34''E$ 487.79 feet;
5. $N56^{\circ}06'51''E$ 1214.60 feet;
6. $N54^{\circ}47'25''E$ 392.06 feet; thence $N00^{\circ}30'15''E$ 2103.06 feet; thence $N61^{\circ}02'54''E$ 882.80 feet; thence $N00^{\circ}28'49''E$ 404.42 feet to the southeasterly right of way of the Grand Trunk Railroad (100 feet wide); thence $S61^{\circ}02'54''W$ 1487.20 feet on said railroad right of way; thence 962.36 feet along said right of way on a curve to the left with a radius of 5679.65 feet, a delta angle of $9^{\circ}42'29''$ and a long chord bearing and distance of $S56^{\circ}15'56''W$ 961.20 feet to the point of beginning, containing 149.72 acres.

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

(a) The parcels of property shall be used exclusively for the purpose of a public park, 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 the

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

3 (b) In the event of an activity inconsistent with subdivision
4 (a), the state may reenter and repossess the property, terminating
5 the grantee's or successor's estate in the property.

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

11 (d) If the state reenters and repossesses the property, the
12 state shall not be liable to reimburse any party for any
13 improvements made on the property.

14 (3) The description of the parcels in subsection (1) is
15 approximate and for purposes of the conveyance is subject to
16 adjustments as the state administrative board or the attorney
17 general considers necessary by survey or other legal description.
18 The parcels of property described in subsection (1) include all
19 surplus, salvage, and scrap property or equipment.

20 (4) The state shall not reserve oil, gas, or mineral rights to
21 the parcels of property conveyed under this section. However, the
22 conveyance authorized under this section shall provide that, if the
23 purchaser or any grantee develops any oil, gas, or minerals found
24 on, within, or under any of the conveyed parcels of property, the
25 purchaser or any grantee shall pay the state 1/2 of the gross
26 revenue generated from the development of the oil, gas, or
27 minerals. This payment shall be deposited in the general fund.

1 (5) The state reserves all aboriginal antiquities, including
2 mounds, earthworks, forts, burial and village sites, mines, or
3 other relics lying on, within, or under the parcels of property
4 conveyed under this section, with power to the state and all others
5 acting under its authority to enter the property for any purpose
6 related to exploring, excavating, and taking away the aboriginal
7 antiquities.

8 (6) The department of attorney general shall approve as to
9 legal form the quitclaim deed authorized by this section.

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

12 Sec. 2. (1) The state administrative board, on behalf of the
13 state, may convey by quitclaim deed to Plymouth township, in Wayne
14 county, for consideration of \$1.00, all or portions of certain
15 property now under the jurisdiction of the department of
16 corrections and located in Plymouth township, Wayne county,
17 Michigan, and further described as follows:

18 A parcel of land in the northeast quarter of section 20, Plymouth
19 Township, Wayne County, Michigan, Town 1 South, Range 8 East,
20 described as: commencing at the N 1/4 corner of said section 20;
21 thence S89°45'02"E 1119.14 feet on the north line of said section
22 to the point of beginning of this description; thence continuing on
23 said north line S89°45'02"E 50.00 feet; thence S01°03'21"W 225.00
24 feet; thence S89°45'02"E 150.00 feet to the east line of a parcel
25 recorded at Liber 22436, Page 520; thence S01°03'21"W 200.00 feet
26 on said east line; thence N89°45'02"W 200.00 feet; thence
27 N01°03'21"E 425.00 feet to the point of beginning, containing 1.18

1 acres, more or less.

2 (2) The description of the parcel in this section is
3 approximate and for purposes of the conveyance is subject to
4 adjustments as the state administrative board or the attorney
5 general considers necessary by survey or other legal description.
6 The property described in this section includes all surplus,
7 salvage, and scrap property or equipment.

8 (3) The department of attorney general shall approve as to
9 legal form the quitclaim deed authorized by this section.

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

12 (a) The property shall be used exclusively for public
13 purposes, including, but not limited to, the construction of a
14 water tower, and if any fee, term, or condition for the use of the
15 property is imposed on members of the public, or if any of those
16 fees, terms, or conditions are waived for use of this property, all
17 members of the public shall be subject to the same fees, terms,
18 conditions, and waivers.

19 (b) In the event of an activity inconsistent with subdivision
20 (a), the state may reenter and repossess the property, terminating
21 the grantee's or successor's estate in the property.

22 (c) If the grantee or successor disputes the state's exercise
23 of its right of reentry and fails to promptly deliver possession of
24 the property to the state, the attorney general, on behalf of the
25 state, may bring an action to quiet title to, and regain possession
26 of, the property.

27 (d) If the state reenters and repossesses the property, the

1 state shall not be liable to reimburse any party for any
2 improvements made on the property.

3 (5) The state shall not reserve oil, gas, or mineral rights to
4 the property conveyed under this section. However, the conveyance
5 authorized under this section shall provide that, if the purchaser
6 or any grantee develops any oil, gas, or minerals found on, within,
7 or under the conveyed property, the purchaser or any grantee shall
8 pay the state 1/2 of the gross revenue generated from the
9 development of the oil, gas, or minerals. This payment shall be
10 deposited in the natural resources trust fund.

11 (6) The state reserves all aboriginal antiquities, including
12 mounds, earthworks, forts, burial and village sites, mines, or
13 other relics lying on, within, or under the property conveyed under
14 this section, with power to the state and all others acting under
15 its authority to enter the property for any purpose related to
16 exploring, excavating, and taking away the aboriginal antiquities.

17 (7) Subject to the state's right to reenter and repossess the
18 property under subsection (4), if the grantee intends to convey the
19 property conveyed under this section within 3 years after the
20 conveyance from the state, the grantee shall provide notice to the
21 director of the department of management and budget of its intent
22 to offer the property for sale. The department of management and
23 budget shall retain a right to first purchase the property at the
24 original sale price, plus the value of any improvements made to the
25 property as determined by an independent fee appraiser, within 90
26 days after the notice. If the state waives its first refusal right,
27 the grantee shall pay to the state 40% of the difference between

1 the sale price of the conveyance from the state and the sale price
2 of the grantee's subsequent sale or sales to a third party.

3 (8) All state agencies and departments shall cooperate fully
4 with the state administrative board to facilitate the performance
5 of its duties, powers, and responsibilities under this section. The
6 state administrative board may require a state agency or department
7 to prepare or record any documents necessary to evidence the
8 conveyance of property under this section.

9 (9) The net revenue received from the sale of property under
10 this section shall be deposited in the state treasury and credited
11 to the general fund. As used in this subsection, "net revenue"
12 means the proceeds from the sale of the property less reimbursement
13 for any costs to the state associated with the sale of property,
14 including, but not limited to, employee wages, salaries, and
15 benefits associated with administrative personnel; costs of reports
16 and studies and other materials necessary to the preparation of
17 sale; environmental remediation; legal fees; and any litigation
18 related to the conveyance of the property.

19 Sec. 3. (1) The state administrative board shall transfer and
20 convey to the land bank fast track authority created in section 15
21 of the land bank fast track act, 2003 PA 258, MCL 124.765, subject
22 to the conditions and restrictions of this section, the surplus
23 state real property described in this section, including all
24 options, easements, rights-of-way, and all improvements to the
25 property except as noted in this section. The following described
26 state surplus real property shall be transferred to the state
27 authority under this section:

1 A parcel of land located in the South 1/2 of Section 35, T3S-10E,
 2 City of Southgate, Wayne County, Michigan, being more particularly
 3 described as follows: BEGINNING at the South 1/4 corner of said
 4 Section 35; thence along the centerline of Pennsylvania Avenue (60'
 5 1/2 R.O.W.) and the South line of said Section 35, S88°43'53"W,
 6 381.93 feet to a point on the Southerly extension of the East line
 7 of "Cornerstone Subdivision", a subdivision as recorded in Liber
 8 110 of Plats, Pages 38-42 (W.C.R.); thence along the East line of
 9 said "Cornerstone Subdivision" and its Northerly and Southerly
 10 extensions, N01°32'29"W, 1951.67 feet to a point in the centerline
 11 of the Frank and Poet Drain; thence along the centerline of said
 12 Frank and Poet Drain the following seventeen (17) courses:
 13 1)S65°09'18"E, 17.21 feet; 2)S38°50'04"E, 61.06 feet;
 14 3)S56°29'21"E, 78.36 feet; 4)S52°18'15"E, 47.65 feet;
 15 5)S37°07'00"E, 67.52 feet; 6)S65°32'59"E, 32.66 feet;
 16 7)S47°11'10"E, 71.96 feet; 8)S62°59'15"E, 61.73 feet;
 17 9)S52°36'18"E, 41.80 feet; 10)S46°06'32"E, 33.12 feet;
 18 11)S31°23'25"E, 34.98 feet; 12)S07°20'20"E, 49.66 feet;
 19 13)S26°14'12"W, 36.63 feet; 14)S35°10'46"E, 119.14 feet;
 20 15)N66°13'25"E, 50.70 feet; 16)N86°30'36"E, 484.63 feet;
 21 17)S81°59'52"E, 53.22 feet to a point on the East line of the West
 22 1/2 of the West 1/2 of the Southeast 1/4 of said Section 35; thence
 23 along said East line of the West 1/2 of the West 1/2 of the
 24 Southeast 1/4 of said Section 35, N01°39'14"W, 106.60 feet; thence
 25 S59°01'20"E, 449.56 feet to a point on the North line of "Country
 26 Gate Condominium", a Wayne County Condominium, Plan number 394, as
 27 recorded in Liber 28176, Pages 950-951; thence along the North line

1 of said "Country Gate Condominium", S88°37'05"W, 49.84 feet to the
2 Northwest corner of said "Country Gate Condominium"; thence along
3 the West line of said "Country Gate Condominium", S01°41'33"E,
4 1310.77 feet to a point on the South line of said Section 35;
5 thence along the centerline of Pennsylvania Avenue and the South
6 line of said Section 35, S88°51'50"W, 989.22 feet to the POINT OF
7 BEGINNING, containing 48.43 acres, more or less, and subject to the
8 rights of the public over the existing Pennsylvania Avenue, subject
9 to any other easements and restrictions, recorded or unrecorded,
10 and subject to any gores, hiatuses or encroachments which might be
11 disclosed by a survey of the same.

12 (2) The description of the property 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 description.

16 (3) Proceeds from the sale of property transferred to the land
17 bank fast track authority under subsection (1) shall be deposited
18 in the land bank fast track fund created in section 18 of the land
19 bank fast track act, 2003 PA 258, MCL 124.768, and shall be
20 expended for purposes of the land bank fast track act, 2003 PA 258,
21 MCL 124.751 to 124.774.

22 (4) The governor may direct a department or agency of this
23 state to prepare or record any documents necessary to evidence the
24 transfer of property to the land bank fast track authority under
25 this section.