

# HOUSE BILL No. 4195

February 14, 2017, Introduced by Rep. Kivela and referred to the Committee on Appropriations.

A bill to require the state administrative board to convey state-owned property in Marquette County; to prescribe conditions for the conveyance; to provide for powers and duties of state departments, agencies, and officers in regard to the property; and to provide for disposition of revenue derived from the conveyance.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. (1) The state administrative board shall convey to  
2 Northern Michigan University real property owned by this state  
3 described as follows:  
4 That part of Section 36, Township 48 North, Range 25 West, City of  
5 Marquette, Marquette County, Michigan, being described as follows:  
6 Commencing at the South one-quarter (S 1/4) Corner of said Section  
7 36, thence N01° 10'26"E along the North-South one quarter (N-S 1/4)  
8 Line of said Section 36, a distance of 1318.11 feet to the Center-

1 South one-sixteenth (C-S 1/16) corner of said Section 36; thence  
2 N89° 32'33"W, a distance of 732.77 feet to a 1" iron pipe with  
3 Beaver 25828 cap, thence N01° 22'07"E, a distance of 528.87 feet;  
4 thence N02° 24'08"E, a distance of 507.69 feet to a 4" Aluminum  
5 Michigan DNR monument; thence N61° 49'30"W, a distance of 187.31  
6 feet to a 4" Aluminum Michigan DNR monument; thence N88° 45'01"W, a  
7 distance of 154.46 feet; thence S62° 13'59"W, a distance of 62.54  
8 feet; thence N41° 24'01"W, a distance of 108.30 feet to a 4"  
9 Aluminum Michigan DNR monument and the POINT OF BEGINNING of the  
10 parcel to be described.  
11 Thence N41° 24'01"W, a distance of 103.20 feet; thence N03°  
12 15'45"W, a distance of 234.56 feet; thence N13° 19'15"E, a distance  
13 of 183.17 feet; thence N41° 47'36"E, a distance of 91.29 feet to  
14 the southwesterly right-of-way of US-41/M-28 (90 feet wide); thence  
15 along the southwesterly right-of-way of US-41/M-28 (90 feet wide)  
16 on a curve to the left, having a radius of 11553.50 feet, a central  
17 angle of 01° 16'39", a chord distance of 257.58 feet, a chord  
18 bearing S48° 50'43"E, a arc distance of 257.59 feet; thence  
19 continuing along the southwesterly right-of-way of US-41/M-28 (90  
20 feet wide) S49° 29'05"E, a distance of 78.26 feet; thence along the  
21 northerly line of the MDNR Property for the next 3 calls S42°  
22 08'38"W, a distance of 92.80 feet; thence S58° 14'23"W, a distance  
23 of 142.96 feet to a 4" Aluminum Michigan DNR monument; thence S25°  
24 12'23"W, a distance of 213.84 feet to a 4" Aluminum Michigan DNR  
25 monument and the POINT OF BEGINNING.  
26 And including an easement for ingress and egress to and from the  
27 above described real property and highway US-41/M-28, described as

1 follows:

2 A 20 foot wide easement for ingress/egress being part of Section  
3 36, Township 48 North, Range 25 West, City of Marquette, Marquette  
4 County, Michigan, the centerline of said 20 foot wide strip is  
5 described as follows:

6 Commencing at the South one-quarter (S 1/4) Corner of said Section  
7 36, thence  $N01^{\circ} 10'26''E$  along the North-South one quarter (N-S 1/4)  
8 Line of said Section 36, a distance of 1318.11 feet to the Center  
9 South one-sixteenth (C-S 1/16) corner of said Section 36; thence  
10  $N89^{\circ} 32'33''W$ , a distance of 732.77 feet to a 1" iron pipe with  
11 Beaver 25828 cap, thence  $N01^{\circ} 22'07''E$ , a distance of 528.87 feet;  
12 thence  $N02^{\circ} 24'08''E$ , a distance of 507.69 feet to a 4" Aluminum  
13 Michigan DNR monument; thence  $N61^{\circ} 49'30''W$ , a distance of 187.31  
14 feet to a 4" Aluminum Michigan DNR monument; thence  $N88^{\circ} 45'01''W$ , a  
15 distance of 154.46 feet; thence  $S62^{\circ} 13'59''W$ , a distance of 62.54  
16 feet; thence  $N41^{\circ} 24'01''W$  a distance of 108.30 feet to a 4"  
17 Aluminum Michigan DNR monument; thence  $N41^{\circ} 24'01''W$ , distance of  
18 91.74 feet to the POINT OF BEGINNING.

19 Thence  $S19^{\circ} 20'44''W$ , a distance of 108.58 feet; thence along a  
20 curve to the left, having a radius of 175.00 feet, a central angle  
21 of  $36^{\circ} 47'31''$ , a chord distance of 110.45 feet, a chord bearing of  
22  $S00^{\circ} 56'59''W$ , a arc distance of 112.37 feet; thence  $S17^{\circ} 26'47''E$ , a  
23 distance of 57.69 feet; thence  $N37^{\circ} 35'56''E$ , a distance of 34.85  
24 feet; thence  $N27^{\circ} 04'42''E$ , a distance of 69.84 feet; thence along a  
25 curve to the right, having a radius of 190.00 feet, a central angle  
26 of  $50^{\circ} 50'10''$ , a chord distance of 163.10 feet, a chord bearing of  
27  $N52^{\circ} 29'47''E$ , a arc distance of 168.58 feet; thence  $N77^{\circ} 54'52''E$ , a

1 distance of 135.08 feet; thence N63° 44'51"E, a distance of 293.50  
2 feet to the southwesterly right-of-way of US-41/M-28 (90 feet wide)  
3 and the POINT OF TERMINATION.

4 (2) The description of the property in subsection (1) is  
5 approximate and, for purposes of conveyance under this act, may be  
6 adjusted as the state administrative board or the department of  
7 attorney general considers necessary because of a survey or another  
8 legal description.

9 (3) The state administrative board shall transfer the property  
10 described in subsection (1) by quitclaim deed for the consideration  
11 of \$1.00. The deed must be approved as to legal form by the  
12 department of attorney general.

13 (4) The conveyance under this act must contain the following  
14 restrictions:

15 (a) The property must be used exclusively by Northern Michigan  
16 University for studies related to forensic anthropology and  
17 directly related activities.

18 (b) The use of the property must not interfere with the use of  
19 contiguous or nearby property for correctional purposes by or on  
20 behalf of the department of corrections.

21 (c) Northern Michigan University shall not convey or sell the  
22 property to any person other than this state.

23 (5) The state administrative board shall not reserve oil, gas,  
24 or mineral rights to property conveyed under this section. However,  
25 the conveyance under this act must provide that, if the grantee or  
26 any successor develops any oil, gas, or minerals found on, within,  
27 or under the conveyed property, the grantee or any successor must

1 pay this state 1/2 of the gross revenue generated from the  
2 development of the oil, gas, or minerals. A payment under this  
3 subsection must be deposited in the general fund.

4 (6) The conveyance under this act must reserve to this state  
5 all aboriginal antiquities, including mounds, earthworks, forts,  
6 burial and village sites, mines, or other relics lying on, within,  
7 or under the property, with power to this state and all others  
8 acting under its authority to enter the property for any purpose  
9 related to exploring, excavating, and taking away the aboriginal  
10 antiquities.

11 (7) If property conveyed under this section was used by this  
12 state as a historical monument, memorial, burial ground, park, or  
13 protected wildlife habitat area, the grantee shall maintain and  
14 protect the property for that purpose in perpetuity in accordance  
15 with applicable law.

16 (8) The state administrative board shall deposit the net  
17 revenue received from the sale of property under this section in  
18 the state treasury. The state treasurer shall credit the money  
19 deposited to the general fund.

20 (9) If property conveyed under this section is used in a  
21 manner that violates any of the restrictions imposed under  
22 subsection (4), the grantee shall reconvey the property to this  
23 state or this state may reenter and take the property, terminating  
24 the grantee's or any successor's estate in the property. An action  
25 to regain possession of the property under this section may be  
26 brought and maintained by the attorney general on behalf of this  
27 state.

1           (10) If this state reenters and repossesses property under  
2 subsection (9), this state is not liable to reimburse any person  
3 for any improvements made on the property or to compensate any  
4 person for any part of an unfulfilled contract or license issued to  
5 provide goods or services on or for the property.