

Act No. 111
Public Acts of 1993
Approved by the Governor
July 15, 1993
Filed with the Secretary of State
July 20, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Reps. Jaye and Crissman

ENROLLED HOUSE BILL No. 4088

AN ACT to authorize the department of natural resources to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for the disposition of the revenue derived from the conveyance.

The People of the State of Michigan enact:

Sec. 1. The department of natural resources, on behalf of the state, may convey to the charter township of Shelby, for consideration of \$1.00, certain property now under the jurisdiction of the department of natural resources and located in the charter township of Shelby, county of Macomb, and more specifically described as follows:

All state-owned land dedicated as the Rochester-Utica Recreation Area located in Shelby Township, Macomb County, more specifically described as land located in Sections 18, 19, 20, 28, 29, 30, and 33 T3N, R12E; an exception being that portion of state-owned land located within the corporate boundary of the City of Utica; and an additional exception being the E 1/2 of Section 19 and all state-owned lands in the W 1/2 of Section 19 lying east of the Clinton River, T3N, R12E, Macomb County.

Sec. 2. (1) The conveyance authorized by this act shall provide that the property conveyed shall be used for the purpose of a public park and that upon termination of that use, or upon use for any other purpose, title to the property shall revert immediately to the state, with the state assuming no liability for any improvements made by the grantee.

(2) The conveyance authorized by this act shall provide that all members of the public using the public park shall be subject to the same annual and daily fees, terms, and conditions. The conveyance also shall provide that the grantee may waive daily fees or waive fees for the use of specific areas or facilities in the case of use by specified groups or classes of persons, but the waiver of fees shall apply to all members of that group or class regardless of their residence.

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

Sec. 4. The conveyance authorized by this act shall provide that the shooting range located on the property shall remain open unless the department of natural resources approves the closure of the shooting range. If the range is closed without the approval of the department, the range shall revert, at the option of the department, to this state. The land subject to the reversion is described as follows: That part of Section 29, T03N, R12E, Macomb County, commencing at the northwest corner said Section 29, thence along the section line common to Sections 29 and 30, S 2 12'47" W, 1142.10 feet to the center line of Hamlin Road, thence along the center line of Hamlin Road S 71 57'E, 1600.64 feet, thence continuing along centerline along the arc of a curve to the right, 346.96 feet, said curve having a radius of 2292

feet and said arc being subtended by a chord that bears S 67 36'48" E, 346.62 feet, to the point of beginning, thence S 71 57' E 1800 feet, thence N 18 03' E to the thread of the Clinton River, thence northerly and westerly along the thread of the Clinton River to the North line of Section 29, thence westerly along the North line of Section 29 to a point which is N 1 48'30" E of the point of beginning, thence S 1 48'30" W to the point of the beginning.

Sec. 5. The conveyance authorized by this act shall provide that the Shadbrush nature study area located on the property shall remain open unless the department of natural resources approves the closure of the nature study area. If the nature study area is closed without the approval of the department, the nature area shall revert, at the option of the department, to this state. The land subject to the reversion is described as follows: all of that part of NW 1/4 of NE 1/4 and N 1/2 of NW 1/4, Section 29, lying westerly of the Clinton River and N of a line 400 feet N of Hamlin Road, T3N, R12E, Shelby Township, Macomb County, totalling approximately 71 acres.

Sec. 6. The revenue received under this act shall be deposited in the state treasury and credited to the general fund.

Sec. 7. This act shall not take effect unless Senate Bill No. 331 of the 87th Legislature is enacted into law.

This act is ordered to take immediate effect.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.