

HOUSE BILL No. 6666

November 28, 2006, Introduced by Reps. Lipsey, Hoogendyk, Wenke and Alma Smith and referred to the Committee on Regulatory Reform.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The state administrative board, on behalf of the
2 state, may convey by quitclaim deed to western Michigan university,
3 for consideration of \$1.00, certain state owned property now under
4 the jurisdiction of the department of corrections and located in
5 the city of Kalamazoo, county of Kalamazoo, Michigan, containing
6 approximately 2.55 acres, and more particularly described as
7 follows:

1 A parcel of land in the SW1/4 of Section 21, T2S, R11W, City of
2 Kalamazoo, Kalamazoo County, Michigan, and more particularly
3 described as commencing at the S1/4 corner of said Section 21;
4 thence S89°48'12"W 1,564.12 feet, on the south line of said Section
5 21 to the centerline of Oakland Drive; thence N22°47'00"E 258.39
6 feet, on the centerline of Oakland Drive; thence N79°05'07"W 33.72
7 feet, to the point of beginning of this description and westerly
8 right-of-way of Oakland Drive; thence N79°05'07"W 488.27 feet;
9 thence S00°17'51"W 270.00 feet, to the northerly right-of-way of
10 Howard Street; thence S78°11'48"E 32.94 feet, on said right-of-way;
11 thence 293.13 feet on the arc of a curve to the left whose central
12 angle is 12°00'00", radius of 1,399.40 feet and a long chord
13 bearing and distance of S84°29'48"E 292.60 feet, on said right-of-
14 way; thence N89°48'12"E 68.27 feet, on said right-of-way to the
15 westerly right-of-way of Oakland Avenue; thence N22°47'00"E 230.06
16 feet, on said right-of-way to the point of beginning, containing
17 2.55 acres, more or less. All bearings are relative and referenced
18 to previous surveys/descriptions of Kalamazoo Regional Psychiatric
19 Hospital properties.

20 Sec. 2. The description of the property in section 1 is
21 approximate and, for purposes of the conveyance, is subject to
22 adjustments as the state administrative board or the attorney
23 general considers necessary by survey or other legal description.

24 Sec. 3. The conveyance authorized by this act shall provide
25 for all of the following:

26 (a) The property shall be used exclusively for a public
27 purpose, and if any fee, term, or condition for the use of the

1 property is imposed on members of the public, or if any of those
2 fees, terms, or conditions are waived for use of the property,
3 resident and nonresident members of the public shall be subject to
4 the same fees, terms, conditions, and waivers.

5 (b) Upon termination of the use described in subdivision (a)
6 or use for any other purpose, the state may reenter and repossess
7 the property, terminating the grantee's estate in the property.

8 (c) If the grantee disputes the state's exercise of its right
9 of reentry and fails to promptly deliver possession of the property
10 to the state, the attorney general, on behalf of the state, may
11 bring an action to quiet title to, and regain possession of, the
12 property.

13 Sec. 4. The department of attorney general shall approve as to
14 legal form and content the quitclaim deed authorized by this act.

15 Sec. 5. The state shall not reserve oil, gas, or mineral
16 rights to the property conveyed under this act. However, the
17 conveyance authorized under this act shall provide that, if the
18 purchaser or any grantee develops any oil, gas, or minerals found
19 on, within, or under the conveyed property, the purchaser or any
20 grantee shall pay the state 1/2 of the gross revenue generated from
21 the development of the oil, gas, or minerals. This payment shall be
22 deposited in the natural resources trust fund.

23 Sec. 6. The state reserves all aboriginal antiquities,
24 including mounds, earthworks, forts, burial and village sites,
25 mines, or other relics, lying on, within, or under the property
26 described in section 1, with power to the state and all others
27 acting under its authority to enter the property for any purpose

1 related to exploring, excavating, and taking away the aboriginal
2 antiquities.

3 Sec. 7. The revenue received from the sale of property under
4 this act shall be deposited in the state treasury and credited to
5 the general fund.