

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.2131 Designation and sale of surplus land; restrictions.

Sec. 2131. (1) Except as otherwise provided in subsection (2) or (3), the department may designate as surplus land any state owned land that is under the control of the department and that has been dedicated for public use and may, on behalf of the state, sell that land if the department determines all of the following:

(a) That the sale will not materially diminish the quality or utility of other state owned land adjoining the land to be sold.

(b) That the sale is not otherwise restricted by law.

(c) That the sale is in the best interests of the state, giving due regard to the variety, use, and quantity of lands then under the control of the department.

(d) That 1 or more of the following conditions are met:

(i) The land has been dedicated for public use for not less than 5 years immediately preceding its sale and is not needed to meet a department objective.

(ii) The land is occupied for a private use through inadvertent trespass.

(iii) The sale will promote the development of the forestry or forest products industry or the mineral extraction and utilization industry in this state.

(2) The department shall not authorize the sale of surplus land as provided in subsection (1) if the proceeds from the sale of the land will cause the balance of the fund to exceed \$25,000,000.00.

(3) Except as provided in section 74102b, the department shall not designate as surplus land any land within a state park or state recreation area.

History: Add. 1995, Act 60, Imd. Eff. May 24, 1995;—Am. 2001, Act 174, Imd. Eff. Dec. 11, 2001;—Am. 2006, Act 308, Imd. Eff. July 20, 2006;—Am. 2012, Act 622, Imd. Eff. Jan. 9, 2013.

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