

Act No. 363  
Public Acts of 2008  
Approved by the Governor  
December 23, 2008  
Filed with the Secretary of State  
December 23, 2008  
EFFECTIVE DATE: December 23, 2008

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2008**

Introduced by Senator Switalski

# ENROLLED SENATE BILL No. 1443

AN ACT to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyances.

*The People of the State of Michigan enact:*

Sec. 1. The state administrative board, on behalf of the state, may convey by quitclaim deed for not less than fair market value or a fair exchange of value for value, all or portions of certain parcels of state owned property now under the jurisdiction of the department of state police, located in various counties in this state, and more particularly described as follows:

**Parcel 1: Bergland Township, Ontonagon County**

A parcel of land in the NE 1/4 of the NE 1/4 of Section 16, T49N – R42W, Bergland Township, Ontonagon County, Michigan, more particularly described as beginning at the NE corner of said section 16: thence S01°55'24"W 472.11 feet; thence N88°10'04"W 758.67 feet; thence S01°52'44"W 836.43 feet to the south line of the NE 1/4 of the NE 1/4 of said section 16; thence N88°03'35"W 560.87 feet on said south line to the west line of the NE 1/4 of the NE 1/4 of said section 16; thence N01°52'44"E 1307.48 feet on said west line to the north line of said section 16; thence S88°10'04"E 1319.90 feet on said north line to the point of beginning. Containing 25.07 acres subject to the rights of the public in Old M-64 Highway (66' wide) and easements, restrictions and rights of way of record.

**Parcel 2: Berlin Township, Ionia County**

A portion of land located in Berlin Township, Ionia County, Michigan, described as:

Beginning at a point on the east and west quarter line of section 36, town 7 north, range 7 west, Berlin Township, Ionia County, Michigan, said point being north 88 degrees 33 minutes west 1325.5 feet from the east quarter post of said section 36; thence north 88 degrees 33 minutes west 125 feet; thence north 01 degrees 40 minutes east 158 feet; thence south 88 degrees 33 minutes east 125 feet; thence south 01 degree 40 minutes west 158 feet to the point of beginning, containing 0.453 acres in the southeast corner of the southwest 1/4 of the northeast 1/4 of Section 36.

**Parcel 3: Boon Township, Wexford County**

Parcel "A"

A parcel of land in the NW 1/4 of section 35, T22N, R11W, Boon Township, Wexford County, Michigan and more particularly described as beginning at the N 1/4 corner of said section 35; thence N89°11'06"W 430.00 feet, on the north line of said section 35; thence S00°30'30"W 1290.00 feet; thence S89°11'06"E 430.00 feet, to the N-S 1/4 line of said section 35; thence N00°30'30"E 1290.00 feet, on said N-S 1/4 line to the point of beginning, containing 12.73 acres.

Parcel "B"

A parcel of land in the NW 1/4 of section 35, T22N, R11W, Boon Township, Wexford County, Michigan and more particularly described as commencing at the N 1/4 corner of said section 35; thence N89°11'06"W 430.00 feet, on the north line of said section 35 to the point of beginning; thence S00°30'30"W 1290.00 feet; thence S89°11'06"E 430.00 feet, to the N-S 1/4 line of said section 35; thence S00°30'30"W 1345.04 feet, on said N-S 1/4 line to the center of said section 35; thence N89°14'26"W 1316.12 feet, on the E-W 1/4 line of said section 35 to the west line of the E 1/2 of the NW 1/4 of said section 35; thence N00°34'57"E 1436.30 feet, on said west line; thence S89°11'06"E 400.00 feet; thence N00°34'57"E 1200.00 feet to the north line of said section 35; thence S89°11'06"E 482.71 feet, on said north line to the point of beginning, containing 55.78 acres.

Parcel "C"

A parcel of land in the NW 1/4 of section 35, T22N, R11W, Boon Township, Wexford County, Michigan and more particularly described as commencing at the N 1/4 corner of said section 35; thence N89°11'06"W 912.71 feet, on the north line of said section 35 to the point of beginning; thence N89°11'06"W 400.00 feet, on the north line of said section 35 to the west line of the E 1/2 of the NW 1/4 of said section 35; thence S00°34'57"W 1200.00 feet, on said west line; thence S89°11'06"E 400.00 feet; thence N00°34'57"E 1200.00 feet, to the point of beginning, containing 11.02 acres.

**Parcel 4: Hawes Township, Alcona County**

A parcel of land lying in the Northeast one-quarter (NE 1/4) of Section 13, Town 27 North, Range 7 East, Hawes Township, Alcona County, Michigan. Being more particularly described as follows:

Commencing at the Northeast Corner of said Section 13, T27N-R7E; thence S01°-08'-36"E along the East line of said Section, a distance of 200.00 feet to the Point of Beginning. Thence S01°-08'-36"E continuing along said East section line, a distance of 1,108.45 feet to a point on the South line of the N 1/2 of the NE 1/4 of said Section 13; thence S89°-53'-27"W along said South line of the N 1/2 of the NE 1/4 of said Section, a distance of 2,684.87 feet to a point on the N-S one-quarter line of said Section; thence N01°-06'-21"W along said N-S one-quarter line, a distance of 467.02 feet; thence S89°-55'-25"E, a distance of 1,275.00 feet; thence N01°-06'-21"W, a distance of 650.00 feet; thence S89°-55'-25"E, a distance of 1,409.67 feet to a point on the East line of said Section 13, said point being the Point of Beginning.

The above described parcel contains 49.55 acres more or less and is subject to any rights, restrictions, easements, and prior conveyances of record.

**Parcel 5: Ironwood Township, Gogebic County**

Part of the NW 1/4 of the ne 1/4 of section 12, t.48n., r.48w., Ironwood township, Gogebic County, Michigan, being more particularly described as follows: beginning at a point on the south line of county road 505 (233 foot wide half-r.o.w.) located s87°42'01"e 516.27 feet along the north line of said section 12 and s02°24'04"w 233.00 feet from the north 1/4 corner of said section; thence continuing s02°24'04"w 650.00 feet; thence s87°42'01"e 750.00 feet; thence n02°24'04"e 650.00 feet to a point on the south line of said county road 505; thence n87°42'01"w 750.00 feet along said south line to the point of beginning. Containing 11.19 acres And is subject to the rights of the public in said county road 505, and easements, restrictions, and rights-of-way of record.

**Parcel 6: Kasson Township, Leelanau County**

Part of the Northwest 1/4 of Section 11, T.28N., R.13W., Kasson Township, Leelanau County, Michigan described as beginning at a point located distant S01°36'39"W 1319.27 feet along the north-south 1/4 line of said Section 11 from the North 1/4 corner thereof; thence continuing S01°36'39"W 659.12 feet; thence N85°19'51"W 655.80 feet; thence N56°14'09"W 778.64 feet to a point on the west line of the SE 1/4 of the NW 1/4 of said Section per Batzer survey recorded in Liber 3, Page 191; thence N01°32'44"E 286.30 feet along said line; thence S85°03'22"E 1316.64 feet along the north line of the SE 1/4 of the NW 1/4 of said Section 11 to the Point of Beginning. Parcel contains 17.11 acres and is subject to easements, restrictions, and right of way of record.

**Parcel 7: Keene Township, Ionia County**

Parcel located in the Northwest one-quarter (NW 1/4) of Section 11, T7N, R8W, Keene Township, Ionia County, Michigan. Beginning at a point located S00°-19'-50"W along the West line Section 11, 622.48 feet from the Northwest Corner of said Section; thence continuing along said line S00°-19'-50"W, 800.00 feet; thence S89°-23'-12"E, 1,312.44 feet to the East line of the West one-half (W 1/2) of the NW 1/4; thence N00°-24'-30"E along said line, 800.00 feet; thence N89°-23'-12"W, 1,313.53 feet to the Point of Beginning.

The above described parcel contains 24.11 acres more or less and is subject to any rights, restrictions, easements, and prior conveyances of record.

**Parcel 8: Leelanau Township, Leelanau County**

Part of S.E. 1/4 of Section 20, T.31N., R.11W., Leelanau Township, Leelanau County, Michigan, described as beginning at a point located N00°35'01"E 2048.63 feet along the North-South 1/4 line of said Section and S88°01'32"E 217.4 feet

from the South 1/4 corner of said Section 20; thence continuing S88°01'32"E 150.00 feet; thence S01°58'28"W 150.00 feet; thence N88°01'32"W 150.00 feet; thence N01°58'28"E 150.00 feet to the point of beginning. Containing 0.52 acres

**Parcel 9: Leonidas Township, St. Joseph County**

A parcel of land in the Southwest one-quarter (SW 1/4) of Section 23, T5S, R9W, Leonidas Township, St. Joseph County, Michigan, and more particularly described as commencing at the West one-quarter (W 1/4) of said Section 23; thence S00°-32'-52"W, 1,208.91 feet, along the West line of said Section 23 to the Point of Beginning of this description; thence S89°-28'-12"E, 834.77 feet; thence N00°-32'-52"E, 780.00 feet; thence S89°-28'-12"E, 1,300.00 feet; thence S00°-32'-52"W, 900.00 feet; thence N89°-28'-12"W, 2,134.77 feet to said West line of said Section; thence N00°-32'-52"E, along said West line 120.00 feet to the Point of Beginning.

The above described parcel contains 29.16 acres more or less and is subject to any rights, restrictions, easements, and prior conveyances of record.

**Parcel 10: City of Manistee, Manistee County**

That part of Lot H, S. C. Thompson's addition to the City of Manistee lying West and South of the following described line: Commencing at the Southwest corner of Lot I, running thence South 78 1/2 degrees West 70 feet, thence North 49 degrees West 100 feet, thence North 54 1/4 degrees West 188 feet, thence North 54 3/4 degrees West 165 feet more or less to right-of-way of Pere Marquette Railway Company.

**Parcel 11: City of Mt. Pleasant, Isabella County**

Beginning 33 feet north and 33 east of the southwest corner of the east 1/2 of section 9, thence east 250 feet; thence north 250 feet; thence west 250 feet thence south 250 feet to the place of beginning, all being situated in section 9, town 14 north, range 4 west, city of Mt. Pleasant, county of Isabella, State of Michigan.

**Parcel 12: City of Munising, Alger County**

Subject property is situated in the City of Munising, Alger County, Michigan and is described as follows:

That portion of the South half (S 1/2) of the Southeast Quarter (SE 1/4) of the Northwest 1/4 (NW 1/4) in Section Three (3), Town 46 North, Range 19 West, described as follows:

Beginning at the Southeast (SE) corner of said description; thence going West 300 feet; thence going North 140 feet; thence going East 300 feet of said description, thence going South 140 feet to a point of beginning.

**Parcel 13: Ossineke Township, Alpena County**

Part of the Southeast one-quarter (SE 1/4) of Section 13, T29N-R5E, Ossineke Township, Alpena County, Michigan, more particularly described as follows:

Commencing at the Southeast corner of Section 13, T29N-R5E; thence S89°35'42"W along the South line of said Section 13, a distance of 177.51 feet; thence N00°24'18"W, a distance of 33.00 feet to a point on the Northerly right-of-way line of Andor Road (66' R.O.W.); said point being the POINT OF BEGINNING.

Thence N33°08'26"E, a distance of 184.99 feet to a point on the Westerly right of way of M-65 (150' R.O.W.); thence N00°29'32"W along said Westerly right of way of M-65, a distance of 391.08 feet; thence S89°35'42"W leaving said Westerly right or way of M-65, a distance of 793.48 feet; thence S00°29'32"E, a distance of 545.26 feet to a point on the Northerly right of way of Andor Road (66' R.O.W.); thence N89°35'42"E along said North right of way, a distance of 691.02 feet to the point being the POINT OF BEGINNING.

The above described parcel of land contains 9.75 acres more or less and is subject to any and all easements, restrictions, and prior conveyances of record.

**Parcel 14: Richmond Township, Osceola County**

A part of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of Section 10, T17N, R10W described as follows, to-wit:

Beginning at the Section Corner of Sections three (3), Four (4), Nine (9) and Ten (10), Richmond Township, Osceola County, Michigan,

Thence East 879; thence South 250 feet; thence East 250 feet; thence North 250 feet; thence West 250 feet to place of beginning.

**Parcel 15: Rock River Township, Alger County**

A parcel of land in the NE 1/4 of the SW 1/4 of Section 29, T46N - R22W, Rock River Township, Alger County, Michigan being more particularly described as commencing at the S 1/4 corner of said Section 29; thence N00°08'12"E 1324.31 feet along the north-south 1/4 line of said section to the point of beginning ; thence continuing N00°08'12'E 500.00 feet along

said north-south 1/4 line; thence N89°54'43"W 741.98 feet; thence N00°03'50"E 823.84 feet to the E-W 1/4 line of said Section 29; thence N89°56'50"W 575.00 feet along said E-W 1/4 line to the west line of the NE 1/4 of the SW 1/4 of said Section 29; thence S00°03'50"W 1323.48 feet on said west line to the south line of the NE 1/4 of the SW 1/4 of said Section 29; thence S89°54'42"E 1321.35 feet along said South line to the point of beginning. Containing 26.14 acres and is subject to the rights of the public in North Sundell Road and Carlson Road, and any easements, restrictions, and rights-of-way of record.

**Parcel 16: Courtland Township, Kent County**

That part of the N.W. 1/4 of the N.W. 1/4 of section 31, township 9 north, range 10 west, Courtland Township, Kent County, Michigan, described as follows: commencing at the west 1/4 corner of said section 31, thence north 1 degree 35 minutes east 1327.7 feet; thence south 88 degrees 30 minutes east 732.6 feet; thence north 1 degree 30 minutes east 33 feet to the point of beginning of this description; thence north 37 degrees 43 minutes east 314.7 feet; thence south 24 degrees 59 minutes east 268.5 feet; thence southwesterly 110 feet on a curve to the right whose radius is 487.9 feet and whose cord is south 84 degrees 88 minutes 30 seconds west 109.85 feet; thence north 88 degrees 30 minutes west 196.4 feet to the point of beginning. Being in all, 0.89 acres more or less.

**Parcel 17: Watersmeet Township, Gogebic County**

Part of the SE 1/4 of the NE 1/4 of Section 9, T45N – R39W, Watersmeet Township, Gogebic County, Michigan more particularly described as beginning at the E 1/4 corner of said section 9; thence N88°32'28"W 250.00 feet on the E-W 1/4 line of said section; thence N01°28'23"E 419.12 feet; thence N88°37'50"W 250.00 feet; thence N01°28'23"E 900.00 feet to the north line of the SE 1/4 of the NE 1/4 of section 9; thence S88°37'50"E 500.00 feet on said north line to the east line of said section; thence S01°28' 23319.51 feet to the point of beginning. Containing 12.73 acres and subject to the rights of the public in Sucker Lake Road (66' wide) and easement, restrictions and rights of way of record.

Sec. 2. The descriptions of the parcels of property in section 1 are approximate and for purposes of the conveyances are subject to adjustments as the state administrative board or the attorney general considers necessary by survey or other legal description.

Sec. 3. The parcels of property described in section 1 include all surplus, salvage, and scrap property or equipment.

Sec. 4. The fair market value of each parcel of property described in section 1 shall be determined by an appraisal prepared for the department of management and budget by an independent appraiser.

Sec. 5. The department of management and budget shall take the necessary steps to prepare to convey the parcels of property described in section 1 using any of the following at any time:

(a) Competitive bidding designed to realize the best value to the state, as determined by the department of management and budget.

(b) A public auction designed to realize the best value to the state, as determined by the department of management and budget.

(c) Use of real estate brokerage services designed to realize the best value to the state, as determined by the department of management and budget.

(d) A negotiated sale conducted by the department of management and budget, designed to realize the best value to the state.

(e) A value for value conveyance negotiated by the department of management and budget designed to realize the best value to the state. In determining whether value for value consideration for the property represents the best value, the department may consider the fair market value or the total value based on any positive economic impact to the state likely to be generated by the proposed use of the property, especially economic impact resulting in the creation of jobs or increased capital investment in the state.

(f) Offering the property for sale for fair market value to a local unit or units of government.

(g) Offering the property for sale for less than fair market value to a local unit or units of government subject to section 7.

Sec. 6. The attorney general shall approve as to legal form the quitclaim deed authorized by this act.

Sec. 7. A conveyance to a local unit of government authorized by section 5(g) shall provide for all of the following:

(a) The property shall be used exclusively for public purposes and if any fee, term, or condition for the use of the property is imposed on members of the public, or if any of those fees, terms, or conditions are waived for use of this property, all members of the public shall be subject to the same fees, terms, conditions, and waivers.

(b) In the event of an activity inconsistent with subdivision (a), the state may reenter and repossess the property, terminating the grantee's or successor's estate in the property.

(c) If the grantee or successor 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.

(d) If the state reenters and repossesses the property, the state shall not be liable to reimburse any party for any improvements made on the property.

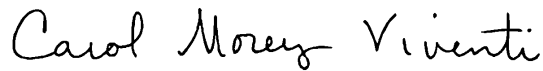
(e) The local unit of government shall reimburse the state for requested costs necessary to prepare the property for conveyance.

(f) If the local unit of government intends to convey the property within 3 years after the conveyance from the state, the local unit shall provide notice to the department of management and budget of its intent to offer the property for sale. The department of management and budget shall retain a right to first purchase the property at the original sale price within 90 days after the notice. If the state waives its first refusal right, the local unit of government shall pay to the state 40% of the difference between the sale price of the conveyance from the state and the sale price of the local unit's subsequent sale to a third party.

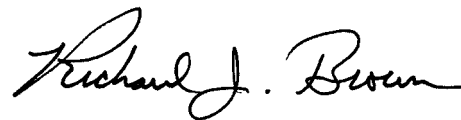
Sec. 8. The state shall not reserve oil, gas, or mineral rights to the property conveyed under this act. However, the conveyance authorized under this act shall provide that, if the purchaser or any grantee develops any oil, gas, or minerals found on, within, or under the conveyed property, the purchaser or any grantee shall pay the state 1/2 of the gross revenue generated from the development of the oil, gas, or minerals. This payment shall be deposited in the general fund.

Sec. 9. The net revenue received from the sale of property under this act shall be deposited in the state treasury and credited to the general fund. As used in this section, "net revenue" means the proceeds from the sale of the property less reimbursement for any costs to the state associated with the sale of property, including, but not limited to, administrative costs, including employee wages, salaries, and benefits; costs of reports and studies and other materials necessary to the preparation of sale; environmental remediation; legal fees; and any litigation related to the conveyance of the property.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved .....

.....  
Governor