

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 468**

A bill to authorize the department of natural resources to convey certain state owned parcels of property in Genesee county and Kalkaska county; to authorize the state administrative board to convey certain parcels of state owned property in Wayne county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue from the conveyances.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The department of natural resources, on behalf
2 of the state, may convey to Genesee county, for consideration of
3 \$1.00, property under the jurisdiction of the department of natu-
4 ral resources and located in Genesee county, Michigan, and fur-
5 ther described as follows:

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

2

1 PARCEL A

2 1.5 acres - and improvements - \$35,000.00 (Optioned at
3 appraisal)

4 E 15 rods of S 16 rods of W1/2 of SW1/4, Sec. 1, T8N, R7E -
5 Genesee County

6 Vendor: Douglas Roster, Mt. Morris, Michigan

7 Option Expires: November 2, 1993

8 Reservations: Seller reserves occupancy of building and
9 site until June 1, 1994

10 Appraisal: Land \$8,000.00; Improvements \$27,000.00; Total
11 \$35,000.00

12 Relocation cost: \$5,550.00

13 Assessed Value: \$15,400.00

14 PARCEL B

15 50.3 acres - \$1,192.84 per acre - \$60,000.00 (Optioned at
16 3.3 per cent over appraisal)

17 S1/2 of N1/2 of NE frl 1/4 except N 142 feet of S 628.45
18 feet of E 310 feet, also except S 220 feet of E 238 feet, Sec. 1,
19 T8N, R7E - Genesee County

20 Vendor: William Szikszay, Ortonville, Michigan

21 Option Expires: November 12, 1993

22 Reservations: Cropping rights until December 31, 1993

23 Appraisal: Land \$58,000.00; Improvements \$0; Total
24 \$58,000.00

25 Assessed Value: \$21,800.00

26 (2) The conveyance authorized by this section shall provide
27 that the property conveyed shall be used only for public

SB0468, As Passed House, March 20, 2002

Sub. SB 468 (H-2) as amended March 20, 2002

3

1 recreation purposes and shall be open to all residents of the
2 state on the same terms, fees, and conditions; and that upon ter-
3 mination of that use or use for any other purpose the property
4 shall revert immediately to the state, with the state assuming no
5 liability for any improvements made by Genesee county.

6 (3) The conveyance authorized by this section shall be by
7 quitclaim deed approved by the attorney general and shall reserve
8 mineral rights to the state.

9 (4) The description of the parcels in subsection (1) is
10 approximate and for purposes of the conveyance is subject to
11 adjustments as the department of natural resources or the attor-
12 ney general considers necessary by survey or other legal
13 description.

14 (5) The revenue received under this section shall be depos-
15 ited in the state treasury and credited to the general fund.

16 Sec. 2. (1) The state administrative board, on behalf of
17 the state, may convey for consideration of not less than fair
18 market value as determined pursuant to subsection (6) certain
19 state owned property now under the jurisdiction of the department
20 of management and budget and located in Wayne county, and further
21 described as follows:

22 [

23

24

25

26

27

SB0468, As Passed House, March 20, 2002

Sub. SB 468 (H-2) as amended March 20, 2002

4

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

SB0468, As Passed House, March 20, 2002

Sub. SB 468 (H-2) as amended March 20, 2002

5

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

SB0468, As Passed House, March 20, 2002

Sub. SB 468 (H-2) as amended March 20, 2002

6

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

SB0468, As Passed House, March 20, 2002

Sub. SB 468 (H-2) as amended March 20, 2002

7

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

SB0468, As Passed House, March 20, 2002

Sub. SB 468 (H-2) as amended March 20, 2002

8

1
2
3
4
5
6
7
8
9
10

11]

12 Michigan Plaza Building and land:

13 **PARCEL A:**

14 All of Lots 108 through 113, inclusive, except the Easterly
15 12 feet of Lot 113 of West Side Industrial Subdivision No. 2, of
16 part of Private Claims 22, 23, 24, 27, 246, 248, and 727, City of
17 Detroit, Wayne County, Michigan, as recorded in Liber 86 of
18 Plats, Pages 39 and 40, Wayne County Records, said parcel of land
19 being more particularly described as:

20 BEGINNING at the southwest corner of Porter Street and Sixth
21 Street at the northwest corner of said Easterly 12 feet of Lot
22 113; thence S30 degrees 00 minutes 47 seconds E 285.50 feet along
23 the southwesterly line of said Easterly 12 feet of Lot 113 and
24 Sixth Street to the northwesterly line of Abbott Street; thence
25 S59 degrees 58 minutes 43 seconds W 309.10 feet along said north-
26 westerly line and southeasterly line of said Lots 108 through 113
27 to the southwest corner of said Lot 108; thence N30 degrees 00

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

9

1 minutes 47 seconds W 285.50 feet along the southwesterly line of
2 said Lot 108 to the southeasterly line of said Porter Street;
3 thence N59 degrees 58 minutes 43 seconds E 390.10 feet along said
4 southeasterly line to the Point of Beginning, containing 2.557
5 acres and being subject to easements and restrictions of record.

6 **PARCEL B:**

7 All of Lots 1 through 14, inclusive, except the Easterly 12
8 feet of Lots 1 and 14 of Block 42, the adjacent vacated Southerly
9 5 feet of Abbott Street, the vacated alley and public easements
10 in said Block 42, and the East 25 feet of vacated Brooklyn Avenue
11 and public easement lying between Howard Avenue (60 feet wide)
12 and Abbott Avenue (50 feet wide), said easement created by the
13 Common Council of the City of Detroit on September 24, 1968, and
14 recorded in the J.C.C., Pages 2331 - 2332, of the Plat of the
15 Labrosse Farm, South of Chicago Road (Michigan Avenue), from
16 Chicago Road to Fort Street, (City of Detroit), Wayne County,
17 Territory of (now State of) Michigan, as recorded in Liber 13 of
18 Deeds, Page 35, Wayne County Records; said parcel of land being
19 more particularly described as:

20 BEGINNING at the northwest corner of Howard Street and Sixth
21 Street at the southeast corner of said Easterly 12 feet of Lot
22 14; thence S60 degrees 01 minutes 23 seconds W 363.27 feet along
23 the northwesterly line of said Howard Street to the southwesterly
24 line of said East 25 feet of vacated Brooklyn Avenue; thence N30
25 degrees 00 minutes 47 seconds W 285.75 feet along said southwest-
26 erly line to the northwesterly line of said vacated Southerly 5
27 feet of Abbott Street; thence N59 degrees 58 minutes 43 seconds E

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

10

1 363.27 feet along said northwesterly line to the southwesterly
2 line of said Easterly 12 feet of said Lots 1 and 14 and said
3 Sixth Street; thence S30 degrees 00 minutes 47 seconds E 286.03
4 feet along said southwesterly line of said Easterly 12 feet of
5 said Lots 1 and 14 and said Sixth Street to the Point of
6 Beginning, containing 1.128 acres and being subject to easements
7 and restrictions of record.

8 **PARCEL C:**

9 All of Lots 1 through 7, inclusive, except the Easterly 12 feet
10 of Lot 1 and the Northerly 90.00 feet of Lots 8 through 11 of
11 Block 42, of the Plat of the Labrosse Farm, South of Chicago Road
12 (Michigan Avenue), from Chicago Road to Fort Street, (City of
13 Detroit), Wayne County, Territory of (now State of) Michigan, as
14 recorded in Liber 13 of Deeds, Page 35, Wayne County Records, and
15 the Northerly 90.00 feet of Lots 1 through 5, inclusive, except
16 the Easterly 12 feet of Lot 1, of the Plat of the Subdivision of
17 Lots 12, 13, & 14, Block Number 34, Labrosse Farm on the
18 Northwest Corner of Lafayette & Sixth Street, Detroit, Wayne
19 County, Michigan, as recorded in Liber 44 of Deeds, Page 120,
20 Wayne County Records, and the vacated alley in said Block 42,
21 said parcel of land being more particularly described as:

22 BEGINNING at the southwest corner of Howard Street and Sixth
23 Street at the northwest corner of said Easterly 12 feet of Lot 1;
24 thence S30 degrees 00 minutes 47 seconds E 239.88 feet; thence
25 S60 degrees 00 minutes 34 seconds W 338.58 feet along the south-
26 easterly line of said Northerly 90 feet of said Lots 1 through 5
27 of the Subdivision of Lots 12, 13, & 14 and Lots 8 through 11 of

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

11

1 said Block 34 to the southwesterly line of Brooklyn Avenue;
2 thence N29 degrees 59 minutes 27 seconds W 239.96 feet along said
3 southwesterly line to the northwesterly line of Howard Street;
4 thence N60 degrees 01 minutes 23 seconds E 338.49 feet along said
5 northwesterly line to the Point of Beginning, containing 1.864
6 acres and being subject to easements and restrictions of record.

7 **PARCEL D:** Not included in Plaza Building Property.

8 **PARCEL E:**

9 All of Lots 114 through 123, inclusive, of West Side Industrial
10 Subdivision No. 2, of part of Private Claims 22, 23, 24, 27, 246,
11 248, and 727, City of Detroit, Wayne County, Michigan, as
12 recorded in Liber 86 of Plats, Pages 39 and 40, Wayne County
13 Records, and a parcel of land lying south of Porter Street (60
14 feet wide), north of Howard Street (60 feet wide), east of and
15 adjacent to the easterly line of said West Side Industrial
16 Subdivision No. 2, and west of the westerly line of the John
17 C. Lodge Freeway and being a part of Lots 3, 4, and 12, and part
18 of the vacated public alley (20 feet wide) adjoining said lots in
19 Block 41, and part of Lots 4, 10, and 11 and part of the vacated
20 public alley (20 feet wide) adjoining said lots in Block 49, and
21 part of vacated Abbott Street (60 feet wide), of the Subdivision
22 of that Part of the Labrosse (or Berthelet) Farm, and the Forsyth
23 Farm South of Michigan Avenue, Map of the Western Addition to the
24 City of Detroit, by John Mullett, Surveyor, July 3, 1835, City of
25 Detroit, Wayne County, Michigan, as recorded in liber 14 of
26 deeds, page 136, Wayne County Records and described as:

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

12

1 BEGINNING at the southwesterly corner of said Lot 12, which
2 is also the southeasterly corner of said West Side Industrial
3 Subdivision No. 2; thence along the easterly line of said West
4 Side Industrial Subdivision No. 2, N30 degrees W 258.70 feet, and
5 N45 degrees 15 minutes 59 seconds W 22.81 feet, and N66 degrees
6 12 minutes 03 seconds W 74.42 feet, and N30 degrees 01 minutes 13
7 seconds W 105.25 feet, and S59 degrees 58 minutes 35 seconds W
8 25.05 feet, and N30 degrees 01 minutes 13 seconds W 25.00 feet,
9 and N21 degrees 23 minutes 35 seconds E32.05 feet, and N30
10 degrees 01 minutes 13 seconds W 130.19 feet to the northeasterly
11 corner of said West Side Industrial Subdivision No. 2; thence
12 along the westerly right of way line of said John C. Lodge
13 Freeway, S37 degrees 59 minute 13 second E 597.91 feet; thence on
14 a curve to the right, radius 43.33 feet, and arc distance of
15 45.39 feet to the Point of Beginning, chord of said curve bears
16 S18 degrees 38 minutes 29 seconds W 44.00 feet, to the Point of
17 Beginning, said parcel of land being more particularly described
18 as:

19 BEGINNING at the southeast corner of Porter Street and Sixth
20 Street at the northwest corner of said Lot 114; thence N60
21 degrees 00 minutes 00 seconds E 150.21 feet along the southeast-
22 erly line of Porter Street to the westerly Limited Access Right
23 of Way Line of said John C. Lodge Freeway; thence S37 degrees 59
24 minutes 13 seconds E 597.71 feet; thence to the southeasterly
25 line of a 20 foot wide public alley; thence southerly 46.15 feet
26 along the arc of a 43.33 foot radius non-tangential curve to the
27 right (with a central angle of 61 degrees 01 minutes 32 seconds

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

13

1 subtending a chord bearing S18 degrees 17 minutes 30 seconds W
2 44.00 feet and having a tangent of 25.54 feet) to the southeast
3 corner of said Lot 123 and northwesterly line of Howard Street;
4 thence S60 degrees 00 minutes 00 seconds W 200.27 feet along said
5 northwesterly line to the northeasterly line of said Sixth
6 Street; thence N30 degrees 00 minutes 47 seconds W 621.19 feet
7 along said northeasterly line and southwesterly line of said Lots
8 114 through 123 to the Point of Beginning, containing 2.754 acres
9 and being subject to easements and restrictions of record.

10 (2) The sale of the property described in this section shall
11 be conducted in a manner to realize the highest price for the
12 sale and the highest return to the state. The sale of this prop-
13 erty shall be done in an open manner that uses 1 or more of the
14 following:

- 15 (a) A competitive sealed bid.
- 16 (b) Oral bid.
- 17 (c) Public auction.
- 18 (d) Use of broker services.

19 (3) Broker services for the sale of property under this sec-
20 tion shall only be used if there are 3 or more bidders for this
21 property. The minimum selling price for the property shall be
22 the higher value of either its fair market value or the result of
23 a professional concept plan value as determined by a real estate
24 professional qualified to make such valuations. This real estate
25 professional shall be selected through a request for proposal and
26 competitive bid process.

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

14

1 (4) A notice of a sealed or oral bid, public auction sale,
2 or use of broker negotiation services regarding the property
3 described in this section shall be published at least once in a
4 newspaper as defined in section 1461 of the revised judicature
5 act of 1961, 1961 PA 236, MCL 600.1461, not less than 10 days
6 before the sale. The newspaper shall be 1 that is published in
7 the county where the property is located. If a newspaper is not
8 published in the county where the property is located, the notice
9 shall be published in a newspaper in a county nearest to the
10 county in which the property is located. A notice shall describe
11 the general location of the property and the date, time, and
12 place of the sale.

13 (5) The conveyance authorized under this section shall be by
14 quitclaim deed approved by the attorney general.

15 (6) The fair market value of the property described in this
16 section shall be determined by an appraisal as prepared by the
17 state tax commission and an independent fee appraiser.

18 (7) The descriptions of the parcels in this section are
19 approximate and for purposes of the conveyance are subject to
20 adjustments as the state administrative board or the attorney
21 general considers necessary by survey or other legal
22 description.

23 (8) The net revenue received under this section shall be
24 deposited in the state treasury and credited to the general
25 fund. As used in this subsection, "net revenue" means the pro-
26 ceeds from the sale of the property less reimbursement for any
27 costs to the state associated with the sale of the property.

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

15

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

7 T 28 N, R 8 W, Sec. 9. A metes and bounds
8 description in the NW 1/4 of SE 1/4, described as
9 follows:

10 That part of the NW 1/4 SE 1/4 lying North of
11 Smith and Ricker's Addition to Rapid City, except
12 the right of way over a strip of land 2 rods wide
13 extending across the entire north side thereof for
14 a highway for public and private use and except a
15 parcel of land beginning 66 feet due North of the
16 Northwest corner of Lot 10, Block B of the afore-
17 said Addition to Rapid City, thence continuing due
18 North 99 feet, thence East 356 feet on a line par-
19 allel with the North line of Water Street of the
20 aforesaid Addition, thence due South 99 feet on
21 the center line of First Street produced to the
22 North line of Water Street, thence West 356 feet
23 on the North line of Water Street to the point of
24 beginning, and also except a parcel of land begin-
25 ning at the intersection of the North line of
26 Water Street and the center line of First Street
27 of the aforesaid Addition, thence due North 99

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

16

1 feet, thence East 363 feet on a line parallel with
2 the North line of Water Street, thence due South
3 99 feet to the North line of Water Street, thence
4 West 363 feet on the North line of Water Street to
5 the point of beginning. (Located on Rapid River,
6 15.37 acres, 1,452 feet of frontage)

7 T 28 N, R 8 W, Sec. 9 - A metes and bounds
8 description in the NE 1/4 of SW 1/4, described as
9 follows:

10 Commencing at the corner (center) of Section 9,
11 running thence West on the East and West quarter
12 line of said Section 9, 23 rods more or less to a
13 point situated 133 feet East of the center line of
14 the main track of the Chicago, Petoskey Division
15 of the Pere Marquette Railroad, as now located
16 over and across Section 9; thence South 36 rods;
17 East to North and South quarter line of said
18 Section 9; thence North to place of beginning.

19 (Located on Rapid River, 5.175 acres, 308 feet of
20 frontage)

21 (2) The conveyance authorized by this section shall provide
22 for all of the following:

23 (a) The property shall be used exclusively for the purpose
24 of public recreational and boating and fishing accesses and if
25 any fee, term, or condition for the use of the property is
26 imposed on members of the public, or if any of those fees, terms,
27 or conditions are waived for use of this property, resident and

SB0468, As Passed House, March 20, 2002

Senate Bill No. 468

17

1 nonresident members of the public shall be subject to the same
2 fees, terms, conditions, and waivers.

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

6 (c) If the grantee disputes the state's exercise of its
7 right of reentry and fails to promptly deliver possession of the
8 property to the state, the attorney general, on behalf of the
9 state, may bring an action to quiet title to, and regain posses-
10 sion of, the property.

11 (3) The conveyance authorized by this section shall be by
12 quitclaim deed approved by the attorney general and shall not
13 reserve mineral rights to the state.

14 (4) The revenue received under this section shall be depos-
15 ited in the state treasury and credited to the general fund.