

Act No. 482
Public Acts of 2002
Approved by the Governor
June 27, 2002
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June 27, 2002
EFFECTIVE DATE: June 27, 2002

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

Introduced by Senator Hoffman

ENROLLED SENATE BILL No. 920

AN ACT to authorize the state administrative board to convey certain properties in Branch county and in Wayne county; to prescribe conditions for the conveyances; to provide for disposition of the revenue from the conveyances; and to define the term "undeveloped property" in the Declaration of Restrictions applicable to the Westside Industrial Redevelopment Project U.R. Mich. 1-4 in which the Wayne county property is located; to authorize the state administrative board to transfer certain property between state departments; and to authorize the department of management and budget to dispose of certain buildings.

The People of the State of Michigan enact:

Sec. 1. The state administrative board, on behalf of the state, may convey to the township of Coldwater, in Branch county, for consideration of \$1.00, certain state owned property that is adjacent to a parcel of property previously conveyed by the state to the township of Coldwater, and that is now under the jurisdiction of the department of corrections and located in Branch county, Michigan, and is more particularly described as:

A parcel of land in the SW 1/4 of section 10, T6S, R6W, Branch County, Michigan and more particularly described as commencing at the southwest corner of said section 10; thence N00°46'35"W 851.64 feet, on the west line of said section 10 to the point of beginning of this description; thence N00°46'35"W 444.00 feet on said west line; thence N89°59'49"E 379.40 feet; thence S00°46'35"E 444.00 feet; thence S89°59'49"W 379.40 feet, to the point of beginning, subject to the right-of-way within US-27 which extends 33 feet from the section line, containing 3.87 acres, more or less.

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

Sec. 3. The conveyance authorized by section 1 shall provide for both of the following:

(a) That the property shall be used exclusively for public recreational purposes, and that upon termination of that use or use for any other purpose, the state may reenter and repossess the property, terminating the grantee's estate in the property.

(b) That if the grantee disputes the state's exercise of its right of reentry and fails to promptly deliver possession of the property to the state, the attorney general, on behalf of the state, may bring an action to quiet title to, and regain possession of, the property.

Sec. 4. The conveyance authorized by section 1 shall provide that Coldwater township is responsible for fencing or otherwise securing any exposed wellheads that exist on the property being conveyed.

Sec. 5. The conveyance authorized by section 1 shall be by quitclaim deed approved by the attorney general and shall reserve mineral rights to the state.

Sec. 6. The revenue received under section 1 shall be deposited in the state treasury and credited to the general fund.

Sec. 7. (1) The state administrative board may transfer from the department of management and budget to the department of military and veterans affairs, without consideration, a parcel of land in the township of Lansing, Ingham county, Michigan, which is under the jurisdiction of the department of management and budget and is more specifically described as follows:

A parcel of land in the N 1/2 of section 5, T4N, R2W, Lansing Township, Ingham County, Michigan and more particularly described as commencing at the N 1/4 corner of said section 5; thence S00° 12'07"W 300.00 feet, on the N-S 1/4 line of said section 5 to the point of beginning of this description; thence S90°00'00"E 633.49 feet; thence S00°00'11"W 590.04 feet; thence S89°59'49"E 120.00 feet; thence S00°00'11"W 170.00 feet; thence S47°25'08"E 65.73 feet; thence S89°38'54"E 470.00 feet, to the west right of way line of Martin Luther King JR. Boulevard; thence S00°28'14"W 115.00 feet, on said right of way to the south line of the N 1/2 of said section 5; thence N89°38'54"W 1274.14 feet, on said south line to the N-S 1/4 line of said section 5; thence S89°39'59"W 247.34 feet, on said south line to the northerly right of way of the CSX Railroad; thence N53°45'56"W 210.00 feet, on said railroad right of way; thence N00°17'04"W 791.90 feet; thence N90°00'00"E 423.88 feet, to the point of beginning, containing 24.25 acres.

(2) The transfer authorized by this section shall be effective when approved by a resolution of the state administrative board.

(3) All documents regarding the transfer of the property described in subsection (1) shall be approved by the attorney general.

(4) The department of management and budget may demolish, dismantle, or otherwise dispose of the following surplus buildings, each of which is located on the property described in subsection (1):

(a) Department of management and budget building "Federal Surplus Warehouse".

(b) Department of management and budget building "DMB Trades Building".

(c) Department of management and budget building "Storage Building".

(5) The department of management and budget may use unexpended funds appropriated in section 101 of 1997 PA 114 for demolition of the facilities listed in subsection (4).

Sec. 8. (1) The state administrative board, on behalf of the state and subject to the terms stated in this section, may convey for not less than fair market value all or portions of certain state owned property now under the jurisdiction of the department of transportation and located in the city of Detroit, Wayne county, Michigan, and more particularly described as:

All of Lots 1 through 14, inclusive, of Block 33, except the Northeasterly part of Lot 1 taken for road purposes, and all that part of the Westerly 1/2 of vacated Fifth Street adjacent to said Lot 14 and to said part of Lot 1 lying northerly of the northwesterly line of Lafayette Boulevard, as recited in the J.C.C., Page 346, on March 22, 1960, and the vacated alley in said Block 33, of the Subdivision of that Part of the Labrosse (or Berthelet) Farm, and the Forsyth Farm South of Michigan Avenue, Map of the Western Addition to the City of Detroit, by John Mullett, Surveyor, July 3, 1835, City of Detroit, Wayne County, Michigan, as recorded in Liber 14 of Deeds, Page 136, Wayne County Records, and Lot 7, of Block 32, except the northeasterly part of Lot 7 taken for road purposes, and all that part of the Easterly 1/2 of vacated Fifth Street adjacent to said part of Lot 7 lying northerly of the northwesterly line of Lafayette Boulevard, as recited in the J.C.C., Page 346, on March 22, 1960, of the Plat of the Subdivision of Private Claim 247, City of Detroit, Wayne County, Michigan, as recorded in Liber 44 of Deeds, Page 1, Wayne County Records, said parcel of land being more particularly described as:

BEGINNING at the southeast corner of Howard Street and Sixth Street at the northwest corner of said Lot 7; thence N60°01'23"E 317.00 feet along the southeasterly line of Howard Street and northwesterly line of said Lots 1 through 7 to a point which is 17 feet easterly from the northwesterly corner of said Lot 1; thence along a line extended southeasterly and passing through a point on the easterly line of said Lot 1 which is 55 feet northerly of the southeasterly corner thereof and continuing to a point on the centerline of said Fifth Street, said line bears S54°47'15"E 143.87 feet; thence southeasterly along a line that passes through a point on the southeasterly line of Lafayette Boulevard which is 4 feet northeasterly from the northwest corner of Lot 5, of William A. Moore's Subdivision of Block 24 of the Subdivision of the Jones Farm, as recorded in Liber 12 of Plats, Page 76, Wayne County Records, said line bears S50°40'19"E 158.49 feet to the northwesterly line of Lafayette Boulevard; thence S60°00'34"W 431.26 feet along said northwesterly line of Lafayette Boulevard to the southwest corner of said Lot 8 in said Block 33 to the northeasterly line of Sixth Street; thence N30°00'47"W 279.87 feet along said northeasterly line to the Point of Beginning, containing 2.310 acres and being subject to easements and restrictions of record.

Excepting any easements of record.

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

(3) As consideration for the property described in subsection (1), the state shall receive property, cash, or any combination thereof which equals or exceeds the fair market value.

(4) The fair market value of the property described in subsection (1) shall be determined by an appraisal as prepared by the state tax commission or an independent fee appraiser.

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

(6) The net revenue received under this section shall be deposited in the appropriate transportation fund. If property is received as all or part of the consideration for the property described in subsection (1), the property may be placed under the jurisdiction of the department of management and budget.

(7) For the purposes of this act, "net revenue" means the proceeds received from the sale of the property described in subsection (1), less reimbursement for any costs to the state associated with the sale of the property and the lawful reimbursement of any transportation funds.

(8) For the purpose of clarifying the process by which the Detroit city council may amend the declaration of restrictions applicable to the west side industrial redevelopment project U.R. Mich. 1-4, as recorded in liber 13969, pages 906 - 932, liber 14408, pages 591 - 594, and liber 15264, pages 389 - 395, Wayne county records, the term "undeveloped property", as used in section 2 thereof, shall include both of the following:

(a) Property upon which there are no buildings or similar structures above grade, regardless of whether they may have previously existed thereon.

(b) Property upon which all buildings and similar structures existing at the time the declaration of restrictions shall be amended by the city council must be demolished and reduced to grade as a condition of effectiveness of such amendment.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved

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Governor.