

HOUSE BILL No. 4857

May 29, 1997, Introduced by Reps. Jelinek, Brackenridge, Kaza, Raczkowski, Birkholz, Cassis, Goschka, Gernaat, McBryde, Oxender, Lowe and Perricone and referred to the Committee on Regulatory Affairs.

A bill to authorize the department of transportation to convey certain state owned property in Berrien 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:

1 Sec. 1. The department of transportation, on behalf of the
2 state, may convey to New Buffalo township, for consideration of
3 \$1.00, certain parcels of real property under the jurisdiction of
4 the department of transportation and located in Berrien county,
5 Michigan, and more particularly described as:

6 Parcel No. 1

7 All that part of the Southwest Quarter (SW 1/4) of the
8 Southwest Quarter (SW 1/4) of Section 2, T8S, R21W, New Buffalo
9 Township, Berrien County, Michigan, which lies Southeasterly of a
10 line 50 feet Southeasterly of (measured at right angles) and

1 parallel to a line described as: Beginning at a point on the
2 West line of Section 11 said T8S, R21W, Village of New Buffalo,
3 which is 4.5 feet South of the Northwest (NW) corner of said
4 Section 11; thence South 88 deg. 01' East, 654.2 feet to the
5 point of curvature of a 1042.14 foot radius curve to the left
6 (chord bearing North 59 deg. 59' 30" East); thence Northeasterly
7 along the arc of said curve 1163.33 feet to a point of ending.
8 EXCEPTING THEREFROM that part of said Southwest Quarter (SW 1/4)
9 of the Southwest Quarter (SW 1/4) described as:

10 Beginning at a point which is Easterly along the Southerly
11 line of Section 2, T8S, R21W, New Buffalo Township, Berrien
12 County, Michigan, 1334.1 feet and North 1 deg. 39' 30" East along
13 the Easterly line of the West Half (W 1/2) of the Southwest
14 Quarter (SW 1/4) of said Section 2, 126.85 feet from the
15 Southwest corner of said Section 2; thence North 1 deg. 39' 30"
16 East along the Easterly line of the West Half (W 1/2) of the
17 Southwest Quarter (SW 1/4) of said Section 2, 93.07 feet; thence
18 South 56 deg. 18' 15" West 149.12 feet; thence South 39
19 deg. 17' 35" East 73.69 feet; thence North 83 deg. 02' 45" East
20 53.68 feet; thence North 28 deg. 02' 25" East 45.58 feet to the
21 point of beginning.

22 Parcel No. 2

23 All that part of a parcel of land described as: Beginning
24 at a point which is E'ly along the S'ly line of Sec.2, T8S, R21W,
25 New Buffalo Twp., Berrien Co., Michigan, 1334.1 ft. and N. 1
26 deg. 39'30" E. along the E'ly line of the W1/2 of the SW1/4 of
27 said Sec. 2, 126.85 ft. from the SW corner of said Sec. 2, thence

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1 N. 1 deg. 39'30" E. along the E'ly line of the W1/2 of the SW1/4
2 of said Sec. 2, 93.07 ft.; thence S. 56 deg. 18' 15" W. 149.12
3 ft.; thence S.39 deg. 17' 35" E. 73.69 ft.; thence N. 83
4 deg.02' 45" E. 53.68 ft.; thence N. 28 deg. 02' 25" E. 45.58
5 ft. to the point of beginning; which lies SE-ly of a line 35
6 ft. SE'ly of an parallel to the centerline of US-12 as now
7 located. Said centerline of US-12 is described as beginning at a
8 point which is S'ly along the W'ly line of said Sec. 2, 4.5
9 ft. from the SW corner of said Sec. 2, thence S. 88
10 deg. 01' E. 654.2 ft. to the point of curvature of a 5 deg. 30'
11 curve to the left; thence along the arc of said curve 1000
12 ft. more or less to the point of ending.

13 Sec. 2. The conveyance authorized by this act shall provide
14 that the property shall be used for a municipal public purpose
15 and that upon termination of that use, or upon use for any other
16 purpose, title to the property shall revert immediately to the
17 state, with the state assuming no liability for any improvements
18 made by any other party.

19 Sec. 3. The conveyance authorized by this act shall be by
20 quitclaim deed approved by the attorney general and shall reserve
21 to the state all rights to coal, oil, gas, and other nonmetallic
22 minerals found on, within, or under the conveyed property.

23 Sec. 4. The revenue received under this act shall be depos-
24 ited in the state treasury and credited to the general fund.