



Senate Fiscal Agency
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**BILL ANALYSIS**

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Senate Bill 141 (as reported without amendment)
Sponsor: Senator John Moolenaar
Committee: Natural Resources, Environment and Great Lakes

CONTENT

The bill would create a new act to authorize the Department of Natural Resources (DNR) to accept a parcel of real property from the City of Gladwin and reconvey it to the city.

Specifically, the DNR, on behalf of the State, could accept from the city, for consideration of \$1, certain real property that was conveyed to the city originally in an August 15, 1983, quitclaim deed to the city. After receiving the conveyance, the DNR would have to convey the property to the city for \$1. The property would have to be used exclusively for public purposes.

In the event of activity inconsistent with the public purpose requirement, the State could reenter and repossess the property, terminating the grantee's estate in it. If the grantee disputed the State's exercise of its right of reentry and failed to deliver possession promptly to the State, the Attorney General could bring an action to quiet title to, and regain possession of, the property.

The State would reserve oil, gas, and mineral rights to the property. In addition, the conveyance would have to provide that the State would reserve all aboriginal antiquities on, within, or under the property, with power to the State, and all others acting under its authority, to enter the property for any purpose related to exploring, excavating, and taking away aboriginal antiquities.

The conveyance would have to be by quitclaim deed or other instrument approved by the Attorney General.

The bill would repeal Section 1 of Public Act 100 of 1983, which allowed the DNR to convey the parcel to the City of Gladwin. (Under Section 3 of that Act, which authorized another conveyance as well, each conveyance had to require that the land be used exclusively for city park purposes, and upon termination of that use or upon use for any other purpose, the property will revert to the State.)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have a minimal fiscal impact on State and local government. The property would be conveyed to the State and then back to the City of Gladwin for the nominal amount of \$1.

Date Completed: 2-24-11

Fiscal Analyst: Bill Bowerman