

Act No. 531
Public Acts of 1996
Approved by the Governor
January 12, 1996
Filed with the Secretary of State
January 13, 1997

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Rep. Martinez

ENROLLED HOUSE BILL No. 4133

AN ACT to authorize the state administrative board and the departments of natural resources, community health, and management and budget to convey certain parcels of state owned property in Ingham county and Wayne county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue derived from the conveyances.

The People of the State of Michigan enact:

Sec. 1. The state administrative board, on behalf of the state, may convey to the city of Lansing, for consideration of \$1.00, certain parcels of property now under the jurisdiction of the department of management and budget and located in the city of Lansing, Ingham county, Michigan, and further described as follows:

Parcel 1: (Pennsylvania Avenue):

The following track or parcel of land described as follows Viz A strip of land three rods in width taken from the west side of the East half of the north west quarter, and a strip of land four rods in width from the East side of the West half of the north west quarter of Section 15 in Township Number four, north of Range Number two West, it being a strip of land seven rods in width and one hundred sixty rods in length.

To have and to hold the aforesaid Premises as and for a public highway for the use of the public forever.

Parcel 2: (Vacated Capitol Avenue):

That part of Capitol Avenue which was vacated beginning at the southwest corner of Lot 5, Block 110, Original Plat, City of Lansing, thence north 61 feet 2 inches on the west line of Lot 5, west 9 feet, south 61 feet, 2 inches, parallel to west line of Lot 5, east 9 feet, to point of beginning, Section 16, T4N, R2W.

Sec. 2. (1) The state administrative board, on behalf of the state, may convey to the city of Lansing, for consideration of \$1.00, certain property now under the jurisdiction of the department of management and budget and located in the city of Lansing, Ingham county, Michigan, and described as follows:

(Ferris Park and Parking):

Block 78 and Block 79, Original Plat, City of Lansing, Ingham County, Michigan.

(2) The description of the property in subsection (1) is approximate and subject to adjustment as considered necessary by the state administrative board or attorney general by survey or other legal description.

(3) The conveyance authorized in this section shall provide for the following:

(a) That the property shall be dedicated park land used exclusively for public park purposes and that upon termination of that use or use for any other purpose, the state may reenter and repossess the property, terminating the grantee's estate in the property. All residents and nonresident members of the public using the property shall be subject to the same annual and daily fees, terms, and conditions. The conveyance also shall provide that the grantee may waive daily fees or waive fees for the use of specific areas or facilities.

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

(c) That the grantor may continue to operate and maintain the existing hard surface parking lot which occupies the south portion of Block 79, Original Plat, city of Lansing, Ingham County, Michigan, until such time as the state and the city of Lansing are able to agree upon an alternate parking plan for employees. Both the state and the city shall use their best efforts to develop and agree on an alternate parking plan; however, the state shall be the final judge of whether an acceptable parking plan has been established.

(d) That the grantor shall discontinue the use of the parking lot which occupies the north portion of Block 79 no later than 1 year after conveyance of the property.

(e) That the city of Lansing shall reseed, develop, and implement a landscape plan for the remainder of Block 79 upon conveyance of the property.

Sec. 3. (1) The department of natural resources, on behalf of the state, may convey to the city of Lansing, for consideration of \$1.00, the following parcels of state owned property located in Ingham county, Michigan, more particularly described as follows:

Parcel A: (Parking Lot on Grand Street):

All of that parcel bounded on the north by the south line of Block 112, of the recorded plat of the City; on the east by the Grand River; on the south by the north line of Block 113, Plat of City; and on the west by east line of Grand Street, City of Lansing.

Parcel B: (Groesbeck Golf Course):

The east 1,079.9 feet of the north 110 rods (1,815 feet of the southeast 1/4, section 10, T4N, R2W, city of Lansing, subject to road easements, containing 45 acres, more or less.

Parcel C: (Comstock City Park):

All of that part of the northwest 1/4 of the southeast 1/4, Section 8, T4N, R2W, City of Lansing, commencing at the intersection of the north line of West Maple Street with the west line of State Street, thence due west to the east line of Princeton Avenue, thence south along Princeton Avenue to the north line of Daleford Avenue, east along Daleford Avenue to the West line of State Street, north along State Street to beginning, excepting the north 203 feet thereof, City of Lansing, containing 10.0 acres more or less.

Parcel D: (Tourist Park):

All that part of section 14, T4N, R2W, Lansing township, beginning at a point on the northerly right-of-way line of East Kalamazoo Street, as extended, and as now surveyed 1-1/2 rods east of the east 1/8 line of Section 14, thence easterly along said right-of-way line to the relocated Red Cedar River, thence westerly along said river to a point 1-1/2 rods east of the east 1/8 line of Section 14, thence northerly to the place of beginning, being a part of the east 1/2 of the southeast 1/4 except street right-of-way, 3.45 acres; also Urbandale Number One, Lots 476 to 485 lying east of US-127 right-of-way.

(2) The conveyances authorized by this section shall provide that parcel "A" shall be used exclusively for municipal parking purposes and that parcels "B," "C," and "D" shall be dedicated park land used exclusively for park and recreational purposes and shall be available for use by members of the general public without regard to the place of

residence; and that upon termination of that use, title to the property shall revert immediately to the state with the state assuming no liability for any improvements made by the City of Lansing or by any other party.

(3) The conveyances authorized by this section are conditioned upon the adoption by the Lansing city council of a resolution committing the city to hold, use, and maintain the parcels of property in the manner required in subsection (2).

(4) The conveyances authorized by this section shall be by quitclaim deed approved by the attorney general.

Sec. 4. (1) The department of natural resources, on behalf of the state, may convey to Michigan state university, for consideration of \$1.00, a parcel of state owned property located in T4N, R2W, in the city of East Lansing, Ingham county, Michigan, and more particularly described as follows:

All that part of Sections 14 and 23 commencing at a point 1-1/2 rods east and west 6 rods 13-1/2 feet south of northwest corner of east 1/2 of southeast 1/4, Sec 14, thence east to the Red Cedar River, thence along near bank of the River to a point directly south of the place of beginning, thence north to a point of the beginning, consisting of 5.75 acres, more or less, excepting that part north of the Red Cedar River as now relocated.

(2) The conveyance authorized by this section shall provide that the property conveyed shall be used exclusively for park and recreational purposes and shall be available for use by members of the general public without regard to the place of residence; and that upon termination of that use, title to the property shall revert immediately to the state with the state assuming no liability for any improvements made by the grantee or by any other party.

(3) The conveyance authorized by this section shall be by quitclaim deed approved by the attorney general.

Sec. 5. (1) The state administrative board, on behalf of the state, may convey for consideration of not less than fair market value as determined pursuant to subsection (2), or for less than fair market value subject to subsection (3), all or any portion of certain property now under the jurisdiction of the department of community health, known as the Lafayette clinic, on land situated in the city of Detroit, County of Wayne, and more particularly described as follows:

Parcel 12 All that part of the subdivision of the Louis Moran Farm as recorded in Liber 55, Pages 243 and 244 of Deeds, Wayne County Records, and all that part of plat of that part of Claim No. 181, north of Jefferson Avenue, for the heirs of Antoine Rivard, as recorded in Liber 12, pages 348 through 351, City Records, Wayne County Records, described as follows: Beginning at a point distant South 59 degrees 52' 15" West, 10 feet from the intersection of the North line of Lafayette Avenue as now established, with the West line of Rivard Street, 50 feet wide as now established; thence along a line 10 feet West of and parallel to the West line of Rivard Street, North 26 degrees 2' East 603.12 feet; thence South 59 degrees 52' 15" West, 287.50 feet; thence South 59 degrees 2' West, 603.12 feet, thence North 59 degrees 52' 15" East 287.50 feet to the point of beginning. More commonly known as Parcel 12 of the Gratiot Redevelopment Project UR Michigan 1-1, as shown on the City Engineer's Office Drawing No. C- 1769; Lafayette Clinic, 951 E. Lafayette, Detroit, Michigan.

(2) The fair market value of the property described in subsection (1) shall be determined by an appraisal based on the property's highest and best use, as prepared by the state tax commission or an independent fee appraiser.

(3) Any conveyance of the property described in this section for less than fair market value shall provide for both of the following:

(a) That the property shall be used exclusively for public purposes and that upon termination of that use or use for any other purpose, the state may reenter and repossess the property, terminating the grantee's estate in the property.

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

(4) The description of the parcel in subsection (1) is approximate and for purposes of the conveyance is subject to adjustment as the state administrative board or attorney general considers necessary by survey or other legal description.

(5) The conveyance authorized by this section shall be by quitclaim deed approved by the attorney general.

Sec. 6. The state shall not reserve the mineral rights to state owned land sold under this act. However, a conveyance of the state owned land under this act shall provide that if the purchaser or any grantee develops the mineral rights, the state shall receive not less than 1/2 of the net royalties. Further, the conveyances authorized by this act shall except and reserve to the state all aboriginal antiquities as provided by part 761 (aboriginal records and antiquities) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.76101 to 324.76118 of the Michigan Compiled Laws.

Sec. 7. The revenue received from the conveyances authorized by this act shall be deposited in the state treasury and credited to the general fund.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.