

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 496 (as enrolled)  
Sponsor: Senator Ken DeBeaussaert  
Senate Committee: Local, Urban and State Affairs  
House Committee: Local Government and Urban Policy

**PUBLIC ACT 99 of 1999**

Date Completed: 7-12-99

**RATIONALE**

The Huron-Clinton Metro Park Authority several years ago deeded approximately 38 acres of flood plain property to Clinton Township for 99 years for \$1, with the stipulation that the property be used as a park. For a number of years, the township did not act on establishing a park. Now, the township is planning to develop on the property a park that will include a nonintrusive walking trail through a heavily wooded area, the sites of three mills that operated along the Clinton and Kalamazoo Canal, and areas for open fishing. Motor vehicles reportedly will be restricted from the park, which will be designed for walking on trails, watching nature, and visiting the historic sites. While these 38 acres of wooded land already have been secured for the park, direct access to the area is limited. It has been suggested that incorporating nearby State property into the park area will improve access to the park and provide off-site parking at the park's entrance.

**CONTENT**

The bill created a new act to authorize the Department of Natural Resources (DNR), on behalf of the State, to convey for \$1 to the charter township of Clinton property under the DNR's jurisdiction and located in Macomb County.

The conveyance must require that the property be used exclusively for park and recreation purposes, and provide that upon termination of that use or use for any other purpose, the State may reenter and repossess the property, terminating the grantee's estate in it. In addition, the conveyance must provide that if the grantee disputes the State's exercise of its right of reentry and fails to deliver possession of the property promptly to the State, the Attorney General may bring an action to quiet title to, and regain possession of, the property. If any fee, term, or condition for using the property is imposed on the public, or if any of the fees, terms, or conditions are waived for use of the property, residents and nonresidents will be subject to the same fees, terms, conditions, or waivers.

The conveyance must be by quitclaim deed approved by the Attorney General and may not reserve mineral rights to the State. The conveyance, however, must provide that if the grantee develops the mineral rights, the State is to receive at least one-half of the net royalties derived from that development.

Revenue received under the bill must be deposited in the State Treasury and credited to the General Fund.

**ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

**Supporting Argument**

With only a 15-foot wide road leading to the park off Moravian Drive in Clinton Township, direct access to the site is very limited. The bill addresses this problem by authorizing the conveyance of 0.68 acre of State land that adjoins the proposed park site and fronts on the Clinton River. The property in question was apparently given to the DNR Fisheries Division a number of years ago, and is currently undeveloped and being used in part as a fishing access site on the Clinton River. With the conveyance of the State property and its incorporation into the park area, the township will be able to improve access to the park and provide parking at the park's entrance.

Legislative Analyst: L. Arasim

**FISCAL IMPACT**

The bill will result in an increase in State revenue of \$1 for the conveyance of property described in the bill.

To the extent that the sale of the parcel would generate more than \$1, there may be lost opportunity cost in the value of the land that will be forgone in conveying the property for \$1. There is apparently no current appraisal that would indicate the estimated

value of the property.

Fiscal Analyst: M. Hansen

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.