

HOUSE BILL No. 5779

February 4, 2010, Introduced by Rep. Caul and referred to the Committee on Appropriations.

A bill to authorize the state administrative board to convey certain state owned property in Isabella county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for disposition of the revenue from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The state administrative board, on behalf of the state
2 and subject to the terms stated in this act, shall convey to the
3 city of Mt. Pleasant, for consideration of \$1.00, certain state
4 owned property under the jurisdiction of the department of
5 community health and located in the city of Mt. Pleasant, Isabella
6 county, Michigan, and further described as follows:

7 DESCRIPTION:

1 A PARCEL OF LAND SITUATED IN THE TOWNSHIP OF UNION, COUNTY OF
2 ISABELLA, STATE OF MICHIGAN, AND DESCRIBED AS FOLLOWS TO-WIT:
3 (AS FURNISHED)

4 THE EAST 1/2 OF SECTION 9, T14N, R4W, CITY OF MT. PLEASANT,
5 ISABELLA COUNTY, MICHIGAN
6 EXCEPT:

7 MOUNT PLEASANT PUBLIC SCHOOLS LIBER 003 PAGE 123 OF I.C.R SURVEYS
8 A PARCEL OF LAND BEING PART OF THE EAST 1/2 OF SECTION 9, T14N,
9 R4W, DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID
10 SECTION 9; THENCE NORTH 1447.00 FEET ALONG THE NORTH-SOUTH 1/4 LINE
11 OF SAID SECTION 9 TO THE POINT OF BEGINNING; THENCE CONTINUING
12 NORTH 1200.00 FEET ALONG SAID NORTH-SOUTH 1/4 LINE; THENCE EAST
13 275.00 FEET AT RIGHT ANGLES TO SAID NORTH-SOUTH 1/4 LINE; THENCE
14 SOUTH, 1200.00 FEET PARALLEL TO SAID NORTH-SOUTH 1/4 LINE; THENCE
15 WEST 275.00 FEET AT A RIGHT ANGLE TO THE NORTH-SOUTH 1/4 LINE TO
16 THE POINT OF BEGINNING. PARCEL CONTAINS 7.57 ACRES OF LAND, MORE OR
17 LESS.

18 ALSO EXCEPT:

19 (A.K.A. HISTORIC CEMETERY)

20 COMMENCING AT THE SOUTH WEST CORNER OF THE SOUTH WEST QUARTER OF
21 THE NORTH EAST QUARTER OF SECTION NINE (9), TOWNSHIP FOURTEEN (14)
22 NORTH, RANGE FOUR (4) WEST, SITUATED AT THE COUNTY AND STATE
23 AFORESAID AND RUNNING THENCE EAST FIFTEEN (15) RODS THENCE NORTH
24 FOUR (4) RODS THENCE WEST AND NORTH SO THE A LINE WOULD CROSS THE
25 QUARTER LINE NINE RODS NORTH FROM THE PLACE OF BEGINNING. THENCE
26 SOUTH ALONG THE QUARTER LINE RUNNING SOUTH THROUGH THE SECTION NINE
27 RODS TO THE PLACE OF BEGINNING AND CONTAINING THIRTY-SEVEN AND ONE

1 HALF RODS OF LAND MORE OR LESS. PARCEL CONTAINS 0.61 ACRES OF LAND,
2 MORE OR LESS.

3 ALSO EXCEPT:

4 (MSPSC TOWER) 363 PA 2008 PARCEL 11

5 BEGINNING 33 FEET NORTH AND 33 FEET EAST OF THE SOUTHWEST CORNER OF
6 THE EAST 1/2 OF SECTION 9, THENCE EAST 250 FEET; THENCE NORTH 250
7 FEET; THENCE WEST 250 FEET; THENCE SOUTH 250 FEET TO THE POINT OF
8 BEGINNING, ALL BEING SITUATED IN SECTION 9, TOWN 14 NORTH, RANGE 4
9 WEST, CITY OF MOUNT PLEASANT, COUNTY OF ISABELLA, STATE OF
10 MICHIGAN. PARCEL CONTAINS 1.43 ACRES OF LAND, MORE OR LESS.

11 MT PLEASANT CENTER PARCEL CONTAINS 311.43 ACRES OF LAND, MORE OR
12 LESS.

13 SUBJECT TO AND TOGETHER WITH ANY RESTRICTIONS, RIGHT-OF-WAYS AND
14 EASEMENTS OF RECORD, IF ANY.

15 Sec. 2. (1) The description of the property in section 1 is
16 approximate and for purposes of the conveyance is subject to
17 adjustments as the state administrative board or the attorney
18 general considers necessary by survey or legal description.

19 (2) The property described in section 1 includes all personal,
20 surplus, salvage, or scrap property or equipment.

21 Sec. 3. The conveyance authorized by section 1 shall provide
22 for all of the following:

23 (a) While the city of Mt. Pleasant owns the property, the
24 property shall be used exclusively for public purposes, and if any
25 fee, term, or condition for the use of the property is imposed on
26 members of the public, or if any of those fees, terms, or
27 conditions are waived for use of this property, resident and

1 nonresident members of the public shall be subject to the same
2 fees, terms, conditions, and waivers.

3 (b) In the event of activity inconsistent with subdivision
4 (a), the state may reenter and repossess the property, terminating
5 the grantee's estate in the property.

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

11 (d) If the state reenters and repossesses the property, the
12 state shall not be liable to reimburse any party for any
13 improvements made on the property.

14 (e) The local unit of government shall reimburse the state for
15 requested costs necessary to prepare the property for conveyance.

16 Sec. 4. (1) If the city of Mt. Pleasant conveys the property
17 described in section 1 within 5 years after the conveyance from the
18 state, the city of Mt. Pleasant shall notify the department of
19 management and budget of any sale and shall pay to the state 40% of
20 the difference between the sale price of the conveyance from the
21 state, as adjusted under subsection (2), and the sale price of the
22 city of Mt. Pleasant's subsequent sale to a third party including
23 anything of value exchanged or received in lieu of monetary
24 consideration. The notification to the department of management and
25 budget shall include a full accounting of such costs.

26 (2) For purposes of the calculation made under subsection (1),
27 the sale price of the conveyance from the state shall be increased

1 by the total of the amounts the city of Mt. Pleasant pays to
2 address any environmental conditions on the property or to demolish
3 or improve existing buildings, the cost of structure and other land
4 improvements on the property, the cost of making any other
5 improvements to the property, and any costs to the city of Mt.
6 Pleasant associated with the sale of the property, including, but
7 not limited to, administrative costs, employee wages, salaries, and
8 benefits, costs of reports and studies and other materials
9 necessary to the preparation of the sale, environmental
10 remediation, legal fees, and any litigation expenses related to the
11 conveyance of the property.

12 Sec. 5. (1) The conveyances authorized by this act shall be by
13 quitclaim deed designed or otherwise approved as to legal form by
14 the attorney general.

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

23 (3) The state reserves all aboriginal antiquities including
24 mounds, earthworks, forts, burial and village sites, mines, or
25 other relics lying on, within, or under the property with power to
26 the state and all others acting under its authority to enter the
27 property for any purpose related to exploring, excavating, and

1 taking away the aboriginal antiquities.

2 Sec. 6. The revenue received from the conveyance under section
3 1 shall be deposited in the state treasury and credited to the
4 general fund.