

Act No. 334
Public Acts of 2018
Approved by the Governor
June 28, 2018
Filed with the Secretary of State
July 2, 2018
EFFECTIVE DATE: July 2, 2018

STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018

Introduced by Senator Schmidt

ENROLLED SENATE BILL No. 1036

AN ACT to authorize the department of technology, management, and budget to convey or transfer parcels of state-owned property in Ionia, Grand Traverse, 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:

Sec. 1. (1) The department of technology, management, and budget, on behalf of this state, may convey by quitclaim deed or transfer by affidavit of jurisdictional transfer all or portions of state-owned properties now under the jurisdiction of the department of corrections. The properties are described as follows:

(a) Property located in the City of Ionia, County of Ionia, described as follows:

DEERFIELD CORRECTIONAL FACILITY PARCEL

Parcel of land situated in the City of Ionia, County of Ionia, State of Michigan, and described as follows to-wit: That part of the West 1/2 of the Southwest 1/4 of Section 25, T7N-R7W, City of Ionia, County of Ionia, State of Michigan more particularly described as: Beginning at the Southwest corner of said Section 25, Town 7 North, Range 7 West; thence South 89°40'53" East, along the South line of said Section 25, 1319.48 feet to the West 1/8 line of the Southwest 1/4 of said Section 25 as monumented; thence N00°34'03"E, along said 1/8 line as monumented, 711.67 feet to the extension of the centerline of an asphalt drive; thence North 24°29'14" West, along said centerline and its extension, 947.46 feet to the south line of a parcel recorded in Liber 221 Page 522, Ionia County records; thence South 82°41'16" West, along the south line of said parcel 244.38 feet; thence North 15°16'14" West, along the west line of said parcel, 310.00 feet to the south right of way line of Riverside Drive as shown on survey of Michigan Reformatory and the Ionia State Hospital dated August 13, 1929, thence South 74°43'46" West, along said south right of way line, 450.26 feet; thence, continuing on said south right of way line, on a 171.20 foot curve to the left, with a radius of 1113.28, and a chord bearing and distance of South 70°19'35" West 171.03 feet to the west line of said section 25; thence South 00°29'46" West, along said West line of section 25, 1658.38 feet to the Point of Beginning. Parcel contains 46.30 acres of land, more or less.

SUBJECT TO the public right-of-way of Harwood Road.

ALSO SUBJECT TO all agreements, covenants, easements, rights-of-way, reservations and restrictions of record, if any.

(b) Property located in Fife Lake Township, Grand Traverse County, described as follows:

CAMP PUGSLEY PARCEL 1

A parcel of land in the S 1/2 of section 20, T25N, R9W, Fife Lake Township, Grand Traverse County, Michigan and more particularly described as beginning at the S 1/4 corner of said section 20; thence N89°59'58"W 2655.76 feet, on the south line of said section 20 to the SW corner of said section 20; thence N01°34'22"E 2640.75 feet, on the west line of said section 20 to the W 1/4 corner of said section 20; thence N89°56'07"E 2646.87 feet, on the E-W 1/4 line of said section 20 to the center of said section 20; thence N89°56'07"E 700.01 feet, on the E-W 1/4 line of said section 20; thence S01°22'42"W 2644.06 feet, parallel with the N-S 1/4 line of said section 20 to the south line of said section 20; thence S89°58'41"W 700.00 feet, on the south line of said section 20 to the point of beginning.

CAMP TUSCOLA PARCEL A

Property located at 2420 Chambers Road in the Township of Indian Fields, Tuscola County, Michigan, described as:

A parcel of land in the W. 1/2 of Section 20, T12N, R9E, Tuscola County, Michigan and more specifically described as commencing at the southwest corner of said Section 20; thence N02°29'58"E 1596.20 feet, on the west line of said Section 20 to the point of beginning of this description; thence N02°29'58"E 188.93 feet, on said west section line to a point on the east bank of the Cass River; thence on a meander line on the east high bank of the Cass River on the next nine calls; thence N42°03'45"E 472.98 feet; thence N31°09'17"E 592.87 feet; thence N32°30'22"E 138.73 feet; thence N29°45'45"E 365.86 feet; thence N04°16'44"E 686.27 feet; thence N35°14'10"E 441.67 feet; thence N14°41'05"E 256.84 feet; thence N05°28'20"E 254.56 feet; thence N26°21'15"E 33.00 feet, to the centerline of Chambers Road; thence on the centerline of Chambers Road on a curve to the right 239.49 feet, with a central angle of 09°07'26" and a radius of 1503.96 feet; thence S54°31'19"E 28.21 feet, on the centerline of Chambers road; thence 365.44 feet on a curve to the right on the centerline of Chambers Road with a central angle of 57°50'27" and a radius of 361.99 feet; thence S03°19'08"W 1533.95 feet, on the centerline of Chambers Road; thence 476.60 feet on a curve to the right on the centerline of Chambers Road with a central angle of 71°32'44" and a radius of 381.68 feet; thence S74°51'52"W 532.06 feet, on the centerline of Chambers Road; thence 218.50 feet on a curve to the left on the centerline of Chambers Road with a central angle of 16°23'40" and a radius of 763.61 feet; thence S58°28'12"W 549.53 feet, on the centerline of Chambers Road; thence 257.37 feet on a curve to the left on the centerline of Chambers Road with a central angle of 55°58'14" and a radius of 263.46 feet, to the point of beginning. The above described parcel contains 40.09 acres, more or less. In addition, all bottom land between the above described meander line and the centerline of the Cass River shall be conveyed with this description. All bearings are relative and referenced to the west line of Section 20, from a previously recorded survey in Liber 578, Page 1253, Tuscola County Records.

All the foregoing is subject to restrictions, reservations, rights-of-way, and easements of Record. This includes an easement reserved and retained by the State of Michigan over, upon, and across the part of the above described parcel for the purposes of accessing, maintaining, and operating a water well and its appurtenances, which is further described as follows:

Commencing at the southeast corner of Section 19, T12N, R9E, Tuscola County, Michigan; thence N90°00'00"E 1643.25 feet; thence N00°00'00"E 2580.27 feet, to the point of beginning and centerline of a 30.00 foot wide strip of land, 15.00 feet either side of the following described line; thence N86°56'53"W 581.28 feet; thence N30°00'26"W 69.62 feet; thence N62°05'33"W 87.49 feet to the point of ending of a 30.00 foot wide strip of land and the point of beginning of a 135.00 foot wide strip of land, 55.00 feet left and 80.00 feet right of the following described line; thence N62°05'33"W, 174.82 feet, to a point of ending on the east high bank of the Cass River. All side lines of said described easement line shall be shortened or lengthened to meet and to close on the monumented described boundary of said parent parcel.

CAMP TUSCOLA PARCEL B

A parcel of land in the S.E. 1/4 of Section 19, T12N, R9E, Indian Fields Township, Tuscola County, Michigan and more specifically described as commencing at the S.E. corner of said Section 19; thence N02°29'58"E 1732.13 feet, on the east line of said Section 19 to the point of beginning; thence N02°29'58"E 53.00 feet, on the east line of said section to a point on the easterly high bank of the Cass River; thence S55°02'11"W 688.28 feet, along said high bank to the northerly right of way of Washburn Road; thence N74°51'02"E 538.67 feet, on said right of way to the westerly right of way of Chambers Road; thence N02°29'58"E 66.40 feet, on said westerly right of way; thence 141.21 feet on the arc of a curve to the right, on the westerly right of way of Chambers Road with a central angle of 27°17'28" and a radius of 296.47 feet, to the point of beginning, containing 1.42 acres, more or less.

CAMP TUSCOLA PARCEL C

A parcel of land in the S.E. 1/4 of Section 19, T12N, R9E, Indian Fields Township, Tuscola County, Michigan and more specifically described as commencing at the S.E. corner of said Section 19; thence N87°24'11"W 874.10 feet, on the south line of said section; thence N00°00'00"E 1272.44 feet, to a point on the north right of way of Washburn Road and the

point of beginning; thence S82°39'08"W 835.36 feet, on the northerly right of way of Washburn Road to a point on the southeasterly high bank of the Cass River; thence N54°46'13"E 623.54 feet, on the high bank of the Cass River; thence S51°36'42"E 407.19 feet, on the high bank of the Cass River; thence to the point of beginning, containing 2.80 acres, more or less.

CAMP TUSCOLA PARCEL D

A parcel of land in the S.E. 1/4 of Section 19, T12N, R9E, Indian Fields Township, Tuscola County, Michigan and more specifically described as commencing at the S.E. corner of said Section 19; thence N87°24'11"W 33.00 feet, on the south line of said Section 19 to the westerly right of way of Chambers Road and the point of beginning; thence N02°29'58"E 1460.49 feet, on the westerly right of way of Chambers Road to the southerly right of way of Washburn Road; thence on the southerly right of way of Washburn Road on the next eight calls; thence S74°51'02"W 517.67 feet; thence 403.88 feet on the arc of a curve to the right with a central angle of 07°48'06" and a radius of 2966.08 feet; thence S82°39'08"W 835.36 feet; thence 388.87 feet on the arc of a curve to the left with a central angle of 46°27'14" and a radius of 479.63 feet; thence S36°11'54"W 342.84 feet; thence 194.76 feet, on the arc of a curve to the left with a central angle of 08°28'17" and a radius of 1317.22 feet; thence S27°43'37"W 397.00 feet; thence 44.10 feet on the arc of a curve to the left with a central angle of 02°24'42" and a radius of 1047.60 feet to the south line of said Section 19; thence S87°24'11"E 2498.45 feet, on the south line of said section to the point of beginning, containing 60.57 acres, more or less.

CAMP TUSCOLA PARCEL E

A parcel of land in the N.E. 1/4 of Section 30, T12N, R9E, Indian Fields Township, Tuscola County, Michigan and more specifically described as commencing at the N.E. corner of said Section 30; thence N87°24'11"W 1291.30 feet, on the north line of said Section 30 to the point of beginning; thence N87°24'11"W 1207.15 feet, on the north line of said Section 30 to the easterly right of way of Washburn Road; thence 72.12 feet on the arc of a curve to the left, on the easterly right of way of Washburn Road, with a central angle of 03°56'40" and a radius of 1047.60 feet; thence S21°22'15"W 276.19 feet, on the easterly right of way of Washburn Road; thence S87°24'11"E 1322.34 feet; thence N02°27'54"E 328.93 feet, to the point of beginning, containing 9.56 acres, more or less. In addition, all bottom land between the above described high bank line and the centerline of the Cass River shall be a part of this description. All bearings are relative and referenced to the west line of Section 20, from a previously recorded survey in Liber 578, Page 1253, Tuscola County Records.

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

CARO PROPERTY

Surplus parcels of land owned by this state in sections 19 and 20 of T12N, R9E, Indian Fields Township, Tuscola County, Michigan, generally, not legally, described as follows:

Bounded on the west by Handy Road; on the north by W. Caro Rd.; and to the east and south by the Cass River.

Bounded on the east and south by Chambers Road; and to the north and west by the Cass River.

(2) The department of technology, management, and budget shall not convey property under this section unless the conveyance and the terms of the conveyance have been approved by the state administrative board.

(3) The descriptions of the property in subsection (1) are approximate and, for purposes of the conveyances, are subject to adjustments as the department of technology, management, and budget or the attorney general considers necessary by survey or other legal description.

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

(5) The state agency with jurisdiction over the real property under this section is responsible for all expenses of maintaining the property until the time of conveyance or transfer.

(6) The department of attorney general shall approve as to legal form all deeds or affidavits of jurisdictional transfer authorized by this section.

(7) The department of technology, management, and budget may transfer the property described in subsection (1), with or without consideration, through jurisdictional transfer to another state agency. If property is transferred under this subdivision, the transfer must be made by an affidavit of jurisdictional transfer in recordable form rather than a quitclaim deed.

(8) The department of technology, management, and budget may transfer all or portions of the property described in subsection (1) to the Michigan land bank fast track authority established under section 15 of the land bank fast track act, 2003 PA 258, MCL 124.765. For properties or portions of properties conveyed to the Michigan land bank fast track authority, the Michigan land bank fast track authority shall do both of the following:

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

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

(9) The net revenue received from the sale of property under this section must be deposited in the state treasury and credited to the general fund, except as provided otherwise under subsection (8).

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

(11) This state reserves 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.

(12) If property conveyed under this section was used by this state as a historical monument, memorial, burial ground, park, or protected wildlife habitat area, it must be maintained and protected for that purpose in perpetuity in accordance with applicable law.

(13) If the property is used for any purpose that is inconsistent with any restrictions under subsection (10), (11), or (12), this state may reenter and repossess the property, terminating the grantee's or successor's estate in the property.

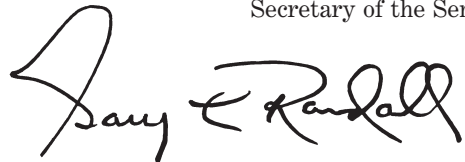
(14) The department of technology, management, and budget may require a grantee of a property conveyed under this section to record the instrument of conveyance or jurisdictional transfer with the applicable register of deeds and provide the department with a recorded copy of the recorded instrument as a condition of closing.

(15) As used in this section, "net revenue" means the proceeds from the sale of the property less reimbursement for any costs to the department of technology, management, and budget or to the Michigan land bank fast track authority associated with the sale of property, 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 of the property.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor