

**SUBSTITUTE FOR
HOUSE BILL NO. 5141**

A bill to authorize the department of natural resources to convey property in Kent county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The department of natural resources, on behalf of this
2 state, may convey to Kent county, for consideration of \$1.00,
3 property, with improvements, that is under the jurisdiction of the
4 department of natural resources and located in Plainfield township,
5 Kent county, Michigan, commonly referred to as Rogue River
6 Streambank Access, and further described as follows:

7 Parcel A:

8 Part of the Northeast 1/4 of Section 15, T8N, R11W, Plainfield

1 Township, Kent County, Michigan, described as: Commencing at the
2 East 1/4 corner of said Section; thence N00d00'00"E 2383.08 ft.
3 along the East line of Section 15; thence N87d58'49"W 227.14 ft.
4 along the South line of the North 295 ft. of said Northeast 1/4 to
5 Reference Point "A"; thence S87d58'49"E 30 ft., more or less, to
6 the West bank of Rogue River and the Place of Beginning; thence
7 Southerly and Westerly along said bank to the intersection of said
8 bank and the West line of the East 3/4 of the Northeast 1/4 of said
9 Section 15; thence N00d27'06"E 5 ft., more or less, along said West
10 line to Reference Point "B", said Point being S10d47'44"E 305.52
11 ft. and S04d01'48"E 306.30 ft. and S18d19'36"W 424.39 ft. and
12 S50d12'24"W 184.35 ft. and S43d02'50"W 89.61 ft. and N29d38'15"W
13 283.79 ft. and N09d48'39"W 83.87 ft. and N48d57'13"W 170.83 ft. and
14 S80d04'20"W 208.82 ft. and S73d41'13"W 197.84 ft. and S83d04'03"W
15 303.57 ft. and S55d10'28"W 464.69 ft. and S45d58'33"W 163.22 ft.
16 from said Reference Point "A"; thence N00d27'06"E 652.01 ft. along
17 said West line to the Southerly right of way line of the former
18 G.R. & I Railroad; thence N51d26'01"E 1208.44 ft. along said
19 Southerly line; thence S87d58'49"E 66.30 ft. along the South line
20 of the North 175 ft. of said Northeast 1/4; thence S00d01'11"W
21 120.07 ft.; thence S87d58'49"E 720.94 ft. along the South line of
22 the North 295 ft. of said Northeast 1/4 of said Section 15 to
23 Reference Point "A"; thence continuing S87d58'49"E 30 ft., more or
24 less, to the Place of Beginning. Except for that part of the
25 Northeast 1/4 of Section 15, T8N, R11W, Plainfield Township, Kent
26 County, Michigan, described as: Commencing at the East 1/4 corner
27 of said Section; thence N00d00'00"E 2383.08 ft. along the East line

1 of said Section; thence N87d58'49"W 227.14 ft. along the South line
2 of the North 295 ft. of said Northeast 1/4 ; thence S10d47'44"E
3 305.52 ft.; thence S04d01'48"E 286.97 ft.; thence N79d30'09"W 75.96
4 ft. to the Place of Beginning; thence Southwesterly 140.00 ft.
5 along a 503.76 foot radius curve to the right, the long chord of
6 which bears S15d03'23"W 139.56 ft.; thence S22d58'15"W 204.36 ft.;
7 thence Southeasterly 137.96 ft. along a 114.64 foot radius curve to
8 the left, the long chord of which bears S11d30'20"E 129.79 ft.;
9 thence S45d58'55"E 10.15 ft. to Reference Point "C"; thence
10 continuing S45d58'55"E 33.5 ft., more or less, to the water's edge
11 of the Rogue River; thence Southwesterly along the edge of said
12 River to the intersection of said edge and a line bearing
13 S00d00'00"W from Reference Point "D" (said Reference Point "D"
14 being S50d12'24"W 151.25 ft. and S43d02'50"W 89.61 ft. and
15 N29d38'15"W 283.79 ft. and N09d48'39"W 83.87 ft. and N48d57'13"W
16 170.83 ft. and S80d04'20"W 208.82 ft. and S73d41'13"W 82.11 ft.
17 from said Reference Point "C"); thence N00d00'00"E 32.2 ft., more
18 or less, to said Reference Point "D"; thence continuing N00d00'00"E
19 290.26 ft.; thence N76d11'41"E 239.49 ft.; thence S79d30'09"E
20 605.75 ft. to the Place of Beginning containing 26.60 acres of land
21 more or less.

22 Parcel B:

23 That part of the SW 1/4 of Section 15, T8N, R11W described as:
24 Beginning on the Section line 280.5 feet North of the SW corner of
25 the NW 1/4 of the SW 1/4 of said Section; thence East 165 feet;
26 thence North to the Southeasterly line of the Grand Rapids and

1 Indiana Railroad right of way; thence Southwesterly along the said
2 railroad to the section line; thence South to the place of
3 beginning.

4 Sec. 2. The conveyance authorized by section 1 shall provide
5 for all of the following:

6 (a) That the property must be used exclusively for public
7 recreation purposes and if any fee, term, or condition for the use
8 of the property is imposed on members of the public, or if any of
9 those fees, terms, or conditions are waived for use of the
10 property, resident and nonresident members of the public will be
11 subject to the same fees, terms, conditions, and waivers.

12 (b) That on termination of the use described in subdivision
13 (a) or use for any other purpose, this state may reenter and
14 repossess the property, terminating the grantee's estate in the
15 property.

16 (c) That if the grantee disputes this state's exercise of its
17 right of reentry and fails to promptly deliver possession of the
18 property to this state, the attorney general, on behalf of this
19 state, may bring an action to quiet title to, and regain possession
20 of, the property.

21 Sec. 3. (1) The department of natural resources shall deposit
22 the revenue received from the conveyance under section 1 in the
23 natural resources trust fund.

24 (2) The department of natural resources shall convey the
25 property as authorized by section 1 by quitclaim deed approved by
26 the attorney general.

1 (3) The department of natural resources shall retain to this
2 state the mineral rights to the property conveyed under section 1.

3 (4) The department of natural resources may retain to this
4 state rights to continue fishery management activities on the
5 property conveyed under section 1 for as long as this state
6 considers it necessary to continue the activities.

7 (5) The conveyance under section 1 will nullify the existing
8 lease between the parties.