

**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.