

Act No. 348
Public Acts of 1996
Approved by the Governor
June 27, 1996
Filed with the Secretary of State
June 28, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Senator Stille

ENROLLED SENATE BILL No. 817

AN ACT to authorize the state administrative board to convey certain state owned property in Muskegon county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

The People of the State of Michigan enact:

Sec. 1. (1) The state administrative board, on behalf of the state, may convey for consideration of not less than fair market value as determined pursuant to subsection (2), or for less than fair market value pursuant to subsection (3), all or any portion of certain property now under the jurisdiction of the department of mental health and located in the city of Muskegon, Muskegon county, Michigan, and more particularly described as follows:

Muskegon Regional Center for Developmental Disabilities located in the SE 1/4 of the NW 1/4 of Section 22, Town 10 North, Range 16 West, except the east 33 feet, the north 33 feet, the west 30 feet and the south 30 feet thereof, all of which are reserved for roads and except that portion conveyed to the City of Muskegon by deed recorded in Liber 758 at Page 312, Muskegon county records.

(2) The fair market value of the property described in subsection (1) shall be determined by an appraisal based on the property's highest and best use, as prepared by the state tax commission or an independent fee appraiser.

(3) Any conveyance of the property described in subsection (1) for less than fair market value shall provide:

(a) That the property shall be used exclusively for public purposes and that upon termination of that use or use for any other purpose, the state may reenter and repossess the property, terminating the grantee's estate in the property.

(b) That if the grantee 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.

(c) That notwithstanding the condition requiring the property to be used exclusively for public purposes, the county of Muskegon may exchange the property described in subsection (1) for other land comparable in value to be conveyed to the county in exchange for the land described in subsection (1) which shall be subject to the same use conditions and right of reentry set forth in subdivisions (a) and (b). Any proposed exchange shall be subject to, and contingent upon, approval by the director of the department of management and budget and the state administrative board. As part of the approval process, the county must satisfy that the value of the land is comparable, marketable title to the land offered in exchange will be received, and the county will execute and deliver or cause to be executed and delivered to the state of Michigan an instrument or instruments that will subject the land offered in exchange for the property described in subsection (1) to the same use condition and right of reentry set forth in subdivisions (a) and (b). All instruments effectuating such exchange shall be in recordable form and shall be subject to approval by the director of the department of management and budget, the state administrative board, and the attorney general.

(4) If the director of the department of management and budget and the state administrative board approve any proposed exchange under subsection (3)(c), they are authorized to execute an instrument to discharge and release the use condition and right of reentry as to the property described in subsection (1). Such instrument shall be approved as to form by the attorney general.

Sec. 2. The description of the parcel in section 1 is approximate and for purposes of the conveyance is subject to adjustment as the state administrative board or attorney general considers necessary by survey or other legal description.

Sec. 3. Any conveyance authorized by this act shall be by quitclaim deed approved by the attorney general and shall reserve to the state all rights to coal, oil, gas, and other materials, excluding sand, gravel, clay, or other nonmetallic minerals found on, within, or under the conveyed lands.

Sec. 4. The revenue received under this act shall be deposited in the state treasury and credited to the general fund.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.