

# HOUSE BILL No. 4630

May 10, 2011, Introduced by Rep. McBroom and referred to the Committee on Appropriations.

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

## 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 Dickinson county as provided in subsection (3), may  
4 accept from Dickinson county, for consideration of \$1.00, certain  
5 real property that was conveyed to Dickinson county by the city of  
6 Iron Mountain in the warranty deed recorded in liber 233, page 791,  
7 Dickinson county records, and is located in Dickinson county,  
8 Michigan, and described as:

9 A parcel of land located in the Northwest Quarter of the Southeast  
10 Quarter (NW¼ X SE¼) and the Northeast Quarter of the Southwest

1 Quarter (NE¼ X SW¼) of Section Thirty-Six (36), Township 40 North,  
2 Range 31 West, M.P.M., City of Iron Mountain, County of Dickinson,  
3 State of Michigan, more particularly described as follows:

4 Commencing at a concrete monument marking the Center Quarter  
5 Corner of Section 36, T40N-R31W; thence running South 89°37'30"  
6 East for a distance of 283.00 feet; thence running South for a  
7 distance of 539.77 feet to a concrete monument located on the shore  
8 of Crystal Lake and the Point of Beginning of the parcel to be  
9 described; thence running North 63°55' West along the shore of  
10 Crystal Lake for a distance of 385.88 feet; thence running South  
11 45°16'20" West along the shore of Crystal Lake for a distance of  
12 96.96 feet; thence running North 44°44' West for a distance of  
13 67.56 feet to a concrete monument; thence running North 6°05' East  
14 for a distance of 201.81 feet to a concrete monument located on the  
15 Southerly Right of Way Line of the existing Public Road which  
16 connects Foster Street with West "D" Street and running in an  
17 Easterly direction along the Southerly Line of said Public Roadway  
18 by the following courses and distances: North 61°05' East for a  
19 distance of 149.0 feet to the Point of Curve of a 164.88 foot  
20 radius curve concave to the right; thence running along the arc of  
21 said curve for a distance of 74.82 feet to a Point of Tangent (Long  
22 chord bears North 74°18'11" East, 74.18 feet); thence running North  
23 87°05' East for a distance of 118.20 feet; thence running South  
24 57°39'14" East for a distance of 490.34 feet; thence running South  
25 59°20' East for a distance of 69.24 feet to a point on the Westerly  
26 Right of Way Line of Foster Street; thence running in a Southerly  
27 direction along the arc of a 145.67 foot radius curve concave to

1 the left for a distance of 49.57 feet (Long chord bears South  
2 10°55' West, 49.35 feet); thence running South 1°32'30" West for a  
3 distance of 256.35 feet to a concrete monument located on the shore  
4 of Crystal Lake; thence running North 65°24' West along the shore  
5 of Crystal Lake for a distance of 369.60 feet to the Point of  
6 Beginning.

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

11 (3) The department of natural resources, on behalf of the  
12 state, after receiving the conveyance authorized in subsection (1),  
13 shall convey to Dickinson county, for consideration of \$1.00, the  
14 real property described in subsection (1).

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

17 (a) Unless the property is conveyed for fair market value  
18 after the conveyance described in subsection (3), the property  
19 shall be used exclusively for public purposes and if any fee, term,  
20 or condition for the use of the property is imposed on members of  
21 the public, or if any of those fees, terms, or conditions are  
22 waived for use of this property, resident and nonresident members  
23 of the public shall be subject to the same fees, terms, conditions,  
24 and waivers.

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

1 (c) If a grantee disputes the state's exercise of its right of  
2 reentry and fails to promptly deliver possession of the property to  
3 the state, the attorney general, on behalf of the state, may bring  
4 an action to quiet title to, and regain possession of, the  
5 property.

6 (d) If the state reenters and repossesses the property, the  
7 state is not liable to reimburse any party for any improvements  
8 made on the property.

9 (e) If the property is sold by Dickinson county, or another  
10 local unit of government that is a successor in interest, for fair  
11 market value, upon the first such sale of the property, the local  
12 unit of government selling the property shall pay to the state 40%  
13 of the sales price of the property.

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

16 (6) The state shall reserve all aboriginal antiquities  
17 including mounds, earthworks, forts, burial and village sites,  
18 mines, and other relics, on, within, or under the property conveyed  
19 under this section, with power to the state, and all others acting  
20 under its authority, to enter the property for any purpose related  
21 to exploring, excavating, and taking away aboriginal antiquities.

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

24 (8) Revenue to the state from the sale of property under this  
25 section shall be deposited in the state treasury and credited to  
26 the general fund.