

SENATE BILL No. 171

February 7, 2001, Introduced by Senator JAYE and referred to the Committee on Local, Urban and State Affairs.

A bill to authorize the department of natural resources to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The department of natural resources, on behalf of
2 the state, may convey to the charter township of Shelby, for con-
3 sideration of \$1.00, property under the jurisdiction of the
4 department of natural resources and located in the charter town-
5 ship of Shelby, Macomb county, Michigan, and further described as
6 follows:

7 All state-owned land dedicated as the Rochester-Utica State
8 Recreation Area located in Shelby Township, Macomb County, more
9 specifically described as land located in Section 19, T3N, R12E;
10 all state-owned lands in the E 1/2 of Section 19 and all

1 state-owned lands in the W 1/2 of Section 19 lying east of the
2 Clinton River, T3N, R12E, Macomb county.

3 Sec. 2. The conveyance authorized by this act shall provide
4 for all of the following:

5 (a) The property shall be used exclusively for public park
6 purposes and if any fee, term, or condition for the use of the
7 property is imposed on members of the public, or if any of those
8 fees, terms, or conditions are waived for use of this property,
9 resident and nonresident members of the public shall be subject
10 to the same fees, terms, conditions, and waivers.

11 (b) Upon termination of the use described in subdivision (a)
12 or use for any other purpose, the state may reenter and repossess
13 the property, terminating the grantee's estate in the property.

14 (c) If the grantee disputes the state's exercise of its
15 right of reentry and fails to promptly deliver possession of the
16 property to the state, the attorney general, on behalf of the
17 state, may bring an action to quiet title to, and regain posses-
18 sion of, the property.

19 Sec. 3. The conveyance authorized by this act shall be by
20 quitclaim deed approved by the attorney general and shall not
21 reserve mineral rights to the state.

22 Sec. 4. The conveyance authorized by this act shall require
23 that, within 30 days after the date of the conveyance, a restric-
24 tive covenant be filed with the register of deeds for recording,
25 which shall specify the land use or resource use restrictions, or
26 both, that are necessary to protect the public health, safety, or
27 welfare, or the environment, and to assure the effectiveness and

1 integrity of the environmental contamination remedies consistent
2 with part 201 of the natural resources and environmental protec-
3 tion act, 1994 PA 451, MCL 324.20101 to 324.20142, and the com-
4 prehensive environmental response compensation and liability act
5 of 1980, Public Law 96-510, 94 Stat. 2767. The form and content
6 of the restrictive covenant is subject to the approval of the
7 department of environmental quality.

8 Sec. 5. The revenue received under this act shall be depos-
9 ited in the state treasury and credited to the general fund.

10 Sec. 6. This act pertains solely to the conveyance and
11 restricted use of the property described in section 1, and does
12 not alter the obligations, rights, or duties, either substantive
13 or procedural, of any party under any judicial or administrative
14 action that took effect before the effective date of this act.