

HOUSE BILL No. 5420

February 21, 2012, Introduced by Rep. Foster and referred to the Committee on Appropriations.

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Chippewa county; to prescribe conditions for the conveyance; and to provide for certain powers and duties of certain state departments in regard to the property.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The state administrative board, on behalf of this
2 state, may convey by quitclaim deed to the township of Kinross or
3 the county of Chippewa all or portions of certain state-owned
4 property under the jurisdiction of the department of corrections,
5 located in the township of Kinross, Chippewa county, Michigan, and
6 further described as follows:

Parcel A

8 Part of Lot 4, of "Chippewa County Industrial Air Park Plat"; Part

1 of Sections 31 & 32, T45N, R1W, Kinross Township, Chippewa County,
 2 Michigan, more particularly described as, commencing at the
 3 Northeast corner of Section 31; thence along the north line of said
 4 Section, N 89° 59' 39" W 1075.01 feet; thence S 00° 16' 05" E 33.00
 5 feet to the South Right-of-Way of Tone Road and the Point of
 6 Beginning; thence along said Right-of-Way S 89° 59' 39" E 470.94
 7 feet; thence S 05° 39' 59" E 240.61 feet; thence S 89° 43' 17" W
 8 493.57 feet, thence N 00° 16' 05" W 241.88 feet to the South Right-
 9 of-Way of Tone Road and the Point of Beginning containing 2.68
 10 acres more or less and excepting all easements and restrictions of
 11 record, if any.

12 Parcel B

13 Part of Lot 4, of "Chippewa County Industrial Air Park Plat"; Part
 14 of Sections 31 & 32, T45N, R1W, Kinross Township, Chippewa County,
 15 Michigan, more particularly described as, commencing at the
 16 Northeast corner of Section 31; thence along the north line of said
 17 Section, N 89° 59' 39" W 1075.01 feet; thence S 00° 16' 05" E 33.00
 18 feet to the South Right-of-Way of Tone Road and the Point of
 19 Beginning; thence continuing S 00° 16' 05" E 241.88 feet; thence S
 20 89° 43' 17" W 57.32 feet; thence N 05° 35' 43" W 243.33 feet to the
 21 South Right-of-Way of Tone Road; thence along said Right-of-Way S
 22 89° 59' 39" E 79.92 feet to the Point of Beginning containing 0.38
 23 acres more or less and excepting all easements and restrictions of
 24 record, if any.

25 (2) The description of the property in subsection (1) is
 26 approximate and, for purposes of the conveyance, is subject to
 27 adjustments as the state administrative board or the attorney

1 general considers necessary by survey or other legal description.

2 (3) The property includes all surplus, salvage, and scrap
3 property or equipment remaining on the property as of the date of
4 the conveyance.

5 (4) The director of the department of technology, management,
6 and budget shall first offer the property for sale for \$1.00 to the
7 township of Kinross. If all of the property is not sold to the
8 township of Kinross as provided in subsection (5), the director of
9 the department shall offer the remaining property for sale for
10 \$1.00 to the county of Chippewa.

11 (5) To purchase the property under subsection (4), a local
12 unit of government shall enter into a purchase agreement within 60
13 days after the date of the offer to that local unit of government
14 and complete the purchase within 120 days after the date of the
15 offer.

16 (6) A conveyance authorized by subsection (4) shall provide
17 for all of the following:

18 (a) The property shall be used exclusively for public purposes
19 and if any fee, term, or condition for the use of the property is
20 imposed on members of the public, or if any of those fees, terms,
21 or conditions are waived for use of the property, all members of
22 the public shall be subject to the same fees, terms, conditions,
23 and waivers.

24 (b) If a provision of the conveyance described in subdivision
25 (a) is violated, this state may reenter and repossess the property,
26 terminating the grantee's or successor's estate in the property.

27 (c) If the grantee or successor disputes this state's exercise

1 of its right of reentry and fails to promptly deliver possession of
2 the property to this state, the attorney general, on behalf of this
3 state, may bring an action to quiet title to, and regain possession
4 of, the property.

5 (d) If this state reenters and repossesses the property, this
6 state is not liable to reimburse any party for any improvements
7 made on the property.

8 (7) If requested by this state, the grantee shall reimburse
9 this state for costs necessary to prepare the property for
10 conveyance.

11 (8) The quitclaim deed authorized by this section shall be
12 approved as to legal form by the department of attorney general.

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

21 (10) This state reserves all aboriginal antiquities including
22 mounds, earthworks, forts, burial and village sites, mines, or
23 other relics lying on, within, or under the property with power to
24 this state and all others acting under its authority to enter the
25 property for any purpose related to exploring, excavating, and
26 taking away the aboriginal antiquities.