

HOUSE SUBSTITUTE FOR

SENATE BILL NO. 314

(As Amended July 17, 2003)

A bill to allow the state to acquire and convey land in Marquette county.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The state administrative board may acquire a
2 certain portion of the land conveyed by this state to the county
3 of Marquette in a deed dated December 31, 1982, pursuant to
4 section 36 of 1982 PA 280, a parcel of approximately 460 acres in
5 Sands township. The state administrative board may accept by
6 quitclaim deed from the county of Marquette the portion of the
7 460-acre parcel described in section 2. The state administrative
8 board [shall] convey the property described in section 2 to
9 teaching-family homes of upper Michigan for consideration of
10 \$1.00, subject to the following conditions:

11 (a) Teaching-family homes of upper Michigan shall utilize all
12 or part of the property for purposes that benefit the public

1 interest in Marquette county, which may include establishing
2 hiking and bicycling trails and providing residential
3 rehabilitative services for minors.

4 (b) If teaching-family homes of upper Michigan ceases to use
5 the property in the manner required under subdivision (a), or
6 offers the property for sale, title to the property shall revert
7 immediately to the state.

8 Sec. 2. The portion of the 460-acre parcel that the state
9 administrative board may accept and then convey as provided in
10 section 1 is described as follows:

11 All that part of the Southwest Quarter of the Southeast Quarter
12 (SW1/4-SE1/4), Excepting the East Five-hundred and thirty feet
13 (530.00); and the East Five-hundred and forty-one feet (541.00)
14 of the Southeast Quarter of the Southwest Quarter (SE1/4-SW1/4 of
15 Section Eleven (11), in T.47 N., R.25 W, in Sands Township,
16 Marquette Co., Michigan. Said parcel subject to a One Hundred-
17 fifty (150') wide right of way which crosses said parcel whose
18 centerline is described as follows: Commencing at the SW Corner
19 of said Section 11; thence S 89°40'05"E 659.77 feet (along the
20 South Section Line); thence N 0°13'05"E 945.51 feet, (along the
21 East Line of W1/2-SW1/4-SW1/4 and a point of curvature) and the
22 Point of Beginning of said C/L; thence 526.29 feet along a curve
23 to the right (D=21°03'06", R=1432.39 feet, L.C. bears S
24 70°47'08"E 523.33 feet); thence S 60°15'35"E 208.34 feet; thence
25 323.65 feet on a curve to the left (D=37°51'14", R=489.87 feet,
26 L.C. bears S 79°11'12"E 317.79 feet; thence N 81°53'11"E 193.51
27 feet; thence 599.14 feet on a curve to the right (D=53°33'30",

1 R=640.94 feet, L.C. bears S71°20'04"E 577.56 feet); thence 352.49
2 feet on a curve to the left (D=12°58'17", R=1556.98 feet,
3 L.C. bears S 51°02'27"E 351.73 feet); thence S 57°31'35"E 590.74
4 feet; thence 299.01 feet on a curve to the left (D=52°21'08",
5 R=327.25 feet, L.C. bears S 83°42'09"E 288.72 feet; thence 155.80
6 feet on a curve to the right (D=10°51'13", R=822.48 feet,
7 L.C. bears N 75°32'53"E 155.57 feet, to the West end of Silver
8 Creek Road, and Point of Ending. Also subject to all conditions
9 and reservations contained in the recorded chain of title to said
10 land. Said parcel contains 40.0+ acres including right of ways.

11 Sec. 3. The description of the parcel in section 2 is
12 approximate and is subject to adjustment as considered necessary
13 by the state administrative board.

14 Sec. 4. The instrument of conveyance authorized by section
15 1 shall provide all of the following:

16 (a) The state shall retain and reserve all mineral rights in
17 the land conveyed.

18 (b) The state shall reserve all rights in aboriginal
19 antiquities including mounds, earthworks, forts, burial and
20 village sites, mines, or other relics, including the right to
21 explore and excavate for the aboriginal antiquity by the state or
22 its authorized agents.

23 (c) If the land reverts to the state, the state shall have no
24 liability for any improvements made on the land.

25 Sec. 5. That portion of the 460-acre parcel not described
26 in section 2 shall remain subject to the terms of the deed dated
27 December 31, 1982.

1 Sec. 6. The conveyance authorized by section 1 shall be by
2 quitclaim deed, prepared and approved by the department of
3 attorney general.

4 Sec. 7. Any revenue received pursuant to the conveyance
5 authorized by section 1 shall be deposited in the state treasury
6 and credited to the general fund.

[Sec. 8. The state administrative board, on behalf of the state, shall convey to the Traverse Bay intermediate school district, for consideration of \$1.00, all interest, including the reversionary interest and without any restrictive covenants, that the state has in certain property consisting of approximately 11.38 acres in Garfield township, Michigan, which was conveyed to the Traverse Bay intermediate school district by quit-claim deed dated October 30, 1992, pursuant to section 713 of 1992 PA 167. The instruments necessary to implement this section shall be approved by the attorney general.

Sec. 9. (1) The state administrative board may transfer from the department of management and budget to the department of military and veterans affairs, without consideration, a parcel of land in the township of Lansing, Ingham county, Michigan, more specifically described as follows:

A parcel of land in the S 1/2 of section 5, T4N, R2W, Lansing Township, Ingham County, Michigan and more particularly described as beginning at the N 1/4 corner of section 5; thence S89°59'49"E 632.45 feet, on the north line of said section 5; thence S00°00'11"W 299.96 feet; thence N90°00'00"W 633.49 feet, to a point on the N-S 1/4 line of said section 5; thence N90°00'00"W 423.88 feet; thence S00°17'04"E 791.90 feet, to the northerly right of way of the CSX Railroad; thence N53°45'56"W 812.28 feet, on said right of way; thence S89°35'40"E 220.94 feet; thence N53°47'59"W 130.49 feet; thence N00°21'08"E 542.05 feet, to the north line of said section 5; thence S89°38'52"E 950.80 feet, on the north line of said section 5 to the S 1/4 corner of section 32, T5N, R2W, Dewitt Township, Clinton County, Michigan; thence N89°27'29"E 6.45 feet on the north line of said section 5 to the point of beginning, containing 18.36 acres.

(2) For purposes of the transfer authorized under subsection (1), the property description in subsection (1) is approximate and subject to possible adjustment by a professional survey conducted by the department of management and budget.

(3) The transfer authorized by subsection (1) shall be permanent and effective when approved by a resolution of the state administrative board, at which point the department of military and veterans affairs shall assume full responsibility for the property.

(4) All documents regarding the transfer of the property described in subsection (1) shall be approved by the attorney general.

(5) The department of management and budget is responsible for coordinating and implementing the transfer authorized by subsection (1),

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but any survey costs or transaction closing costs incurred by the
department of management and budget in doing so shall be reimbursed by
the department of military and veterans affairs.]