

Act No. 34
Public Acts of 2008
Approved by the Governor
March 13, 2008
Filed with the Secretary of State
March 13, 2008
EFFECTIVE DATE: March 13, 2008

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Senator Gilbert

ENROLLED SENATE BILL No. 523

AN ACT to authorize the state administrative board to convey certain state owned property in Lapeer county; to prescribe certain conditions for the conveyance; to prescribe certain powers and duties of the department of management and budget; and to provide for the disposition of the revenue derived from the conveyance.

The People of the State of Michigan enact:

Sec. 1. (1) The state administrative board, on behalf of the state, may convey to the highest bidder, but for not less than fair market value as determined pursuant to subsection (5), all or portions of state owned property now under the jurisdiction of the department of state police, known as the old Lapeer state police post and located in the city of Lapeer, Lapeer county, Michigan, and more specifically described as follows:

A parcel of land in the Northwest 1/4 of Section 8, T7N, R10E, City of Lapeer, Michigan, and being more specifically described as commencing at the West 1/4 corner of said Section 8; thence North 89 degrees 21'36" East 212.35 feet, on the East-West 1/4 line of said Section 8 to the easterly line of Michigan Highway M-24 and the point of beginning; thence North 89 degrees 21'36" East 1102.50 feet, on said East-West 1/4 line to the east line of the West 1/2 of the Northwest 1/4 of said section; thence North 02 degrees 21'28" West 120.64 feet on the east line of the West 1/2 of the Northwest 1/4 of said section; thence South 89 degrees 21'36" West 1064.87 feet to the easterly line of M-24; thence South 15 degrees 06'41" West 125.29 feet on the easterly line of M-24 to the point of beginning. The above described parcel contains 3.0 acres, more or less. All bearings are relative and referenced to the north line of Section 8 from a previous survey by Fred J. W. Soll, R.L.S. #1090, by which observations of Polaris were taken.

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

(3) The property described in subsection (1) includes all surplus, salvage, and scrap property or equipment.

(4) The department of management and budget shall take the necessary steps to prepare to convey the property described in subsection (1) using any of the following at any time:

(a) Competitive bidding designed to realize the best value to the state, as determined by the department of management and budget.

(b) A public auction designed to realize the best value to the state, as determined by the department of management and budget.

(c) Real estate brokerage services designed to realize the best value to the state, as determined by the department of management and budget.

(d) Offering the property for sale for fair market value to a local unit or units of government.

(5) The fair market value of the property described in subsection (1) shall be determined by an appraisal prepared for the department of management and budget by an independent appraiser.

(6) The department of attorney general shall approve as to legal form the quitclaim deed required by this act.

(7) The state reserves all rights in aboriginal antiquities, including mounds, earthworks, forts, burial and village sites, mines, or other relics lying on, within, or under the property conveyed under this act, including the right to explore and excavate for the aboriginal antiquity by the state or its authorized agents.

(8) The state shall not reserve the mineral rights to the property conveyed under this act. However, the conveyance authorized under this act shall provide that, if the purchaser or any grantee develops any minerals found on, within, or under the conveyed property, the purchaser or any grantee shall pay 1/2 of the gross revenue generated from the development of the minerals to the state, for deposit in the state general fund.

(9) The net revenue received under this act shall be deposited in the state treasury and credited to the general fund. As used in this subsection, "net revenue" means the proceeds from the sale of the property less reimbursement for any costs to the department of management and budget associated with the sale of the property.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor