

**SUBSTITUTE FOR
SENATE BILL NO. 1118**

A bill to authorize the department of technology, management, and budget to convey or transfer state-owned property in Muskegon and Tuscola Counties; to prescribe conditions for the conveyances; to provide for the powers and duties of certain state departments in regard to the property; and to provide for the disposition of revenue derived from the conveyances.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The department of technology, management, and
2 budget, on behalf of this state, may convey by quitclaim deed or
3 transfer by affidavit of jurisdictional transfer all or portions of
4 state-owned property now under the jurisdiction of the department
5 of corrections located in Muskegon County. The property to be

1 conveyed under this subsection is described as follows:

2 Parcels of land situated in the City of Muskegon, Muskegon County,
3 State of Michigan, and described as follows to-wit:

4 PARCEL 2:

5 Part of the South 1/2 of Section 35, T10N-R16W, City of Muskegon,
6 Muskegon County, Michigan and more fully described as: Beginning at
7 the South 1/4 corner of Section 35, Town 10 North, Range 16 West,
8 said point also being the Southeast corner of Lot 69 of the
9 recorded plat of "Port City Industrial Center No. 6" as recorded in
10 Liber 22, pages 5-8, Muskegon County records; thence South
11 89°56'51" West, along the South line of said Lot 69, 633.77 feet to
12 the Southwest Corner of said Lot 69; thence North 00°40'22" East
13 890.06 feet to the Northwest Corner of said Lot; thence South
14 89°56'00" East 632.90 feet to the Northwest Corner of Lot 68 of
15 said plat; thence South 00°37'04" West 100.00 feet; thence South
16 89°56'00" East 1289.87 feet to the East line of Lot 67 of said
17 plat; thence, along the East line of said Lot 67 the following
18 three (3) courses; along a 303.18 foot curve to the right with a
19 radius of 642.00 feet and a chord bearing and distance of South
20 22°50'42" West 300.37 feet; thence on a 371.00 foot curve to the
21 left with a radius of 303.00 feet and a chord bearing and distance
22 of South 01°33'47" West 348.26 feet; thence South 33°11'07" East
23 192.07 feet to the Southeast Corner of Lot 67 of said plat; thence
24 South 89°55'56" West, along the South line of Lots 67 and 68 of
25 said plat, 1277.39 feet to the Point of Beginning. Parcel contains
26 34.49 acres of land, more or less.

27 PARCEL 3A:

1 Part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, Town 9
2 North, Range 16 West, City of Muskegon, Muskegon County, Michigan,
3 described as: beginning at the Northeast corner of the Northwest $\frac{1}{4}$
4 of the Northeast $\frac{1}{4}$ of Section 2; thence South 2 degrees 39 minutes
5 West, 1133.35 feet along the East $\frac{1}{8}$ th line of said Section 2;
6 thence North 70 degrees 46 minutes West, 1378.4 feet along the
7 Northerly line of land that was conveyed to Consolidated Rail
8 Corporation; thence North 2 degrees 01 minute East, 674.89 feet
9 along the North and South quarter line of said Section 2; thence
10 North 89 degrees 53 minutes East along the North line of said
11 Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ to the place of beginning. Parcel
12 contains 27.47 acres of land, more or less.

13 SUBJECT TO all agreements, covenants, easements, right-of-ways,
14 reservations and restrictions of record, if any.

15 (2) The department of technology, management, and budget, on
16 behalf of this state, may convey property under the jurisdiction of
17 the department of health and human services by quitclaim deed to
18 the Tuscola Area Airport Authority, or by quitclaim deed or
19 affidavit of jurisdictional transfer as otherwise provided in this
20 section. The property to be conveyed under this subsection is
21 described as follows:

22 A parcel of land situated in Section 18, Town 12 North, Range 9
23 East, Township of Indianfields, County of Tuscola, State of
24 Michigan, and described as follows to-wit:

25 Beginning at the Southeast corner of Section 12, Town 12 North,
26 Range 8 East, said point also being on the centerline of State
27 Highway M-81; thence, along said centerline, on a 250.06 foot curve

1 to the left, having a radius 34379.29 feet and a chord bearing and
2 distance of South 89°35'59" East 250.06 feet; thence, continuing on
3 said centerline, South 89°35'59" East 566.52 feet; thence North
4 01°58'02" West 1348.13 feet; thence South 89°39'42" East 1324.28
5 feet to the North and South one-quarter line of said Section 18;
6 thence North 01°54'51" West, along said North and South one-quarter
7 line, 1210.97 feet to the East and West one-quarter line of said
8 Section 18; thence South 88°02'38" West, along the East and West
9 one-quarter line of said Section 18, 2094.39 feet to the West line
10 of said Section 18; thence South 00°54'19" East, along the West
11 line of said Section 18, 2472.91 feet to the Southeast Corner of
12 Section 12, Town 12 North, Range 9 East and the Point of Beginning.
13 Parcel contains 81.32 acres of land, more or less.

14 This description constitutes the remainder of land in the Southwest
15 one-quarter of Section 18, T12N-R9E from deed Liber 156 Page 562
16 granted from Martha Gamble to the State of Michigan after the
17 recording of deed Liber 922 pages 868-870 selling land from State
18 of Michigan to the Tuscola County Airport Authority.

19 SUBJECT TO a 66 foot wide highway easement for M-81 over the
20 southerly 33 foot thereof.

21 ALSO SUBJECT TO all agreements, covenants, easements, right-of-
22 ways, reservations and restrictions of record, if any.

23 (3) The department of technology, management, and budget shall
24 not convey property under subsection (1) or (2) unless the
25 conveyance and the terms of the conveyance have been approved by
26 the state administrative board.

27 (4) The descriptions of the property in subsections (1) and

1 (2) are approximate and, for purposes of the conveyances, are
2 subject to adjustment as the department of technology, management,
3 and budget or the attorney general considers necessary by survey or
4 other legal description.

5 (5) Surplus real property conveyed or transferred under
6 subsection (1) or (2) includes all surplus, salvage, and personal
7 property or equipment remaining on the property on the date of the
8 conveyance or transfer.

9 (6) If surplus real property is to be sold for fair market
10 value under subsection (1) or (2), the property must first be
11 appraised by an independent fee appraisal prepared for the
12 department of technology, management, and budget, or by an
13 appraiser who is an employee or contractor of this state.

14 (7) The department of corrections, for the property described
15 in subsection (1), and the department of health and human services,
16 for the property described in subsection (2), are responsible for
17 all expenses of maintaining the property described in subsections
18 (1) and (2) until the time of conveyance or transfer.

19 (8) The department of attorney general shall approve as to
20 legal form all deeds or affidavits of jurisdictional transfer
21 authorized by subsection (1) or (2).

22 (9) The department of technology, management, and budget may
23 transfer the property described in subsection (1), with or without
24 consideration, through jurisdictional transfer to another state
25 agency. If the property described in subsection (2) is not conveyed
26 to the Tuscola Area Airport Authority as described in subsection
27 (2), the department of technology, management, and budget may

1 transfer that property, with or without consideration, through
2 jurisdictional transfer to another state agency. If property is
3 transferred under this subsection, the transfer must be made by an
4 affidavit of jurisdictional transfer in recordable form rather than
5 a quitclaim deed.

6 (10) The department of technology, management, and budget may
7 transfer the property described in subsection (1) and, if the
8 property described in subsection (2) is not conveyed to the Tuscola
9 Area Airport Authority as described in subsection (2), may transfer
10 the property described in subsection (2) or portions of that
11 property to the Michigan land bank fast track authority established
12 under section 15 of the land bank fast track act, 2003 PA 258, MCL
13 124.765. For properties or portions of properties conveyed to the
14 Michigan land bank fast track authority, the Michigan land bank
15 fast track authority shall do both of the following:

16 (a) Convey the property in accordance with the land bank fast
17 track act, 2003 PA 258, MCL 124.751 to 124.774.

18 (b) Deposit the net revenue received by this state or the
19 Michigan land bank fast track authority from the sale of property
20 under this subsection into the land bank fast track fund.

21 (11) The department of technology, management, and budget
22 shall offer the property described in subsection (2) for sale to
23 the Tuscola Area Airport Authority for \$1.00. A conveyance under
24 this subsection must be subject to the conditions required for a
25 conveyance under subsection (12) (d).

26 (12) If the property described in subsection (2) is not
27 transferred to the Tuscola Area Airport Authority as described in

1 subsection (2), the department of technology, management, and
2 budget may transfer the property under subsection (9) or (10) or
3 take the necessary steps to convey that property using any of the
4 following means:

5 (a) Any publicly disclosed competitive method of sale,
6 selected to realize the fair market value to the state, as
7 determined by the department of technology, management, and budget.

8 (b) Offering the property for sale for fair market value to a
9 local unit or units of government.

10 (c) Exchanging some or all of the property for other real
11 property if the other real property is determined by the department
12 of technology, management, and budget to be of reasonably equal
13 value to this state.

14 (d) Offering the property for sale for less than fair market
15 value to the local units of government in which the property is
16 located, subject to the following conditions:

17 (i) If a local unit of government makes an offer to purchase
18 the property that is accepted by the department of technology,
19 management, and budget, the local unit of government will enter
20 into a purchase agreement within 60 days after the date of the
21 offer and complete the conveyance within 180 days after the date of
22 the offer. The department of technology, management, and budget may
23 extend the period to complete the conveyance as needed.

24 (ii) The property must be used exclusively for public use for
25 30 years following the conveyance, subject to restrictions imposed
26 under subsection (16). If any fee, term, or condition for the use
27 of the property is imposed on members of the public, or if any of

1 those fees, terms, or conditions are waived for use of the
2 property, all members of the public must be subject to the same
3 fees, terms, conditions, and waivers. The public use restriction
4 must be included in the deed.

5 (iii) Within 30 years after the conveyance, the unit may offer
6 the property for sale, in writing, to this state, which may
7 purchase the property at the original sale price. This state will
8 be provided 120 days to consider reacquiring the property. If this
9 state agrees to reacquire the property, this state is not liable to
10 any person for improvements to or liens placed on the property. If
11 this state declines to reacquire the property, the public use
12 restrictions described in subparagraph (ii) will remain in effect.

13 (iv) If the local unit of government retains the property for
14 30 years after the date of the conveyance from this state, the
15 public use restrictions under subparagraphs (ii) and (iii) will
16 automatically terminate, subject to the restrictions imposed under
17 subsection (16).

18 (v) If the local unit of government or its successor disputes
19 this state's exercise of its right of reentry and fails to promptly
20 deliver possession of the property to this state, the attorney
21 general, on behalf of this state, may bring an action to quiet
22 title to, and regain possession of, the property.

23 (vi) If this state reenters and repossesses the property, this
24 state is not liable to reimburse any party for any improvements
25 made on the property nor to compensate any party for any part of an
26 unfulfilled contract or license issued for the provision of goods
27 or services on or for the property.

1 (vii) The department of technology, management, and budget may
2 require the local unit of government to reimburse this state at
3 closing for this state's demonstrably incurred costs as were
4 necessary to prepare the property for conveyance.

5 (13) The net revenue received from the sale of property under
6 subsection (1) or (2) must be deposited in the state treasury and
7 credited to the general fund, except as provided otherwise under
8 subsection (10).

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

17 (15) This state reserves all aboriginal antiquities including
18 mounds, earthworks, forts, burial and village sites, mines, or
19 other relics lying on, within, or under the property conveyed under
20 subsection (1) or (2) with power to this state and all others
21 acting under its authority to enter the property for any purpose
22 related to exploring, excavating, and taking away the aboriginal
23 antiquities.

24 (16) If property conveyed under subsection (1) or (2) was used
25 by this state as a historical monument, memorial, burial ground,
26 park, or protected wildlife habitat area, it must be maintained and
27 protected for that purpose in perpetuity in accordance with

1 applicable law.

2 (17) If property conveyed under subsection (1) or (2) is used
3 for any purpose that is inconsistent with any restrictions under
4 subsection (11), (12), (14), (15), or (16), as applicable, this
5 state may reenter and repossess the property, terminating the
6 grantee's or successor's estate in the property. If this state
7 reenters and repossesses property under this subsection, this state
8 is not liable to reimburse any person for any improvements made on
9 the property or to compensate any person for any part of an
10 unfulfilled contract or license issued to provide goods or services
11 on or for the property.

12 (18) The department of technology, management, and budget may
13 require a grantee of a property conveyed under subsection (1) or
14 (2) to record the instrument of conveyance or jurisdictional
15 transfer with the applicable register of deeds and provide the
16 department with a recorded copy of the recorded instrument as a
17 condition of closing.

18 (19) The department of technology, management, and budget, on
19 behalf of this state, may convey by quitclaim deed or transfer by
20 affidavit of jurisdictional transfer all or portions of state-owned
21 properties now under the jurisdiction of the department of health
22 and human services located in Tuscola County. The property to be
23 conveyed or transferred under this subsection is described as
24 follows:

25 PARCEL 2:

26 DESCRIPTION: A parcel of land situated in Sections 18 and 19, Town
27 12 North, Range 9 East, Township of Indianfields, County of

1 Tuscola, State of Michigan, and described as follows to-wit:
2 Beginning at the Southeast Corner of Section 12, Town 12 North,
3 Range 8 East; said point being on the centerline of Michigan State
4 Highway M-81; thence, along said centerline of highway for the
5 following two (2) courses, along a 250.06 foot curve to the left,
6 having a radius of 34379.29 feet and a chord bearing and distance
7 of South 89°35'59" East 250.06 feet; thence South 89°35'59" East
8 566.52 feet; thence North 01°58'02" West 33.03 feet to a point on
9 the northerly easement line of Michigan State Highway M-81; thence
10 South 89°35'59" East 1323.35 feet to the intersection of said
11 northerly easement line and the North-South one-quarter line of
12 Section 18, T12N-R9E; thence South 01°55'28" East, along said North
13 and South one-quarter line, 33.03 feet to the centerline of said
14 highway; thence, along said centerline the following two (2)
15 courses: thence South 89°35'59" East 141.21 feet; thence on a
16 480.79 foot curve to the left having a radius of 2858.85 feet, with
17 a chord bearing and distance of North 85°34'57" East 480.23 feet to
18 the centerline of Center Street; thence, along the centerline of
19 said Center Street the following two (2) courses, South 55°25'18"
20 East 96.30 feet; thence on a 45.80 foot curve to the left having a
21 radius of 580.47 feet, with a chord bearing and distance of South
22 60°18'22" East 45.79 feet to the north line of the Michigan Central
23 Railroad Company; thence along the north line of said railroad,
24 South 70°52'47" West 3023.54 feet to the West line of said section
25 19; thence North 01°12'54" West, along said west line, 1046.88 feet
26 to the Point of Beginning. Parcel contains 36.92 acres of land,
27 more or less.

1 SUBJECT TO the 66' wide right of way of Center Street over the
2 easterly 33' thereof.

3 ALSO SUBJECT TO a variable easement for M-81 highway as shown on
4 survey.

5 ALSO SUBJECT TO the right-of-way of Handy Road over the westerly 33
6 feet thereof.

7 ALSO SUBJECT TO all agreements, covenants, easements, right-of-
8 ways, reservations and restrictions of record, if any.

9 PARCEL 3:

10 DESCRIPTION: A parcel of land situated in Sections 18, 19 and 20
11 Town 12 North, Range 9 East, Township of Indianfields, County of
12 Tuscola, State of Michigan, and described as follows to-wit:

13 Beginning at the Southeast corner of Section 13, Town 12 North,
14 Range 8 East; thence South $01^{\circ}07'31''$ East 239.06 feet to the South
15 line of Section 19, Town 12 North, Range 9 East; thence North
16 $88^{\circ}06'37''$ East, along the South line of said Section 19, 2131.37
17 feet to a traverse line along the westerly side of the Cass River;
18 thence, along said traverse line for the following seven (7)
19 courses, North $17^{\circ}28'36''$ East 2264.16 feet; thence South $81^{\circ}29'07''$
20 East 477.45 feet; thence North $89^{\circ}52'03''$ East 1187.63 feet; thence
21 North $44^{\circ}09'05''$ East 777.64 feet; thence North $25^{\circ}00'34''$ East
22 536.20 feet; thence North $14^{\circ}21'42''$ West 436.72 feet; thence North
23 $07^{\circ}22'58''$ East 247.90 feet to the end of said traverse line; thence
24 South $87^{\circ}55'11''$ West, parallel with the North line of said section
25 19, 719.89 feet; thence North $01^{\circ}58'18''$ West, parallel with the
26 East line of said section 19, 1202.91 feet; thence South $87^{\circ}55'11''$
27 West, parallel with the North line of said section 19, 397.51;

1 thence North 01°28'17" West 714.99 feet, to the south line of the
2 Michigan Central Railroad; thence South 70°52'47" West, along said
3 south line of railroad and its extension, 1107.57 feet to the North
4 line of said section 19 and the centerline of Center Street; thence
5 South 87°55'11" West, along said North line, 56.55 feet; thence,
6 continuing along said centerline of Center street, on a 10.97 foot
7 curve to the right having a radius of 268.88 feet and a chord
8 bearing and distance of South 89°05'19" West 10.97 feet to said
9 southerly line of said railroad; thence South 70°52'47" West
10 3140.25 feet to the West line of said section 19; thence South
11 01°12'54" East, along said West line, 1512.21 feet to the East one-
12 quarter Corner of Section 13, Town 12 North Range 8 East; thence,
13 continuing along said West line, South 01°17'28" East 2607.34 feet
14 to the Point of Beginning. Parcel contains 443.13 acres of land,
15 more or less.

16 Including all land between the described traverse line and the
17 centerline of the Cass River.

18 SUBJECT to the 66 foot wide right-of-way of Center Street as shown
19 on survey.

20 ALSO SUBJECT TO the right-of-way of Handy Road over the westerly 33
21 feet thereof.

22 ALSO SUBJECT TO all agreements, covenants, easements, right-of-
23 ways, reservations and restrictions of record, if any.

24 PARCEL 5:

25 DESCRIPTION: A parcel of land situated in Sections 17 and 20, Town
26 12 North, Range 9 East, Township of Indianfields, County of
27 Tuscola, State of Michigan, and described as follows to-wit:

1 Commencing at the East one-quarter corner of Section 17, Town 12
2 North, Range 9 East; thence South 88°06'51" West, along the East
3 and West one-quarter line of said Section 17, 99.90 feet to the
4 point of beginning of this description; thence South 88°06'51"
5 West, along said East-West one-quarter line of said Section,
6 2177.27 feet to the southeasterly line of the Michigan Central
7 Railroad; thence, along the southeasterly line of said railroad for
8 the following two (2) courses: thence South 44°22'03" West 1803.14
9 feet; thence on a 539.24 foot curve to the right with a radius of
10 3298.74 with a chord bearing and distance of South 49°01'08" West
11 538.64 feet to the centerline of Chambers Road as previously
12 defined in an unrecorded survey by Spicer Group drawing CA-1617
13 dated March 26, 2007; thence, along said centerline the following
14 three (3) courses, on a 218.66 foot curve to the right, having a
15 radius of 230.00 feet and chord bearing and distance of South
16 05°00'58" East 210.52 feet; thence South 22°12'00" West 1028.69
17 feet; thence on a 478.05 foot curve to the left, having a radius of
18 327.41 feet with a chord bearing and distance of South 19°37'52"
19 East 436.70 feet to the end of said centerline and to a traverse
20 line along the westerly side to the Cass River; thence, along said
21 traverse line for the following six (6) courses: North 42°53'13"
22 East 492.67 feet; thence North 60°36'19" East 1325.94 feet; thence
23 North 31°42'55" East 865.51 feet; thence North 59°26'32" East
24 572.95 feet; thence North 79°23'58" East 751.00 feet; thence North
25 38°43'38" East 1422.68 feet to the Point of Beginning. Parcel
26 contains 113.18 acres of land, more or less.
27 Including all land between the described traverse line and the

1 centerline of the Cass River.

2 SUBJECT TO the right of way for Chambers Road over the westerly 33
3 foot, thereof.

4 ALSO SUBJECT TO all agreements, covenants, easements, right-of-
5 ways, reservations and restrictions of record, if any.

6 PARCEL 6:

7 DESCRIPTION: A parcel of land situated in Section 17, Town 12
8 North, Range 9 East, Township of Indianfields, County of Tuscola,
9 State of Michigan, and described as follows to-wit:

10 Commencing at the West one quarter corner of Section 17, Town 12
11 North, Range 9 East; thence North 87°57'00" East, along the east
12 and west one-quarter line, 2623.97 feet to the Center one-quarter
13 corner of said Section 17, Town 12 North, Range 9 East; thence
14 North 88°06'51" East, along the East and West one quarter line of
15 said section 17, 115.46 feet to the centerline of the 66 foot wide
16 easement for State Highway M-81 and the point of beginning of this
17 description: thence, along said centerline for the following two
18 (2) courses; thence South 44°23'17" West 1720.92 feet; thence on a
19 438.90 foot curve to the right with a radius of 2866.60 feet with a
20 chord bearing and distance of South 48°46'28" West 438.47 feet to
21 the centerline of Chambers Road; thence South 36°50'22" East, along
22 said centerline, 44.70 feet to the northwesterly line of the
23 Michigan Central Railroad Company; thence, along said northwesterly
24 line for the following two (2) courses: thence on a 523.10 foot
25 curve to the left, having a radius of 3198.74 feet with a chord
26 bearing and distance of North 49°01'14" East 522.52 feet; thence
27 North 44°22'01" East 1698.70 feet to the East and West one-quarter

1 line of said Section; thence South 88°06'51" West, along said one-
2 quarter line, 75.54 feet to the point of beginning. Intending to
3 describe the area bounded by the northwesterly line of the Michigan
4 Central Railroad on the south, the centerline of State Highway M-81
5 on the west, the centerline of Chambers Road on the south and the
6 East and West one-quarter line of section 17, T12N-R9E on the
7 north. Parcel contains 2.59 acres of land, more or less.

8 SUBJECT TO a 66 foot wide easement for state Highway M-81 over the
9 northerly 33 foot, thereof.

10 ALSO SUBJECT TO the right of way of Chambers Road over the westerly
11 33 foot, thereof.

12 ALSO SUBJECT TO all agreements, covenants, easements, right-of-
13 ways, reservations and restrictions of record, if any.

14 PARCEL 7:

15 DESCRIPTION: A parcel of land situated in Sections 17 and 18, Town
16 12 North, Range 9 East, Township of Indianfields, County of
17 Tuscola, State of Michigan, and described as follows to-wit:

18 Commencing at the Southeast corner of Section 18, Town 12 North,
19 Range 9 East; thence North 02°01'40" West, along the East line of
20 said section 18, 640.60 feet to the northerly line of the Michigan
21 Central Railroad Company and the point of beginning of this
22 description; thence, along said northerly line the following (2)
23 courses North 70°52'47" East 332.37 feet; thence on a 958.81 foot
24 curve to the left with a radius of 3198.74 feet and a chord bearing
25 and distance of North 62°17'34" East 955.23 feet to the centerline
26 of Chambers Road; thence North 36°50'22" West, along said
27 centerline, 44.70 feet to the centerline of a 66 foot wide easement

1 for State highway M-81; thence along said M-81 centerline the
2 following three (3) courses: thence on a 887.12 foot curve to the
3 right with a radius of 2866.60 feet and a chord bearing and
4 distance of South 62°01'34" West 883.58 feet; thence South
5 70°53'30" West 2009.12 feet; thence on a 492.62 foot curve to the
6 right having a radius of 2858.88 feet and a chord bearing and
7 distance of South 75°49'41" West 492.01 feet to the centerline of
8 Center Street; thence, along said centerline of Center Street the
9 following (2) courses; thence South 55°25'18" East 96.30 feet;
10 thence on a 45.85 foot curve to the left with a radius of 268.83
11 feet and a chord bearing and distance of South 60°18'22" East 45.79
12 feet to the northerly line of said railroad; thence along said
13 northerly line the following three (3) courses: thence North
14 70°52'47" East 314.39 feet; thence North 00°23'42" West 21.12 feet;
15 thence North 70°52'47" East 1700.72 feet to the Point of Beginning.
16 Parcel contains 3.99 acres of land, more or less.

17 SUBJECT TO a 66 foot wide easement of State Highway M-81 over the
18 northerly 33 foot, thereof.

19 SUBJECT to the 66 foot wide right-of-way of Center Street as shown
20 on survey.

21 ALSO SUBJECT TO a 66 foot wide right of way for Chambers Road over
22 the easterly 33 foot, thereof.

23 ALSO SUBJECT TO all agreements, covenants, easements, right-of-
24 ways, reservations and restrictions of record, if any.

25 (20) The property legally described in subsection (19) was
26 described generally in 2018 PA 334 as the "CARO PROPERTY". If the
27 department of technology, management, and budget conveys or

1 transfers the property under subsection (19), the department shall
2 do so as required by 2018 PA 334.

3 (21) As used in this section:

4 (a) "Fair market value" means the highest estimated price that
5 the real property would bring if offered for sale on the open
6 market, allowing a reasonable time to find a purchaser that would
7 buy with knowledge of the property's possible uses.

8 (b) "Local unit of government" means the township, village,
9 city, county, school district, intermediate school district, or
10 community college district in which the property is located.

11 (c) "Net revenue" means the proceeds from the sale of the
12 property less reimbursement for any costs to the department of
13 technology, management, and budget or to the Michigan land bank
14 fast track authority associated with the sale of property,
15 including, but not limited to, administrative costs, including
16 employee wages, salaries, and benefits; costs of reports and
17 studies and other materials necessary to the preparation of sale;
18 environmental remediation; legal fees; and any litigation costs
19 related to the conveyance of the property.

20 (d) "Public use" means, subject to subdivision (e), actual use
21 of the property by members of the public or actual use by the unit
22 of local government for any of the following:

23 (i) Publicly owned and operated correctional facilities.

24 (ii) Law enforcement purposes.

25 (iii) Emergency management response purposes.

26 (iv) Public educational use.

27 (v) Public transportation.

- 1 (vi) Public parks and recreational areas.
- 2 (vii) Public health uses.
- 3 (viii) Wildlife conservation or restoration.
- 4 (e) "Public use" does not include use by a for-profit
- 5 enterprise or any use that is closed to the public.