

SENATE BILL No. 141

February 15, 2011, Introduced by Senators MOOLENAAR, MARLEAU, BRANDENBURG, CASPERSON, NOFS, HANSEN, CASWELL, WALKER and MEEKHOF and referred to the Committee on Natural Resources, Environment and Great Lakes.

A bill to authorize the department of natural resources to accept and convey certain real property in Gladwin county; to prescribe certain conditions for the acceptance and conveyance; to provide for disposition of the revenue derived from the conveyance; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The department of natural resources, on behalf of
2 the state, subject to and contingent upon the conveyance of the
3 property to the city of Gladwin as provided in subsection (3), may
4 accept from the city of Gladwin, for consideration of \$1.00,
5 certain real property that was originally conveyed to the city of
6 Gladwin in the August 15, 1983 quitclaim deed to the city of
7 Gladwin recorded in Liber 353 page 764, Gladwin county records, and
8 is located in Gladwin county, Michigan, and more particularly

1 described as:

2 (a) Part of the SE1/4, Sec. 1, T 18 N, R 2 W, described as
 3 beginning at a point distant 330 feet S of 1/8 post at the NE
 4 corner, NW1/4, SE1/4, and N 89° W 336.8 feet to the point of
 5 beginning of this parcel, th S 1° E 392.75 feet on the W line of
 6 Belvia S. Johnson Addn, th S 67°45' W 130.9 feet to the Cedar
 7 River, th N'ly along said Cedar River to a point which is N 89° W
 8 of the point of beginning, th S 89° E 330 feet more or less to
 9 point of beginning.

10 (b) Commencing at a point 70 feet S of NW corner of C.C.
 11 Fouch's Addition to the Village of Gladwin and running S 73°45' E
 12 2.56 chains, th S 63°10' E 2.23 chains, th S 14°15' E 3.05 chains,
 13 th S 57°30' E 1.09 chains, th S 24°30' E 1.19 chains, th S 6°15' W
 14 2.50 chains, th S 19° E 3.15 chains, th S 19°45' W 1.62 chains, th
 15 S 28°15' W 4.00 chains, th N 89°30' W 1.42 chains to Cedar River,
 16 th along the thread of said river to the 1/8 post in the center of
 17 SE1/4, Sec. 1, T 18 N, R 2 W, th N along 1/8 line 8.75 chains to
 18 point of beginning, except beginning at a 1/2" iron bar on the E
 19 1/8 line of Sec. 1, T 18 N, R 2 W, said point being the SE corner
 20 of the Plat of Belvia S. Johnson Addition to the City of Gladwin
 21 and also being 71.3 feet S of NW corner of the C.C. Fouch Addition,
 22 th S 73°45'00" E 169.0 feet, th S 63°10'00" E 147.1 feet, th S
 23 14°15'00" E 201.3 feet, th S 57°30'00" E 71.9 feet, th S 24°30'00"
 24 E 78.5 feet, th S 05°15'00" W 165.00 feet, th S 19°00'00" E 207.9
 25 feet, th S 19°45'00" W 106.0 feet, th S 28°15'00" W 264.0 feet, th
 26 N 89°30'00" W 14.4 feet, th N 10°00'00" E 50.85 feet, th N
 27 41°33'20" E 88.45 feet, th N 25°00'00" E 133.75 feet, th N

1 20°45'30" E 102.80 feet, th N 19°18'00" W 197.65 feet, th N
 2 04°55'00" E 170.35 feet, th N 19°09'40" W 69.25 feet, th N
 3 55°28'40" W 75.90 feet, th N 11°46'40" W 177.00 feet, th N
 4 64°41'10" W 162.80 feet, th N 73°13'40" W 158.75 feet to E 1/8 line
 5 of Sec. 1, th to place of beginning.

6 (c) Commencing at the 1/8 post in the center of the SE1/4,
 7 Sec. 1, in the margin of Cedar River and running N on the 1/8 ln
 8 8.75 chains to a point 70 feet S of the NW corner of C.C. Fouch
 9 Addition to Village of Gladwin, th N 84°30' W 4.39 chains, th S
 10 67°45' W 2.90 chains to the Cedar River, th in a SE'ly course
 11 following the thread of said Cedar River to the point of beginning
 12 except beginning at a 1/2 inch iron bar on the E 1/8 line of Sec.
 13 1, said point being the SE corner of the Plat of Belvia S. Johnson
 14 Addition to the City of Gladwin and also being 71.3 feet S of NW
 15 corner of the C.C. Fouch Addition, th 84°56'00" W 288.60 feet, th S
 16 79°58'30" E 292.00 feet to E 1/8 line, th N to beginning, Sec. 1, T
 17 18 N, R 2 W.

18 (d) Block 18 and all of the unplatted portion W of Block 12
 19 and E of Cedar River in C.C. Fouch's Addition to City of Gladwin,
 20 Sec. 1, T 18 N, R 2 W; and

21 (e) Lot 12 except E 40 feet thereof, Belvia S. Johnson
 22 Addition to City of Gladwin, Sec. 1, T 18 N, R 2 W - Gladwin
 23 County.

24 (2) The description of the parcel in subsection (1) is
 25 approximate and for purposes of the conveyances is subject to
 26 adjustment as the department of natural resources or attorney
 27 general considers necessary by survey or other legal description.

1 (3) The department of natural resources, on behalf of the
2 state, after receiving the conveyance authorized in subsection (1),
3 shall convey to the city of Gladwin, for consideration of \$1.00,
4 the real property described in subsection (1).

5 (4) The conveyance authorized by subsection (3) shall provide
6 for all of the following:

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

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

16 (c) If the grantee disputes the state's exercise of its right
17 of reentry and fails to promptly deliver possession of the property
18 to the state, the attorney general, on behalf of the state, may
19 bring an action to quiet title to, and regain possession of, the
20 property.

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

24 (5) The state shall reserve oil, gas, and mineral rights to
25 the property conveyed under this section.

26 (6) The conveyance of property under subsection (3) shall
27 provide that the state reserves all aboriginal antiquities

1 including mounds, earthworks, forts, burial and village sites,
2 mines, and other relics, on, within, or under the property, with
3 power to the state, and all others acting under its authority, to
4 enter the property for any purpose related to exploring,
5 excavating, and taking away aboriginal antiquities.

6 (7) The conveyance under subsection (3) shall be by quitclaim
7 deed or other instrument approved by the attorney general.

8 Enacting section 1. Section 1 of 1983 PA 100 is repealed.