

HOUSE BILL No. 5243

September 29, 2005, Introduced by Rep. Stewart and referred to the Committee on
Regulatory Reform.

A bill to authorize the state administrative board to convey certain state owned property in Wayne county; to prescribe conditions for the conveyance; and to provide for disposition of revenue derived from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The state administrative board, on behalf of the
2 state, may convey to Plymouth township, in Wayne county, for
3 consideration of \$1.00, certain property now under the jurisdiction
4 of the department of corrections and located in Plymouth township,
5 Wayne county, Michigan, and further described as follows:
6 A parcel of land in the N 1/2 of section 20, T1S - R8E Plymouth
7 Township, Wayne County, Michigan, more particularly described as
8 beginning at the NW corner of said section 20; thence N89°50'10"E

1 2650.86 feet on the north line of said section to the N 1/4 corner
2 of said section; thence continuing on said north line S89°45'02"E
3 1319.14 feet; thence S01°03'21"W 2532.18 feet to the northerly
4 right of way of the Chesapeake and Ohio Railroad; thence along said
5 northerly right of way for the following four (4) courses:

6 1) 116.58 feet on a curve to the right with a radius of
7 2596.27 feet, a central angle of 02°34'22" and a long chord bearing
8 and distance of N56°44'27"W 116.57 feet

9 2) N55°27'04"W 1052.13 feet

10 3) 672.28 feet on a curve to the left with a radius of 3889.51
11 feet, a central angle of 09°54'12" and a long chord bearing and
12 distance of N60°24'17"W 671.45 feet

13 4) N65°21'16"W 2614.21 feet to the west line of said section
14 20; thence N00°05'01"E 447.57 feet on said west line to the point
15 of beginning, containing 127.27 acres, more or less.

16 Subject to a 60 foot wide easement adjacent and parallel to the
17 west and north section lines for roadway purposes.

18 Sec. 2. The conveyance authorized by section 1 shall provide
19 for all of the following:

20 (a) The property shall be used exclusively for public
21 purposes, including, but not limited to, the construction of a
22 water tower, and if any fee, term, or condition for the use of the
23 property is imposed on members of the public, or if any of those
24 fees, terms, or conditions are waived for use of this property,
25 resident and nonresident members of the public shall be subject to
26 the same fees, terms, conditions, and waivers.

27 (b) In the event of an activity inconsistent with subdivision

1 (a), the state may reenter and repossess the property, terminating
2 the grantee's or successor's estate in the property.

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

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

11 Sec. 3. The description of the parcel in section 1 is
12 approximate and for purposes of the conveyance is subject to
13 adjustments as the state administrative board or the attorney
14 general considers necessary by survey or other legal description.
15 The property described in section 1 shall include all surplus,
16 salvage, and scrap property or equipment.

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

25 Sec. 5. The state reserves all aboriginal antiquities,
26 including mounds, earthworks, forts, burial and village sites,
27 mines, or other relics lying on, within, or under the property,

1 with power to the state and all others acting under its authority
2 to enter the property for any purpose related to exploring,
3 excavating, and taking away the aboriginal antiquities.

4 Sec. 6. The department of attorney general shall approve as to
5 legal form the quitclaim deed authorized by this act.

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