

Act No. 26
Public Acts of 2018
Approved by the Governor
February 12, 2018
Filed with the Secretary of State
February 14, 2018
EFFECTIVE DATE: February 14, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Guerra

ENROLLED HOUSE BILL No. 5284

AN ACT to authorize the department of technology, management, and budget to convey state-owned property in Saginaw County; to prescribe conditions for the conveyance; to provide for powers and duties of state departments, agencies, and officers in regard to the property; and to provide for disposition of revenue derived from the conveyance.

The People of the State of Michigan enact:

Sec. 1. (1) After this state acquires the property, the department of technology, management, and budget, on behalf of this state, shall convey by quitclaim deed real property located in the city of Saginaw, Saginaw County, described as follows:

The East 1/2 of vacated North Baum Street from the North line of East Genesee Avenue to the center line of Tuscola Street.

(2) The description of the property in subsection (1) is approximate and, for purposes of a conveyance under this act, may be adjusted as the department of technology, management, and budget or the department of attorney general considers necessary because of a survey or another legal description.

(3) The department of technology, management, and budget shall convey the real property described in subsection (1) to the city of Saginaw for the sum of \$1.00, subject to the following conditions:

(a) The city of Saginaw shall convey the property for \$1.00 to Delta College.

(b) If the city of Saginaw for any reason does not convey the property to Delta College under subdivision (a) by September 30, 2018, title to the property automatically reverts to this state.

(c) If Delta College intends to convey the property, Delta College must first offer the property for sale, in writing, to this state, which may purchase the property at the original sale price. Delta College shall provide this state 120 days to consider reacquiring the property. If this state agrees to reacquire the property, this state is not liable to any person for improvements to or liens placed on the property.

(d) The department of technology, management, and budget may require the city of Saginaw to reimburse this state at closing for costs demonstrably incurred by this state that were necessary to prepare the property for conveyance.

(4) A deed authorized by this section must be approved as to legal form by the department of attorney general.

(5) Real property conveyed under this section includes all surplus, salvage, and personal property or equipment remaining on the property on the date of the conveyance.

(6) This state shall not reserve oil, gas, or mineral rights to property conveyed under this section. However, the conveyance authorized under this act must provide that, if the grantee or any successor develops any oil, gas, or minerals found on, within, or under the conveyed property, the grantee or any successor must pay this state 1/2 of the gross revenue generated from the development of the oil, gas, or minerals. A payment under this subsection must be deposited in the general fund.

(7) A conveyance under this section must reserve to this state all aboriginal antiquities, including mounds, earthworks, forts, burial and village sites, mines, or other relics lying on, within, or under the property, with power to this state and all others acting under its authority to enter the property for any purpose related to exploring, excavating, and taking away the aboriginal antiquities.

(8) The department of technology, management, and budget may require a grantee of property conveyed under this section to record the instrument of conveyance with the appropriate register of deeds and provide the department of technology, management, and budget with a recorded copy of the recorded instrument.

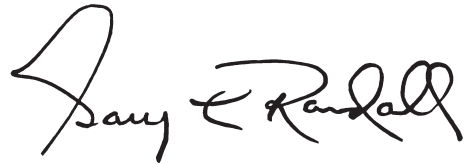
(9) The department of technology, management, and budget shall deposit the net revenue received from the sale of property under this section in the state treasury. The state treasurer shall credit the money deposited to the general fund.

(10) If property conveyed under this section is used in a manner that violates any of the restrictions imposed under subsection (6) or (7), this state may reenter and take the property, terminating the grantee's or any successor's estate in the property. An action to regain possession of the property under this section may be brought and maintained by the attorney general on behalf of this state.

(11) If this state reenters and repossesses property under subsection (10), this state is not liable to reimburse any person for any improvements made on the property or to compensate any person for any part of an unfulfilled contract or license issued to provide goods or services on or for the property.

(12) As used in this section, "net revenue" means the proceeds from the sale of the property less reimbursement for any costs to this state associated with the sale, including, but not limited to, administrative costs, including employee wages, salaries, and benefits; costs of reports and studies and other materials necessary to the preparation of sale; environmental remediation; legal fees; and any litigation costs related to the conveyance.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor