

HOUSE BILL NO. 5222

(As amended April 20, 2000)

[A bill to amend 1998 PA 363, entitled

"An act to authorize the state administrative board to convey certain state owned property in Ingham county; to authorize the department of natural resources to convey certain parcels of state owned property in Roscommon county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to certain property; and to provide for disposition of the revenue derived from the conveyance,"

by amending the title and sections 2 and 3 and by adding section 15.]

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

[TITLE

An act to authorize the state administrative board to convey certain state owned property in Ingham county; to authorize the department of natural resources to convey certain parcels of state owned property in Roscommon county AND IN INGHAM COUNTY; to prescribe conditions for the ~~conveyance~~ CONVEYANCES; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to certain property; and to provide for disposition of the revenue derived from the ~~conveyance~~ CONVEYANCES.]

- 1 Sec. 2. (1) The city of Lansing has the exclusive right,
2 for a period of 12 months after the effective date of ~~this act~~
3 THE 2000 AMENDATORY ACT THAT AMENDED THIS SECTION, OR BY MARCH
4 31, 2001, WHICHEVER IS SOONER, to purchase the property described
5 in section 1. The purchase price shall be 1 of the following:
6 (a) One dollar, if the city agrees to use the property for
7 public purposes.

HB 5222, As Passed Senate, June 8, 2000

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as amended by the Senate June 7, 2000

1 (b) Fair market value, if the city does not agree to use the
2 property for public purposes.

3 (2) If the city of Lansing intends to use a portion of the
4 property described in section 1 for public purposes and the
5 remainder for nonpublic purposes, the purchase price shall be
6 adjusted so that the portion used for public purposes is conveyed
7 for \$1.00, and the portion used for nonpublic purposes is con-
8 veyed for fair market value.

(3) IF ANY FEE, TERM, OR CONDITION FOR THE USE OF THE PROPERTY
CONVEYED UNDER SECTION 1 IS IMPOSED ON MEMBERS OF THE PUBLIC, OR IF
ANY OF THOSE FEES, TERMS, OR CONDITIONS IS WAIVED FOR USE OF THIS
PROPERTY, RESIDENT AND NONRESIDENT MEMBERS OF THE PUBLIC SHALL BE
SUBJECT TO THE SAME FEES, TERMS, CONDITIONS, OR WAIVERS.

9 Sec. 3. If the property described in section 1 is not
10 ~~sold~~ CONVEYED to the city of Lansing pursuant to section 2
11 within 12 months after the effective date of ~~this act~~ THE 2000
12 AMENDATORY ACT THAT AMENDED THIS SECTION, OR BY MARCH 31, 2001,
13 WHICHEVER IS SOONER, the director of the department of management
14 and budget ~~shall~~ MAY offer the property for sale on the open
15 market for fair market value or by broker contract.

[SEC. 15. (1) THE DEPARTMENT OF NATURAL RESOURCES, ON
BEHALF OF THE STATE, MAY CONVEY TO THE INGHAM CONSERVATION DISTRICT,
FOR CONSIDERATION OF \$1.00, CERTAIN PARCELS OF REAL PROPERTY NOW
UNDER THE JURISDICTION OF THE DEPARTMENT OF NATURAL RESOURCES AND
LOCATED IN THE COUNTY OF INGHAM, AND FURTHER DESCRIBED AS FOLLOWS:

VEVAY TOWNSHIP, INGHAM COUNTY, T2N, R1W

SEC. 13: SW 1/4 OF SW 1/4

SEC. 14: SE 1/4 OF SE 1/4

SEC. 23: N 1/4 OF E 1/2 OF SE 1/4;

E 1/2 OF NE 1/4 EXCEPT PART OF NE 1/4 DESCRIBED AS
COMMENCING S01 58'49"W 505.59 FEET FROM NW CORNER OF
SAID NE 1/4 OF NE 1/4 AND EAST 33 FEET FOR A PLACE OF
BEGINNING, THENCE S88 01'11"E 122 FEET; THENCE
S02 24'36"W 120 FEET, THENCE N88 01'11"W 121.10 FEET;
THENCE N01 58'49"E 120 FEET ALONG HAWLEY ROAD RIGHT OF
WAY LINE TO PLACE OF BEGINNING.

SEC. 24: N 1/4 OF W 1/2 OF SW 1/4;

PART OF SW 1/4 OF NW 1/4 DESCRIBED AS: BEGINNING AT
THE SW CORNER OF SAID SW 1/4 OF NW 1/4, THENCE EAST 4
CHAINS 33 LINKS, THENCE N11 30'W 1 CHAIN 48 LINKS,
THENCE N58 W 2 CHAINS 13 LINKS, THENCE N12 W 1 CHAIN
15 LINKS, THENCE N14 W 2 CHAINS 21 LINKS, THENCE
N16 30'W 4 CHAINS 70 LINKS TO THE WEST BOUNDARY OF
SAID SW 1/4 OF NW 1/4, THENCE SOUTH TO THE POINT OF
BEGINNING.

EXCEPTING AND RESERVING TO THE STATE OF MICHIGAN, ALL
ABORIGINAL ANTIQUITIES INCLUDING MOUNDS, EARTHWORKS, FORTS,
BURIAL AND VILLAGE SITES, MINES OR OTHER RELICS AND ALSO
RESERVING THE RIGHT TO EXPLORE AND EXCAVATING FOR THE SAME,
BY AND THROUGH ITS DULY AUTHORIZED AGENTS AND EMPLOYEES,
PURSUANT TO THE PROVISIONS OF PART 761, ABORIGINAL RECORDS
AND ANTIQUITIES, OF THE NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION ACT, ACT NO. 451 OF THE PUBLIC ACTS OF 1994.

(2) THE CONVEYANCES AUTHORIZED BY THIS SECTION SHALL PROVIDE
FOR ALL OF THE FOLLOWING:

(A) THAT THE PROPERTY SHALL BE USED EXCLUSIVELY FOR THE
DEVELOPMENT OF A NATURE AREA WITH THE PURPOSE OF EDUCATING BOTH

STUDENTS AND ADULTS ABOUT OUR NATURAL RESOURCES. ALONG WITH OUTDOOR CLASSROOM ACTIVITIES, THE GRANTEE WOULD DEVELOP NATURE TRAILS, HABITAT DEMONSTRATION SITES, AND POSSIBLY INCORPORATE THE PROPERTY

INTO THE NATURAL AREAS PROGRAM.

(B) THAT UPON TERMINATION OF THE USE DESCRIBED IN SUBDIVISION (A) OR USE FOR ANY OTHER PURPOSE, THE STATE MAY REENTER AND REPOSSESS THE PROPERTY, TERMINATING THE GRANTEE'S ESTATE IN THE PROPERTY, AND THAT THE GRANTEE SHALL BE RESPONSIBLE FOR ANY NECESSARY ENVIRONMENTAL CLEANUP PRIOR TO THE STATE'S REENTRY AND REPOSSESSION OF THE PROPERTY.

(C) 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.

(3) THE DESCRIPTIONS CONTAINED IN SUBSECTION (1) ARE APPROXIMATE AND, FOR PURPOSES OF CONVEYANCE, MAY BE ADJUSTED BY THE DEPARTMENT OF NATURAL RESOURCES AS NECESSARY BY REVISED LEGAL DESCRIPTION.

(4) THE CONVEYANCES AUTHORIZED BY THIS SECTION SHALL BE BY QUITCLAIM DEED APPROVED BY THE ATTORNEY GENERAL.

(5) THE REVENUE RECEIVED FROM THE CONVEYANCES UNDER THIS SECTION SHALL BE DEPOSITED IN THE STATE TREASURY AND CREDITED TO THE GENERAL FUND.]

(6) IF ANY FEE, TERM, OR CONDITION FOR THE USE OF THE PROPERTY CONVEYED UNDER SECTION 15 IS IMPOSED ON MEMBERS OF THE PUBLIC. OR IF ANY OF THOSE FEES, TERMS, OR CONDITIONS IS WAIVED FOR USE OF THIS PROPERTY, RESIDENT AND NONRESIDENT MEMBERS OF THE PUBLIC SHALL BE SUBJECT TO THE SAME FEES, TERMS, CONDITIONS, OR WAIVERS.