

**SUBSTITUTE FOR  
HOUSE BILL NO. 4861**

A bill to allow the state administrative board to accept and to convey real property in Muskegon County; to prescribe conditions for the conveyances required under this act; to provide for the powers and duties of certain state departments and officers in regard to the properties; and to provide for disposition of revenue.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. As used in this act:

2           (a) "Fair market value" means the highest estimated price that  
3 the property will bring if offered for sale on the open market,  
4 allowing a reasonable time to find a purchaser that would buy with  
5 knowledge of the property's possible uses.

6           (b) "Public use", subject to subdivision (c), means actual use



1 of the property by members of the public or actual use by Muskegon  
2 County for any of the following:

- 3 (i) General government administration.
- 4 (ii) Publicly owned and operated correctional facilities.
- 5 (iii) Law enforcement purposes.
- 6 (iv) Emergency management response purposes.
- 7 (v) Public educational use.
- 8 (vi) Public transportation.
- 9 (vii) Public parks and recreational areas.
- 10 (viii) Public health uses.
- 11 (ix) Wildlife conservation or restoration.

12 (c) "Public use" does not include use by a for-profit  
13 enterprise or any use that is closed to the public.

14 Sec. 2. (1) The state administrative board, on behalf of this  
15 state and subject to and contingent on the requirements of  
16 subsections (2) to (5), may accept from Muskegon County, for  
17 consideration of \$1.00, real property located in Muskegon County  
18 and more particularly described, in Liber 1950, page 147, and Liber  
19 1950, page 150, as:

20 Blocks 223, 224, 225, 231 and Lots 1, 2, 3, 4, East 3/4 of Lot  
21 6, Lots 9-12, inclusive, of Block 232 of the Revised Plat of the  
22 City of Muskegon, as recorded in Liber 3 of Plats, page 71 of  
23 Muskegon County records; and the following parts of vacated  
24 streets: Hartford Avenue between Spring Street and Pine Street;  
25 Diana Avenue from Pine Street to Spring Street; the North 1/2 of  
26 Diana Avenue adjacent to Lots 6 and 7 of Block 224 of the Revised  
27 Plat of the City of Muskegon; the South 1/2 of Diana Avenue  
28 adjacent to Lots 9-12 and Lot 1 of said Block 224; and Spring  
29 Street between Apple Avenue and Delaware Avenue; except the



1 following described premises: All that part of Lot 1, Block 224 of  
 2 said Revised Plat, lying Northwesterly of the following described  
 3 line: Commence at a point on the South side of Apple Avenue and 30  
 4 feet East of the Northwest corner of said Lot 1; thence  
 5 Southwesterly to the Northeast side of Spring Street to a point 25  
 6 feet Southeasterly of the aforementioned Northwest corner of said  
 7 Lot 1, Block 224.

8 (2) The state administrative board, on behalf of this state,  
 9 after receiving the conveyance authorized in subsection (1), may  
 10 convey the following described parcels to Muskegon County for  
 11 consideration of \$1.00:

12 (a) Part of Block 223 being Lots 2-4 inclusive and parts of  
 13 Lots 1, 5, and 8, City of Muskegon, Muskegon County South Campus,  
 14 1903 Revised Plat of City of Muskegon: more particularly described  
 15 as: commencing at the southernmost corner of Lot 4 Block 223 of  
 16 said plat, said point being the point of beginning; thence North 31  
 17 degrees 39 minutes 31 seconds West, a distance of 265.02 feet;  
 18 thence North 59 degrees 59 minutes 58 seconds East, a distance of  
 19 87.90 feet to the south line of Apple Avenue; thence south 88  
 20 degrees 6 minutes 34 seconds East, along the south line of Apple  
 21 Avenue, a distance of 121.36 feet; thence South 31 degrees 18  
 22 minutes 57 seconds East, a distance of 196.53 feet; thence South 58  
 23 degrees 41 minutes 3 seconds West, a distance of 187.83 feet to the  
 24 point of beginning. Said parcel contains 1.06 acres, more or less.

25 (b) All of Block 231 being Lots 1-13 inclusive, City of  
 26 Muskegon, Muskegon County South Campus, 1903 Revised Plat of City  
 27 of Muskegon: more particularly described as: commencing at the  
 28 southernmost corner of Lot 4 Block 231 of said plat, said point  
 29 being the point of beginning; thence North 31 degrees 25 minutes 8



1 seconds West, along the east line of Pine Street, a distance of  
 2 265.11 feet; thence North 58 degrees 42 minutes 4 seconds East, a  
 3 distance of 397.03 feet; thence South 31 degrees 25 minutes 8  
 4 seconds East, a distance of 264.44 feet to the north line of  
 5 Delaware Avenue; thence South 58 degrees 36 minutes 17 seconds  
 6 West, a distance of 397.03 feet to the east line of Pine Street and  
 7 the point of beginning. Said parcel contains 2.41 acres, more or  
 8 less.

9 (3) The conveyance by the state administrative board to  
 10 Muskegon County described in subsection (2) must provide both of  
 11 the following:

12 (a) That the property must be used exclusively for public  
 13 uses, and that on termination of that use or use for any other  
 14 purpose this state may reenter and repossess the property,  
 15 terminating the grantee's estate in the property.

16 (b) 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 (4) The state administrative board, on behalf of this state,  
 22 may convey real property described in this subsection to Muskegon  
 23 County. The conveyance must be for not less than fair market value  
 24 plus this state's reasonable and demonstrable costs of implementing  
 25 this conveyance. The property to be conveyed under this subsection  
 26 is described as follows:

27 City of Muskegon, Muskegon County South Campus, 1903 Revised  
 28 Plat of City of Muskegon entire Block 225, and part of Block 223  
 29 Lots 6-7 inclusive and parts of Lots 5 & 8 and part of Block 224



1 Lots 2-6 inclusive and parts of Lots 1 & 7 and part of Block 232  
 2 Lots 1-4, 9-12 inclusive and Lot 6 except the West 16.5 feet  
 3 thereof, also those vacated streets being vacated Hartford Avenue  
 4 between Spring Street and Pine Street also vacated Diana Avenue  
 5 from Pine Steet to Spring Street, also vacated Diana Avenue  
 6 adjacent to Lots 6 and 7 of Block 224, also vacated Spring Street  
 7 between Apple Avenue and Delaware Avenue; more particularly  
 8 described as: commencing at the southernmost corner of Lot 4 Block  
 9 231 of said plat: thence North 31 degrees 25 minutes 8 seconds  
 10 West, along the west line of Block 231, a distance of 265.11 feet  
 11 to the point of beginning; thence North 31 degrees 10 minutes 53  
 12 seconds West, along the east line of Pine Street, a distance of  
 13 66.0 feet; thence North 31 degrees 19 minutes 45 seconds West,  
 14 along the west line of Block 225 a distance of 265.11 feet; thence  
 15 North 31 degrees 39 minutes 23 seconds West, along the east line of  
 16 Pine Street, a distance of 66.00 feet; thence North 58 degrees 41  
 17 minutes 3 seconds East, a distance of 187.33 feet; thence North 31  
 18 degrees 18 minutes 57 seconds West, a distance of 196.53 feet to  
 19 the south line of Apple Avenue; thence South 88 degrees 6 minutes  
 20 34 seconds East, along the south line of Apple Avenue, a distance  
 21 of 327.85 feet; thence South 31 degrees 30 minutes 46 seconds East,  
 22 a distance of 25.00 feet; thence South 88 degrees 6 minutes 34  
 23 seconds East, along the south side of Apple Avenue, a distance of  
 24 406.10 feet; thence South 31 degrees 25 minutes 8 seconds East, a  
 25 distance of 142.57 feet; thence South 58 degrees 49 minutes 15  
 26 seconds East, a distance of 33.17 feet; thence South 31 degrees 25  
 27 minutes 8 seconds East, a distance of 296.77 feet to the north line  
 28 of Delaware Avenue. Thence South 58 degrees 36 minutes 17 seconds  
 29 West, along the north line of Delaware Avenue, a distance of 49.63



1 feet; thence North 31 degrees 25 minutes 8 seconds West, a distance  
2 of 131.93 feet; thence South 58 degrees 39 minutes 11 seconds West,  
3 a distance of 82.99 feet; thence South 31 degrees 32 minutes 18  
4 seconds East, a distance of 132.00 feet to the north line of  
5 Delaware Avenue; thence South 58 degrees 36 minutes 17 seconds  
6 West, along the north line of Delaware Avenue, a distance of 264.51  
7 feet; thence North 31 degrees 25 minutes 8 seconds West, a distance  
8 of 264.44 feet; thence South 58 degrees 42 minutes 4 seconds West,  
9 a distance of 397.03 feet to the east line of Pine Street, and the  
10 point of beginning. Said parcel contains 9.48 acres, more or less.

11 (5) The fair market values of the properties described in  
12 subsections (2) and (4) must be determined by an independent fee  
13 appraisal prepared for the department of technology, management,  
14 and budget or by an appraiser who is an employee or contractor of  
15 this state.

16 (6) The descriptions of the parcels in subsections (1), (2),  
17 and (4) are approximate and for purposes of the conveyances  
18 required by this act are subject to adjustment as the state  
19 administrative board or attorney general considers necessary by  
20 survey or other legal description.

21 Sec. 3. The instruments required by or reasonably necessary to  
22 effectuate this act must be quitclaim deeds or other instruments  
23 approved by the attorney general. The conveyances required by this  
24 act are authorized for 1-way and 1-time execution.

25 Sec. 4. Revenue received under this act must be deposited in  
26 the state treasury and credited to the general fund.

