

Legislative Analysis



PROPERTY CONVEYANCE - MACOMB COUNTY

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 6379 as introduced
Sponsor: Rep. Pamela Hornberger
Committee: Appropriations
Complete to 9-21-2022

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 6379 would authorize the Department of Natural Resources, on behalf of the state, to convey state-owned property in Chesterfield Charter Township, located in Macomb County, to Chesterfield Charter Township for \$1.00 with a set of property conditions.

The property is a 7.43 acre parcel that is currently part of Brandenburg Park, a shoreline recreational area that is adjacent to land owned by Chesterfield Charter Township. The property has been leased by the township from the department since 1974 at no cost. The bill would convey the property to Chesterfield Charter Township through a quitclaim deed and include a deed restriction requiring the land to be used exclusively for public use and that the use of the land be open to all state residents under the same terms, fees and conditions. The conveyance must include all surplus, salvage, and scrap property or equipment remaining on the property on the date of conveyance.

The state would not reserve any oil, gas, or mineral rights found on the property, but if a successor developed any oil, gas, or minerals the state receive 1/2 of the gross revenue generated, which would be deposited in the general fund. The conveyance must reserve to the state any aboriginal antiquities and give the state the power to enter the property for any purpose related to exploring, excavating, and taking away aboriginal antiquities. If the property was used by the state as a historical monument, memorial, burial ground, park, or protected wildlife habitat area, the grantee shall maintain the property for that purpose in perpetuity under applicable law.

If the property was used for any purpose inconsistent with any restrictions listed above the state may reenter and repossess the property, terminating the grantee's or successor's estate in the property. The state would not be liable to reimburse any person for any improvements made or compensate any person for any part of an unfulfilled contract or license issued to provide goods or services.

FISCAL IMPACT:

House Bill 6379 would allow Chesterfield Charter Township to purchase the property for \$1.00, which would be deposited in the state's general fund.

Fiscal Analyst: Perry Zielak

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