

Act No. 83  
Public Acts of 2013  
Approved by the Governor  
June 27, 2013  
Filed with the Secretary of State  
June 28, 2013  
EFFECTIVE DATE: June 28, 2013

**STATE OF MICHIGAN**  
**97TH LEGISLATURE**  
**REGULAR SESSION OF 2013**

Introduced by Rep. Foster

# ENROLLED HOUSE BILL No. 4080

AN ACT to authorize the state administrative board to convey certain parcels of state-owned property in Chippewa and Schoolcraft counties; to prescribe conditions for the conveyances; and to provide for certain powers and duties of certain state departments in regard to the properties.

*The People of the State of Michigan enact:*

Sec. 1. (1) The state administrative board, on behalf of this state, may convey by quitclaim deed to the township of Kinross or the county of Chippewa all or portions of certain state-owned property under the jurisdiction of the department of corrections, located in the township of Kinross, Chippewa county, Michigan, and further described as follows:

Parcel A

Part of Lot 4, of "Chippewa County Industrial Air Park Plat"; Part of Sections 31 & 32, T45N, R1W, Kinross Township, Chippewa County, Michigan, more particularly described as, commencing at the Northeast corner of Section 31; thence along the north line of said Section, N 89° 59' 39" W 1075.01 feet; thence S 00° 16' 05" E 33.00 feet to the South Right-of-Way of Tone Road and the Point of Beginning; thence along said Right-of-Way S 89° 59' 39" E 470.94 feet; thence S 05° 39' 59" E 240.61 feet; thence S 89° 43' 17" W 493.57 feet, thence N 00° 16' 05" W 241.88 feet to the South Right-of-Way of Tone Road and the Point of Beginning containing 2.68 acres more or less and excepting all easements and restrictions of record, if any.

Parcel B

Part of Lot 4, of "Chippewa County Industrial Air Park Plat"; Part of Sections 31 & 32, T45N, R1W, Kinross Township, Chippewa County, Michigan, more particularly described as, commencing at the Northeast corner of Section 31; thence along the north line of said Section, N 89° 59' 39" W 1075.01 feet; thence S 00° 16' 05" E 33.00 feet to the South Right-of-Way of Tone Road and the Point of Beginning; thence continuing S 00° 16' 05" E 241.88 feet; thence S 89° 43' 17" W 57.32 feet; thence N 05° 35' 43" W 243.33 feet to the South Right-of-Way of Tone Road; thence along said Right-of-Way S 89° 59' 39" E 79.92 feet to the Point of Beginning containing 0.38 acres more or less and excepting all easements and restrictions of record, if any.

(2) The description of the property in subsection (1) is approximate and, for purposes of the conveyance, is subject to adjustments as the state administrative board or the attorney general considers necessary by survey or other legal description.

(3) The property includes all surplus, salvage, and scrap property or equipment remaining on the property as of the date of the conveyance.

(4) The director of the department of technology, management, and budget shall first offer the property for sale for \$1.00 to the township of Kinross. If all of the property is not sold to the township of Kinross as provided in subsection (5), the director of the department shall offer the remaining property for sale for \$1.00 to the county of Chippewa.

(5) To purchase the property under subsection (4), a local unit of government shall enter into a purchase agreement within 60 days after the date of the offer to that local unit of government and complete the purchase within 120 days after the date of the offer. Conveyance of any portion of the property under subsection (4) is subject to the conditions prescribed in subsections (7) and (8).

(6) If the property described in subsection (1) or any portion thereof is not conveyed pursuant to subsection (4), the department of technology, management, and budget shall take the necessary steps to prepare to convey the remaining property using any of the following at any time:

(a) Competitive bidding designed to realize the best value to this state, as determined by the department.

(b) A public auction designed to realize the best value to this state, as determined by the department.

(c) Real estate brokerage services designed to realize the best value to this state, as determined by the department.

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

(e) Offering the property for sale for less than fair market value to a local unit or units of government subject to subsections (7) and (8).

(7) A conveyance authorized by subsection (4) or (6)(e) 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 the property, all members of the public shall be subject to the same fees, terms, conditions, and waivers.

(b) If a provision of the conveyance described in subdivision (a) is violated, this 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 this state's exercise of its right of reentry and fails to promptly deliver possession of the property to this state, the attorney general, on behalf of this state, may bring an action to quiet title to, and regain possession of, the property.

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

(8) If the property is conveyed pursuant to subsection (4) or (6)(e) and if the local unit of government intends to convey the property within 10 years after the conveyance under subsection (4) or (6)(e), the local unit shall provide notice to the department of technology, management, and budget of its intent to offer the property for sale. The department shall retain a right to first purchase the property at the original sale price within 90 days after the notice is received. If this state repurchases the property, this state is not liable to any party for improvements to, or liens placed on, the property. If this state waives its right to first purchase the property, the local unit of government shall pay to this state 40% of the difference between the sale price of the conveyance from this state under subsection (4) or (6)(e) and the sale price of the local unit's subsequent sale or sales to a third party.

(9) The fair market value of the property described in subsection (1) shall be determined by an appraisal prepared for the department of technology, management, and budget by an independent appraiser.

(10) If requested by this state, the grantee shall reimburse this state for costs necessary to prepare the property for conveyance.

(11) The quitclaim deed authorized by this section shall be approved as to legal form by the department of attorney general.

(12) This state shall not reserve oil, gas, or mineral rights to property conveyed under this section. However, a conveyance authorized under this section 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 grantee shall pay this 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.

(13) This state reserves all aboriginal antiquities including mounds, earthworks, forts, burial and village sites, mines, or other relics lying on, within, or under the property with power to this state and all others acting under its authority to enter the property for any purpose related to exploring, excavating, and taking away the aboriginal antiquities.

Sec. 2. (1) The state administrative board, on behalf of the state, may convey by quitclaim deed all or portions of certain state-owned property now under the jurisdiction of the department of corrections, commonly known as Camp Manistique, and located in the city of Manistique, Schoolcraft county, Michigan, and further described as follows:

A parcel of land being part of the NE 1/4 of the NE 1/4 of Section 12, T41N-R16W, and part of the NW 1/4 of the NW 1/4 of Section 7, T41N-R15W, City of Manistique, Schoolcraft County, Michigan described as:

Commencing at the Northwest corner of Section 7; thence S00°22'09"W, 15.58 feet to the South Right-of-Way line of the Wisconsin Central Railroad; thence S88° 22'52"E, 547.40 feet along the South Railroad Right-of-Way line; thence S00° 22'09"W, 894.43 feet; thence N89°36'54"W, 547.27 feet to a found concrete monument on the West line of Section 7; thence N89°05'11"W, 449.78 feet to a found concrete monument; thence S02°29'48"W, 60.01 feet to a found concrete monument; thence N89°03'52"W, 422.66 feet to the East Right-of-Way line of Maple Avenue; thence N02°24'01"E, 104.30 feet along the East Right-of-Way line of Maple Avenue to the North Right-of-Way line of Pine Street; thence

N78°15'15"W, 31.60 feet along the North Right-of-Way line of Pine Street; thence N03°17'44"E, 867.11 feet to the South Right-of-Way line of the Wisconsin Central Railroad; thence S88°22'52"E, 857.85 feet along the South Railroad Right-of-Way line to the Point of Beginning containing 30.297 acres and subject to restrictions, reservations, rights-of-way and easements of record.

(2) The description of the property in subsection (1) is approximate and, for purposes of the conveyance, is subject to adjustments as the state administrative board or the attorney general considers necessary by survey or other legal description.

(3) The property includes all surplus, salvage, and scrap property or equipment remaining on the property as of the date of the conveyance.

(4) The department of technology, management, and budget shall take the necessary steps to prepare to convey the property using any of the following at any time:

- (a) Competitive bidding designed to realize the best value to this state, as determined by the department.
- (b) A public auction designed to realize the best value to this state, as determined by the department.
- (c) Real estate brokerage services designed to realize the best value to this state, as determined by the department.
- (d) Offering the property for sale for fair market value to a local unit or units of government.

(5) The fair market value of the property described in subsection (1) shall be determined by an appraisal prepared for the department of technology, management, and budget by an independent appraiser.

(6) If requested by this state, the grantee shall reimburse this state for costs necessary to prepare the property for conveyance.


(7) The quitclaim deed authorized by this section shall be approved as to legal form by the department of attorney general.

(8) This state shall not reserve oil, gas, or mineral rights to property conveyed under this section. However, a conveyance authorized under this section 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 grantee shall pay this 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.

(9) This state reserves all aboriginal antiquities including mounds, earthworks, forts, burial and village sites, mines, or other relics lying on, within, or under the property with power to this state and all others acting under its authority to enter the property for any purpose related to exploring, excavating, and taking away the aboriginal antiquities.

(10) The net revenue received by the state from the sale of property under this section shall be deposited in the state treasury and credited to the general fund. As used in this subsection, "net revenue" means the proceeds from the sale of the property less reimbursement for any costs to this 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 prepare for the sale; environmental remediation costs; legal fees; and costs of any litigation related to the conveyance of the property.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor