

SENATE BILL No. 1434

September 30, 2004, Introduced by Senators STAMAS and ALLEN and referred to the Committee on Appropriations.

A bill to allow the state to acquire and convey land in Otsego county.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The state administrative board may acquire
2 certain parcels of land previously conveyed by this state to the
3 county of Otsego pursuant to section 1 of 1999 PA 232. The state
4 administrative board, on behalf of the state, may accept the
5 conveyance of that land by quitclaim deed from the county of
6 Otsego. The property that is subject to this section is
7 described in section 2.

8 (2) After accepting the land under subsection (1), the state
9 administrative board, on behalf of the state, may convey the
10 property described in section 2 to the county of Otsego for
11 consideration of \$1.00, subject to the following conditions:

12 (a) The property shall be used exclusively for a public

1 purpose. Upon termination of the public purpose use or in the
2 event of use for any nonpublic purpose, the state may reenter and
3 repossess the property, terminating the grantee's estate in the
4 property.

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

10 Sec. 2. The parcels of land that the state administrative
11 board may accept and then convey as provided in section 1 are
12 described as follows:

13 Parcel #1: commencing at the intersection of the South Line of
14 Third Street (now called Fourth Street) and the West line of
15 Michigan Central Railroad right of way, thence West along the
16 South line of Third Street (now called Fourth Street) thirty (30)
17 rods more or less to the East line of "B" Street, thence South
18 along the East line of "B" Street to South 1/8 line of Sec. 4, T
19 30N, R3W, which was the South line of said village (now City) of
20 Gaylord, thence East along the former South line of said Village
21 (now City) to the West line of the Michigan Central Railroad
22 right of way, thence North along the West line of said Railroad
23 right of way to the point of beginning excepting therefrom a
24 parcel in the Northeast corner of the above described lands
25 beginning at the intersection of the South line of Third Street
26 (now called Fourth Street) and the West line of the Michigan
27 Central Railroad right of way, thence West along the South line

1 of Third Street (now called Fourth Street) twelve (12) rods,
2 thence in a southerly direction parallel with the West line of
3 said Railroad right of way fifteen (15) rods, thence East
4 parallel with the South line of Third Street (now called Fourth
5 Street) Twelve (12) rods to the West line of said Railroad right
6 of way, thence Northerly along the West line of said Railroad
7 right of way, fifteen (15) rods to the point of beginning, also
8 reserving a right of way for road purposes of a strip of land two
9 (2) rods wide running North and South adjacent to the West side
10 of the above described exception, also excepting therefrom a
11 parcel of land commencing at intersection of South One-eighth
12 line and West line of Penn-Central Railroad (formerly MCRR) right
13 of way, thence North Eighty-one Degrees (81°) Eighteen Minutes
14 (18') Thirty Seconds (30") West Four Hundred Sixty and Thirty-two
15 Hundredths (460.32) feet to East line of S. Illinois Avenue
16 (formerly "B" Street), North Zero Degrees (00°) Seven Minutes
17 (07') Fifty Seconds (50") East along said East line Forty-six
18 (46) feet, South Eighty-three Degrees (83°) Forty-nine Minutes
19 (49') Ten Seconds (10") East Four Hundred Sixty-one and
20 Thirty-one Hundredths (461.31) feet to a point on West line of
21 said Penn-Central Railroad right of way that is Sixty-six (66)
22 feet North Three Degrees (03°) Thirteen Minutes (13') Zero
23 Seconds (00") East of the point of beginning, South Three Degrees
24 (03°) Thirteen Minutes (13') Zero Seconds (00") West Sixty-six
25 (66) feet to said point of beginning.

26 Parcel #2: commencing at a point on the West line of "D" street
27 twenty rods South of the South line of Third Street (now called

1 Fourth Street) in the city of Gaylord, running thence Westerly
2 parallel with the South line of Third Street (now called Fourth
3 Street) to the East line of the Michigan Central Railroad right
4 of way thence Southerly along the East line of the Michigan
5 Central Railroad right of way to a point in line with the North
6 line of Fourth street thence easterly parallel to the South line
7 of Third street (now called Fourth Street) to the West line of
8 "D" street, thence northerly along the West line of "D" street to
9 the place of beginning.

10 Sec. 3. The description of the parcels in section 2 is
11 approximate and is subject to adjustment as considered necessary
12 by the state administrative board.

13 Sec. 4. The conveyance authorized by section 1 shall be by
14 quitclaim deed, prepared and approved by the department of
15 attorney general. The state shall not reserve mineral rights in
16 the property, but the quitclaim deed shall provide that if the
17 grantee develops the mineral rights, the state shall receive not
18 less than 1/2 of the net royalties derived from that
19 development.

20 Sec. 5. Any revenue received pursuant to the conveyance
21 authorized by section 1 shall be deposited in the state treasury
22 and credited to the general fund.