

HOUSE BILL No. 5819

September 7, 2016, Introduced by Reps. McBroom and Kivela and referred to the Committee on Appropriations.

A bill to authorize the department of natural resources to convey property in Menominee County; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The department of natural resources, on behalf of this
2 state, may convey to Cedarville Township, for consideration of
3 \$1.00, property, with improvements, that is under the jurisdiction
4 of the department of natural resources and located in Cedarville
5 Township, Menominee County, Michigan, and described as follows:

6 Part of Government Lot 1 (G.L. 1) of Section 23, Township 35 North
7 – Range 25 West, Cedarville Township, Menominee County, Michigan
8 being more particularly described as follows:

1 Commencing at the Northeast Corner of said Section 23, thence S
2 01°01'20" W along the East Line of said G.L. 1, a distance of
3 1544.44 feet; thence N 88°58'40" W at right angles to the previous
4 course, a distance of 185.65 feet to the intersection of the
5 Southeasterly right-of-way of State Highway M-35 with the Westerly
6 right-of-way of a county road known as Old Mill Road, and the POINT
7 OF BEGINNING of the parcel hereinafter described:

8 thence S 06°19'57" E along the Westerly right-of-way of Old Mill
9 Road, a distance of 176.67 feet; thence Southeasterly 46.59 feet
10 along said right-of-way and the arc of a 112.11 foot radius curve
11 to the left, whose chord bears S 18°14'16" E, a distance of 46.26
12 feet to a SET 5/8" x 24" steel rebar/I.D. cap; thence S 33°27'59"
13 W, a distance of 138.42 feet to a SET 5/8" x 24" steel rebar/I.D.
14 cap; thence S 83°07'15" W, a distance of 149.42 feet to a SET 5/8"
15 x 24" steel rebar/I.D. cap; thence S 75°10'52" W, a distance of
16 67.65 feet to a SET 5/8" x 24" steel rebar/I.D. cap; thence N
17 52°48'04" W, a distance of 29.40 feet to a SET 5/8" x 24" steel
18 rebar/I.D. cap on an Intermediate Traverse Line (ITL) along the
19 shore of the Cedar River; thence N 11°55'27" E along said ITL, a
20 distance of 135.83 feet to the Southeasterly right-of-way of State
21 Highway M-35; thence N 48°52'52" E along said right-of-way, a
22 distance of 333.80 feet to the POINT OF BEGINNING, containing 1.50
23 acres of land more or less, including those lands lying between the
24 above described ITL, and the waters of the Cedar River at Ordinary
25 High Water Mark.

26 Sec. 2. The conveyance authorized by section 1 must provide

1 for all of the following:

2 (a) That the property must be used exclusively for public
3 recreation purposes and if any fee, term, or condition for the use
4 of the property is imposed on members of the public, or if any of
5 those fees, terms, or conditions are waived for use of the
6 property, resident and nonresident members of the public will be
7 subject to the same fees, terms, conditions, and waivers.

8 (b) That on termination of the use described in subdivision
9 (a) or if the property is used for any other purpose, this state
10 may reenter and repossess the property, terminating the grantee's
11 estate in the property.

12 (c) That if the grantee disputes this state's exercise of its
13 right of reentry and fails to promptly deliver possession of the
14 property to this state, the attorney general, on behalf of this
15 state, may bring an action to quiet title to, and regain possession
16 of, the property.

17 Sec. 3. (1) The department of natural resources shall deposit
18 the revenue received from the conveyance under section 1 in the
19 Michigan natural resources trust fund.

20 (2) The department of natural resources shall convey the
21 property as authorized by section 1 by quitclaim deed approved by
22 the attorney general.

23 (3) The department of natural resources shall retain to this
24 state the mineral rights to the property conveyed under section 1.