

**[No. 245]**

**(HB 5140)**

AN ACT to authorize the department of natural resources to convey certain state owned property in Dickinson 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:*

**Conveyance of property located in township of Waucedah, Dickinson county, from department of natural resources to Dickinson county; consideration; description.**

Sec. 1. The department of natural resources, on behalf of the state, may convey to the county of Dickinson, for consideration of \$1.00, property under the jurisdiction of the department of natural resources and located in the township of Waucedah, Dickinson county, Michigan, and further described as follows:

Town 39 North, Range 28 West, Section 30

That part of Government Lot 4 and the southwest one-quarter of the northwest one-quarter (SW1/4 NW1/4), described as follows: assuming the section line or range line from the one-quarter corner of Sections 25 and 30 to the section corners of Sections 19, 24, 25, and 30 to be a due north course and beginning at the meander corner on the south bank of lake, thence due south for a distance of 136 feet to the northwest corner of the southwest one-quarter of the northwest one-quarter (SW1/4 NW1/4), Section 30, thence due south 345.10 feet to a point on the north right-of-way of county road, thence along the said north right-of-way North 83°42' East a distance of 197.66 feet, thence around a 166.7 foot radius curve to the left a distance of 113.47 feet, thence North 44°42' East a distance of 174.20 feet, thence around a 247.18 feet radius curve to the right a distance of 350.22 feet to the point of tangency of said curve, thence North 41°53' East along the west bank of the lake outlet a distance of 189.84 feet, thence North 44°43' West along said west bank of outlet a distance of 234.70 feet to bank of lake, thence along the south bank of lake, South 42°17' west a distance of 80.80 feet, thence South 69°54' West a distance of 136.50 feet, thence North 53°53' west a distance of 100.60 feet, thence North 80°16' west a distance of 197.70 feet, thence South 88°10' West a distance of 106.90 feet, thence South 77°44' West a distance of 135.40 feet to the meander corner and point of beginning.

**Provisions.**

Sec. 2. The conveyance authorized by this act shall provide for all of the following:

(a) The property shall be used exclusively for recreational purposes and if any fee, term, or condition for the use of the property is imposed on members of the public, or if any of those fees, terms, or conditions are waived for use of this property, resident and nonresident members of the public shall be subject to the same fees, terms, conditions, and waivers.

(b) Upon termination of the use described in subdivision (a) or use for any other purpose, the state may, at its option, reenter and repossess the property, terminating the grantee's estate in the property.

(c) If the grantee disputes the state's exercise of its right of reentry and fails to promptly deliver possession of the property to the state, the attorney general, on behalf of the state, may bring an action to quiet title to, and regain possession of, the property.

**Quitclaim deed; reservation of rights.**

Sec. 3. The conveyance authorized by this act shall be by quitclaim deed and shall reserve all of the following rights to the state:

(a) The right to ingress and egress over and across the property along any water-course or stream, pursuant to part 5 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.501 to 324.511.

(b) The rights to all aboriginal antiquities, including mounds, earthworks, forts, burial and village sites, mines, or other relics.

(c) The right to explore and excavate for any aboriginal antiquities or relics described in subdivision (b), by and through employees or authorized agents of the state, pursuant to part 761 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.76101 to 324.76118.

**Mining rights and mineral exceptions and reservations contained in former conveyance.**

Sec. 4. The conveyance authorized under this act is subject to mining rights and mineral exceptions and reservations contained in or referred to in former conveyances of the property described in section 1, which may be of record.

**Disposition of revenue.**

Sec. 5. The revenue received under this act shall be deposited in the state treasury and credited to the game and fish protection fund created in section 43553 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43553.

This act is ordered to take immediate effect.

Approved January 7, 2002.

Filed with Secretary of State January 8, 2002.

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