

HOUSE BILL No. 6457

September 16, 2008, Introduced by Reps. Brown, Gillard, Espinoza, Leland, Spade and Polidori and referred to the Committee on Appropriations.

A bill to amend 2007 PA 134, entitled

"An act to authorize the state administrative board to convey certain parcels of state owned property in Ingham county, Wayne county, and Tuscola county; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments and agencies in relation to the conveyances; to provide for disposition of revenue derived from the conveyances; and to provide for the release of certain property rights held by the state,"

by amending section 4.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The state administrative board, on behalf of the
2 state, may convey to ~~Indianfields township~~ **TUSCOLA AREA AIRPORT**
3 **AUTHORITY**, in Tuscola county, for consideration of \$1.00 plus the
4 cost necessary to prepare the real property for sale, all of
5 certain real property now under the jurisdiction of the department

1 of community health and located in Tuscola county, Michigan, and
2 more particularly described as:

3 Part of the Southeast 1/4 and Southwest 1/4 of Section 17, and part
4 of the Northwest 1/4 of Section 20, T12N, R9E, Indianfields
5 Township, Tuscola County, Michigan, described as commencing at the
6 Center of said Section 17; thence along the East-West 1/4 line of
7 said Section 17, S. 88° 41' 50" E., 335.38 feet to the Point of
8 Beginning; thence continuing along said East-West 1/4 line of
9 Section 17, S. 88° 41' 50" E., 2177.53 feet to a traverse line on
10 the top of bank of the Cass River; thence along said traverse line,
11 S. 41° 54' 49" W., 1422.68 feet and S. 82° 35' 09" W., 751.00 feet
12 and S. 62° 37' 43" W., 572.95 feet and S. 34° 54' 06" W., 865.51
13 feet and S. 63° 47' 30" W., 1325.94 feet and S. 46° 04' 24" W.,
14 492.67 feet to the centerline of Chambers Road; thence along said
15 centerline of Chambers Road on a curve to the right having a radius
16 of 327.40 feet, central angle of 83° 39' 40", and long chord
17 bearing and distance of N. 16° 26' 39" W., 436.71 feet; thence
18 continuing along said centerline of Chambers Road, N. 25° 23' 11"
19 E., 1028.69 feet to a point on a curve; thence on said curve to the
20 left having a radius of 230.00 feet, central angle of 52° 44' 42",
21 and long chord bearing and distance of N. 00° 57' 57" W., 204.33
22 feet to the Southeasterly line of railroad right-of-way; thence on
23 a non-tangent curve to the left having a radius of 3447.47 feet,
24 central angle of 10° 18' 35", and long chord bearing and distance
25 of N. 50° 54' 56" E., 619.50 feet; thence continuing along said
26 Southeasterly line of railroad right-of-way, N. 47° 34' 00" E.,
27 1723.14 feet to the Point of Beginning; containing 116.54 acres to

1 the water's edge, more or less; subject to riparian rights
2 pertaining to the Cass River and other rights-of-way, easements and
3 restrictions of record.

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

8 (3) The property described in subsection (1) includes all
9 surplus, salvage, and scrap property and equipment.

10 (4) The department of management and budget shall take the
11 steps necessary to convey the property described in subsection (1).

12 (5) The conveyance authorized by subsection (1) shall provide
13 for all of the following:

14 (a) The property shall be used exclusively for **PUBLIC**
15 **PURPOSES, INCLUDING, BUT NOT LIMITED TO,** the purpose of a public
16 ~~park and if~~ **AIRPORT, PUBLIC RECREATION, OR USE BY NONPROFIT**
17 **ORGANIZATIONS FOR THE BENEFIT OF THE PUBLIC. IF** any fee, term, or
18 condition for the use of the property is imposed on members of the
19 public, or if any of those fees, terms, or conditions are waived
20 for use of this property, resident and nonresident members of the
21 public shall be subject to the same fees, terms, conditions, and
22 waivers.

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

26 (c) If the grantee disputes the state's exercise of its right
27 of reentry and fails to promptly deliver possession of the property

1 to the state, the attorney general, on behalf of the state, may
2 bring an action to quiet title to, and regain possession of, the
3 property.

4 (6) The conveyance authorized by this section shall be by
5 quitclaim deed. The department of attorney general shall approve as
6 to legal form the quitclaim deed authorized under this section.

7 (7) The conveyance authorized under this section shall provide
8 for the exercise of the state's ongoing property interests in and
9 regulatory jurisdiction over any historic artifacts and antiquities
10 subsequently found on the site.

11 (8) The state shall not reserve oil, gas, or mineral rights to
12 the parcels of property conveyed under this section. However, the
13 conveyance authorized under this section shall provide that, if the
14 purchaser or any grantee develops any oil, gas, or minerals found
15 on, within, or under the conveyed property, the purchaser or any
16 grantee shall pay the state 1/2 of the gross revenue generated from
17 the development of the oil, gas, or minerals. This payment shall be
18 deposited in the general fund.

19 (9) The revenue received from the conveyance authorized by
20 this section shall be deposited in the state treasury and credited
21 to the general fund.