



STATE OF MICHIGAN



DEPARTMENT OF NATURAL RESOURCES

JENNIFER M. GRANHOLM
GOVERNOR

LANSING

REBECCA A. HUMPHRIES

November 9, 2009

A P P R O V E D <small>DIRECTOR</small> _____, 20____ MICHIGAN NATURAL RESOURCES COMMISSION _____ (ASSISTANT TO THE COMMISSION)

TO: Natural Resources Commission

INFORMATION: Rebecca A. Humphries, Director

Transaction: State Forest Trail Easement Acquisition
North Central State Trail and Railroad Trail
Gaylord Management Unit – Otsego County
Land Transaction Case #20090128

Description: See “Exhibit A” for complete legal description

Seller: Lake State Railway Company, Saginaw, Michigan

Cost: \$211,200.00 for 21,120 feet (4.0 miles) of permanent trail rights

Authority: Part 5, Act 451, Public Acts of 1994, as amended

Notice: This item will appear on the Department of Natural Resources’ (Department) November 23, 2009 Calendar, and is eligible for approval on November 30, 2009.

Comments: With this transaction the Department will acquire a permanent recreational trail easement, stretching 4.0 miles in length, within the active right of way of the Lake State Railway Company (LSRC). The trail has been located a safe distance from the active railroad tracks and has operated safely for a number of years.

This easement acquisition will permanently establish the existing trail location into the City of Gaylord, which is currently operating under annual license agreements. It is the desire of the LSRC to convert the existing annual license agreements to a permanent easement, except for a one-mile section in the core of downtown Gaylord.

The northern 2,918 feet of the easement is 25 feet wide, and is operated currently as part of the North Central State Trail through an annual license from the LSRC. The remaining 18,202 feet of the easement is 16 feet wide, and connects the City of Gaylord to the snowmobile trail system. This trail segment is one of Michigan’s first “rail-with-trail” segments, which are made possible by special legislation allowing the operation of snowmobiles within an active railroad corridor.

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

STEVENS T. MASON BUILDING • P.O. BOX 30028 • LANSING, MICHIGAN 48909-7528
www.michigan.gov/dnr • (517) 373-2329

Great Lakes, Great Times, Great Outdoors!

November 9, 2009

- Recommendations:
- (1) That the easement be approved for purchase with payment to be made from funds appropriated from the Michigan Natural Resources Trust Fund, State Trailways Initiative as contained in Act 153, Public Acts of 2006, or the State Trailways Acquisition Initiative as contained in Act 59 of 2007, as available at time of closing.
 - (2) That the easement described above be acquired for use as a Michigan Trailway and designated as such when the legislated requirements are met, pursuant to Part 721 of Act 451, Public Acts of 1994, as amended.
 - (3) That the easement described above be dedicated for public use to be administered by the Forest, Mineral and Fire Management Division.



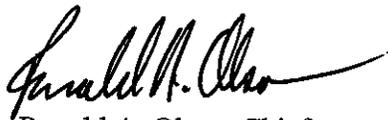
David E. Freed, Chief
Land and Facilities



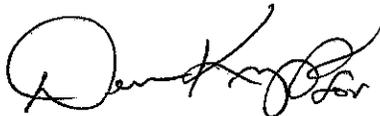
Lynne M. Boyd, Chief
Forest, Mineral and Fire Management



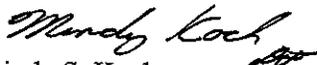
Russ Mason, Chief
Wildlife



Ronald A. Olson, Chief
Parks and Recreation



Kelley D. Smith, Chief
Fisheries



Arminda S. Koch
Resource Management Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the NRC has authority.

Rebecca A. Humphries
Director

Date Approved

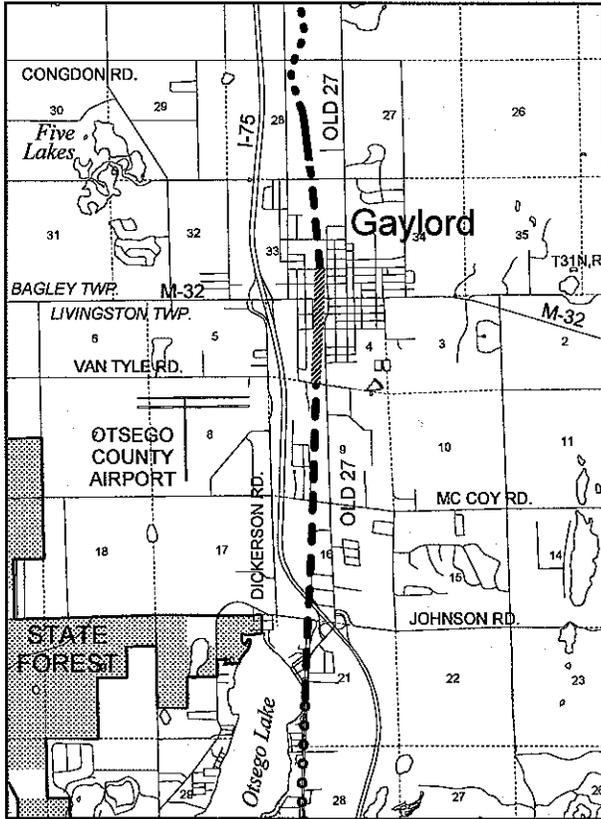
EXHIBIT A
LTA Case #20090128

A parcel of land in the NE ¼ and the SE ¼ of T31N, R3W of Section 28, Township of Livingston, County of Otsego, State of Michigan, that is 25-feet wide running in a north to south direction starting at a point at the end of Lake State Railways ownership at Mile Post 121, on the center of the 100-foot right-of-way, a parcel 12.5-feet on either side of the centerline of the right-of-way, to a point 885 feet north of Fairview Road (DOT #511400E), Mile Post 120.45, a distance of 2,918 feet more or less. The foregoing parcel is depicted as part of parcel No. 1 in the copy of June 30, 1918, updated December 28, 1917 (No. 12-E-M-61) of the Michigan Central Railway Company that was signed on March 27, 1997 by James P. Pitz, a Vice President of Detroit and Mackinac Railway Company, and Richard L. Van Buskirk, the President of Lake State Railway Company.

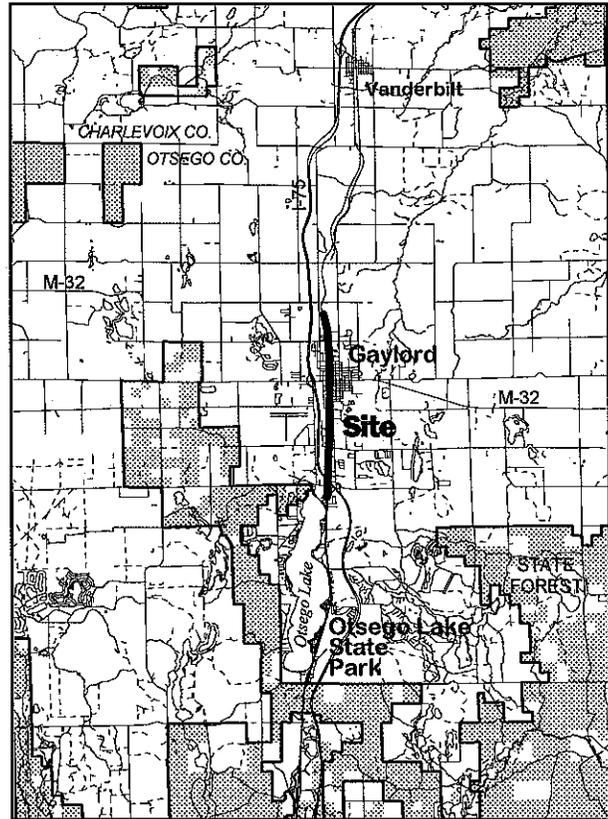
A parcel in the SE ¼ of T31N, R3W of Section 28, and the NE ¼ and the SE ¼ of T31N, R3W of Section 33, Township of Livingston, County of Otsego, State of Michigan that is 16-feet wide running in a north to south direction beginning 855 feet north of Fairview Road (DOT # 511400E), Mile Post 120.45, along the far west 16 feet of the Railroad right-of-way to a point on the north road right-of-way of Petoskey Road (Dot #511398F), Mile Post 119.50, a distance of 5,002 feet more or less. The foregoing parcel is depicted as part of parcel No. 5 in the copy of June 30, 1918 updated December 28, 1917 (No. 12-E-M-60) of the Michigan Central Railway Company that was signed on March 27, 1997 by James P. Pitz, a Vice President of Detroit and Mackinac Railway Company, and Richard L. Van Buskirk, the President of Lake State Railway Company.

A parcel in the NE ¼ and the SE ¼ of the T30N, R3W of Section 9 and the NE ¼ and the SE ¼ of the T30N, R3W Section 16, and the NE ¼ of the T30N, R3W Section 21, Township of Bagley, County of Otsego, State of Michigan that is 16 feet wide running north to south along the far west 16 feet of the Railroad right-of-way beginning at a point on the north road right-of-way of Grandview Road (Dot # 511391H) MP-118.50 to the private crossing at MP-116.80 crossing from the far west 16 feet of the Railroad right-of-way to the far east 16 feet of the east Railroad right-of-way, continuing on the east 16 feet of the Railroad right-of-way to end of Lake State Railways ownership at MP-116. The foregoing parcel is depicted as part of parcel No. 1 and No. 5 in the copy of June 30, 1918, updated December 28, 1917, (No. 12-E-M-58 and No.12-E-M-59) of the Michigan Central Railway Company that was signed on March 27, 1997, by James P. Pitz, a Vice President of Detroit and Mackinac Railway Company and Richard L. Van Buskirk, the President of Lake State Railway Company.

STATE FOREST TRAIL EASEMENT ACQUISITION
North Central State Trail and Railroad Trail
Gaylord Management Unit - Otsego County
Land Transaction Case #20090128

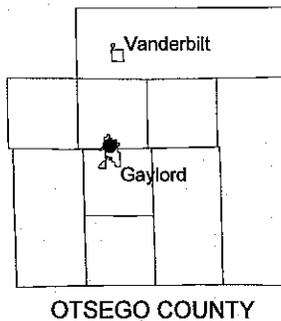


Sections 9, 16 and 21, T31N, R03W
 Sections 28 and 33, T30N, R03W



Regional Location

-  Easement to be acquired by DNR: tracks removed (2,918 linear feet)
-  Easement to be acquired by DNR: tracks active (18,202 linear feet)
-  Community Route to be determined
-  North Central State Trail (DNR)
-  Railroad Trail: tracks active (MDOT)
-  State land
-  Private land



DNR-FMFM
 Dnrfile2\RAU_Projects\
 Commission_Memos\OLAF\
 20090128_north_central_trail
 11-04-09, 2:00 pm