JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

# DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

April 6, 2009

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| TO: | Rebecca A. Humphries, Director |
| INFORMATION: | Natural Resources Commission |
| Transaction: | Sale of Surplus State-owned Land<br>DNR Surplus – Gladwin County<br>Land Transaction Case #20060307 |
| Applicant: | Gladwin County Board of Commissioners |
| Sale Price: | 19.82 acres – $13,183.00 (including access easement fee) |
| Description: | Gladwin County, Sage Township; T19N, R02W, Section 27; A parcel of land in the Southwest ¼ of the Southeast ¼, described as follows: To fix the point of beginning, commence at the Southeast corner of said Section; thence N 89° 45' 51" W, on the South line of said Section, 1,299.54 feet to the East 1/8 line of said Section; thence N 02° 17' 32" E, on said East 1/8 line, 230.56 feet to the point of beginning of this description; S 90° 00' 00" W, 780.33 feet; thence N 00° 00' 00" E., 1,078.79 feet to the South 1/8 line of said Section; thence S 89° 41' 03" E, on said South 1/8 line, 823.35 feet to said East 1/8 line; thence S 02° 17' 32" W, on said East 1/8 line, 1,075.11 feet to the point of beginning, containing 19.82 acres of land, subject to any easements of record. Also, a conditional easement for ingress and egress 20 feet in width over and through the Department's boating access site from county-maintained Wiggins Lake Road to provide access to the west end of the Chappel Dam. |
| Authority: | Part 21 of Act 451, Public Acts of 1994, as amended |
| Notice: | This item will appear on the Department of Natural Resources' (Department) April 27, 2009 Calendar, and is eligible for approval on May 4, 2009. The transaction was also posted in local newspapers as required by legislation. |
| Acquired: | The parcel was acquired by tax reversion in 1939. |
| Minerals: | It is appropriate to convey mineral interest. |

NATURAL RESOURCES COMMISSION
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • John Madigan • J. R. Richardson • Frank Wheatlake

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Comments: The property to be sold is a portion of a 40-acre State-owned parcel that is partially occupied by the Wiggins Lake Boating Access Site (BAS 26-3). The property includes the western portion of the Chappel Dam (DNR inventory #525) which is in need of repair, the main area of concern being an area of seepage through the earthen embankment which could lead to failure. The Gladwin County Drain Commission (GCDC) owns the east portion of the dam and seeks to acquire the western portion to gain full ownership of the dam and commence with repairs. The repairs to the dam will include reinforcement, which will consist of a five-foot thick layered stone drainage blanket to prevent seepage from compromising the structure.

To execute the repairs, the GCDC also requires a temporary construction easement to access the western portion of the dam through the Department's adjacent boating access site (BAS 26-3) via a route acceptable to the Department. The GCDC will restore the easement route upon completion of the project. The Department will retain ownership and management of the BAS.

The proposed sale was reviewed by Department field staff and recommended for approval. The Land Exchange Review Committee approved the sale on February 22, 2007. As a condition of the approval, the land will be conveyed with restrictions that:
a. Require the land to remain open to the general public for outdoor recreation (except for those areas of the dam which must be protected from erosion.)
and
b. The property must remain in a natural state and not developed with structures other than those designed to enhance public outdoor recreation.
The purchase price of the parcel reflects the impact of these restrictions.

The Land Exchange Facilitation Fund (LEFF) Act allows the Department to sell rights in land and deposit the proceeds in a fund, which can then be used to acquire replacement property. Deposit of said proceeds will not cause the fund to exceed $2,500,000.00, as stipulated by legislation. Proceeds from the sale will be deposited in the LEFF.

Recommendations: (1) That the subject land and easement be sold to the applicant for $13,183.00 with conditions requiring (a) that the land remain open to the general public for outdoor recreation and (b) that the property remain in a natural state and not developed with structures other than those designed to enhance public outdoor recreation.

(2) That the State reserving aboriginal antiquities.

(3) That the proceeds from the sale be deposited into the LEFF.

David E. Freed, Chief
Land and Facilities

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management

Russ Mason, Chief
Wildlife

Ronald A. Olson, Chief
Parks and Recreation

Kelley D. Smith, Chief
Fisheries

Arminda S. Koch
Resource Management Deputy

I approve the staff recommendations.

Rebecca A. Humphries
Director

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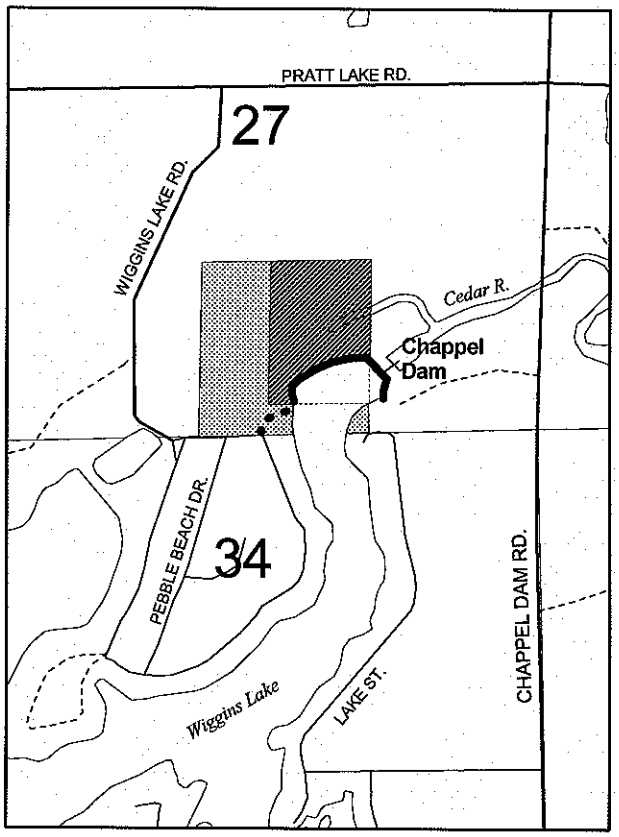
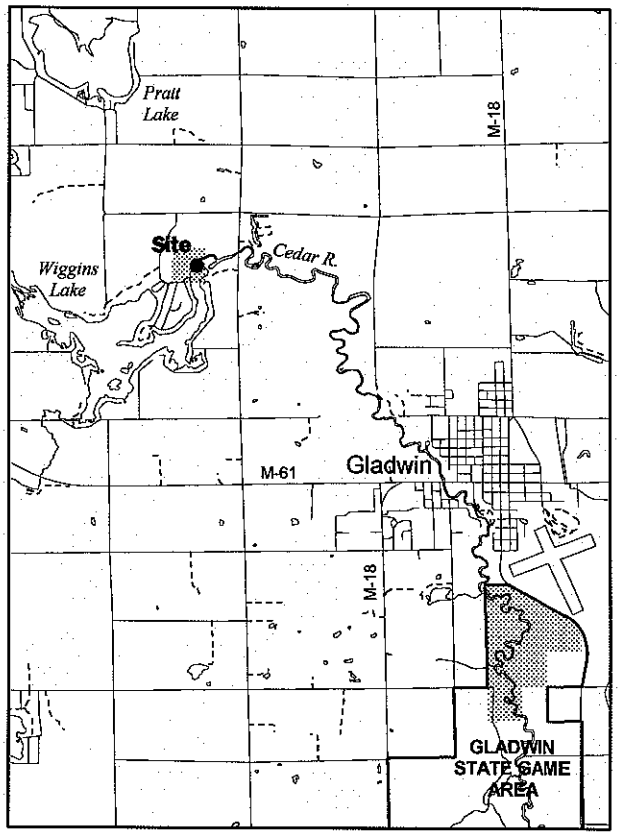
Date Approved

# SALE OF SURPLUS STATE-OWNED LAND
## DNR Surplus - Gladwin County
## Land Transaction Case # 20060307

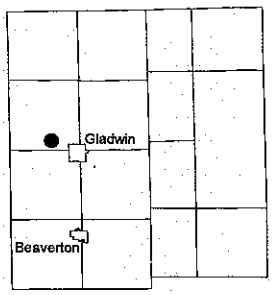



Section 27, T19N, R02W, Sage Township




Regional Location

- State game area boundary
- State land to be sold (19.82 acres - $13,183.00)
- Access easement (20 feet wide - $1,083.00 included in purchase price above)
- State land
- Private land




GLADWIN COUNTY

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