

Legislative Analysis



WHITE LAKE TOWNSHIP CONVEYANCE

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4478 with committee amendment

Sponsor: Rep. John Stakoe

Committee: Regulatory Reform

First Analysis (11-28-05)

BRIEF SUMMARY: The bill would convey state-owned park land to White Lake Township in Oakland County.

FISCAL IMPACT: The bill would have negligible fiscal impact at the state and local levels.

THE APPARENT PROBLEM:

In 1922, the Bloomer family donated 28 acres of woodland located in White Lake Township to the state to be used for public recreation purposes. The state has never developed the acreage and today it remains in a wild state. White Lake Township is interested in taking over ownership of the park. The township has been growing rapidly in recent years and the township Parks and Recreation Committee has developed a four-year plan to acquire and develop land to meet the recreational needs of residents and visitors. As part of that plan, the township would like to develop a limited pathway that could be used for horseback riding, hiking, and mountain biking. In addition, the township would like to build a walkway from a small parking area that would lead to a raised observation deck overlooking a wetlands area of Grass Lake. Legislation has been offered to transfer Bloomer State Park to the township.

THE CONTENT OF THE BILL:

The bill would convey, for \$1, a 28-acre parcel of land currently under the jurisdiction of the Department of Natural Resources to White Lake Township in Oakland County to be used exclusively as a natural area park. The bill would define "natural area park" to mean a park consisting of a tract of land or water under the control of White Lake Township, dedicated and regulated by the township, that has retained or reestablished its natural character, is part of a wilderness area or wild area, has outstanding opportunities for solitude or primitive and unconfined type of recreation, and contains ecological, or other features of scientific, scenic, or natural history value.

The conveyance would be by quitclaim deed approved by the Attorney General and revenue received would be deposited in the state treasury and credited to the general fund. The description of the parcel is approximate and subject to adjustments as considered necessary.

The property could be used only for public purposes. Any fee or condition imposed on the public to use the land would have to be the same for residents and non-residents. The

state could reenter and repossess the property if used for any other purposes. If the state's right of reentry is disputed, the attorney general could bring an action to quiet title to, and regain possession of, the property.

The state would reserve mineral rights to the property. In addition, the state would reserve all rights to aboriginal antiquities, including mounds, earthworks, forts, burial and village sites, mines, or other relics lying on, within, or under the property; this would include the right to explore and excavate for the aboriginal antiquity by the state or its authorized agents.

ARGUMENTS:

For:

Bloomer State Park is located in White Lake Township between (but not contiguous to) Pontiac Recreational Area and Highland Recreational Area. This 28-acre parcel of land has never been developed by the state and so is not accessible by the general public for recreational uses. The township would like to assume ownership of the park and minimally develop the land. In particular, plans include the development of a limited trail system that could be used by hikers, mountain bikers, and horseback riders. In addition, the township would like to redevelop an old, now overgrown, small parking area. From the parking area, a boardwalk would be constructed leading to an observation deck from which residents and visitors could view a wetlands area of Grass Lake. The Oakland County Trail and Park System is already working on developing a trail system that connects the Pontiac and Highland Recreational Areas. It makes sense to include Bloomer State Park in the development of the trail system since it sits in between the two recreational areas.

Furthermore, the conveyance would implement the Bloomer family's intention of the land being kept in a natural state but accessible by the public for park use. The addition of a definition of "natural area park" to the conveyance language would restrict all but the most minimal development and ensures public usage of the land for generations to come.

POSITIONS:

White Lake Township supports the bill. (11-8-05)

The Department of Natural Resources is neutral on the bill. (11-8-05)

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Al Valenzio

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.