

Legislative Analysis



TUSCOLA COUNTY CONVEYANCE

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House Bill 4950

Sponsor: Rep. Tom Meyer

Committee: Regulatory Reform

Complete to 11-13-06

A SUMMARY OF HOUSE BILL 4950 AS INTRODUCED 6-16-05

Public Act 6 of 2002 provided for several conveyances, one of which was a parcel of surplus land to be conveyed to Indianfields Township in Tuscola County to be used for a public park. The property lies between a park owned and operated by the township and the grounds of the Caro Center, a mental health facility. The conveyance was not implemented, however, because the description of the property contained in Public Act 6 was incorrect and could not be amended before a deadline specified in the act expired.

House Bill 4950 would authorize the Department of Management and Budget to convey to Indianfields Township, in Tuscola County, a parcel containing just under 95 acres for \$1. The bill specifies that the description of the real property is approximate and for purposes of the conveyance, is subject to adjustment as the state administrative board or the attorney general considers necessary by survey or other legal description. The revenue received from the conveyance would be deposited in the state treasury and credited to the general fund.

The property would have to be used exclusively for the purpose of a public park. Any fee, term, or condition for the use of the property imposed on members of the public, or any waiver of fees, terms, or conditions, would have to be the same for residents and nonresidents. If the property ceased to be used for a public park, the state could reenter and repossess the property, terminating the township's estate in the property. The attorney general could bring an action to quiet title to, and regain possession of, the property should the township dispute the state's exercise of its right of reentry and fail to promptly deliver possession of the property to the state.

The conveyance would be by quitclaim deed designed or approved by the attorney general. Gas, oil, or mineral rights found on, within, or under the conveyed property would not be reserved to the state; however, the bill would provide for the exercise of the state's ongoing property interests in and regulatory jurisdiction over any historic artifacts and antiquities subsequently found on the site.

FISCAL IMPACT:

The bill would have minimal fiscal impact on state or local government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.