



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RODNEY A. STOKES
DIRECTOR

January 17, 2012

TO: Rodney A. Stokes, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of state-owned Land
Traverse City Management Unit – Benzie County
Land Transaction Case #20070314

Sale: 5.0 acres

Description: Benzie County, Almira Township, T27N, R13W, Section 19,
the E ½ of the NE ¼ of the NE ¼ of the NE ¼.

Purchaser: Neil and Winona Roper, Lake Ann, Michigan

Sale Price: \$40,000.00 (including transaction costs)

Authority: Part 21, Subpart 10, Act 451, Public Acts of 1994, as amended

Notice: This item will appear on the Department of Natural Resources
(department) January 30, 2012, calendar, and is eligible for approval on
February 7, 2012. The transaction was also posted in a local newspaper as
required by statute.

Comments: The desired parcel of state-owned land is located in a rural area of Benzie
County, 4 miles west of Lake Ann.

The state acquired this property by tax reversion in 1932, and conveyed the property to Almira Township in 1948, with a clause stating that the land was to be used for public purposes only and when that use ceases it will revert back to the State of Michigan. In 1994, Almira Township conveyed the property to a private party in order to resolve a situation where the township had inadvertently buried a body on land that was owned by the private party and not on cemetery land, as they had intended. At this point, the reverter clause was activated and the 5-acre property reverted back to the State of Michigan without the state's knowledge. Since 1994, the private party constructed a home on what they thought was their land, but was actually owned by the state. They subsequently 'sold' the land to a second party with the benefit of title insurance. The title insurance company is supplying the funds that will permit the purchaser to acquire this property.

January 17, 2012

The direct sale of this parcel was reviewed by field staff and recommended for approval by the Land Exchange Review Committee on June 26, 2008. Since that time the landowner and Almira Township have been working to resolve this transaction with the title company.

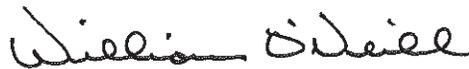
The Mineral and Land Management section staff of the department's Forest Resources Division has determined that it is appropriate for the state to retain mineral rights.

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. Sale proceeds will be deposited into the LEFF.

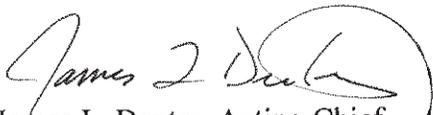
- Recommendations:
- (1) That the desired state-owned land be sold to the applicant for \$40,000.00 and that the proceeds from the sale be deposited into the LEFF.
 - (2) That the state retains the rights to aboriginal antiquities and minerals.



Russ Mason, Ph.D., Chief
Wildlife Division



William O'Neill, Acting Chief
Forest Resources Division



James L. Dexter, Acting Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division



Kelley D. Smith, Ph.D.
Acting Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.

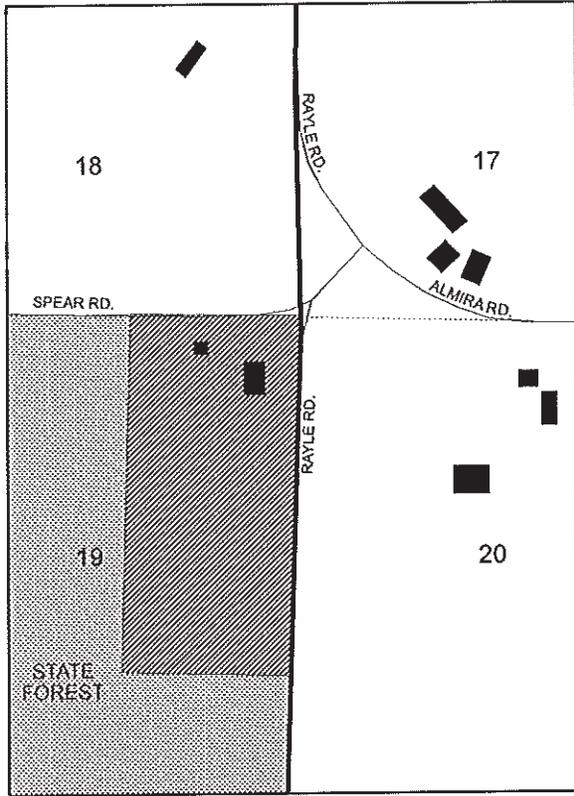
Rodney A. Stokes
Director

Date Approved

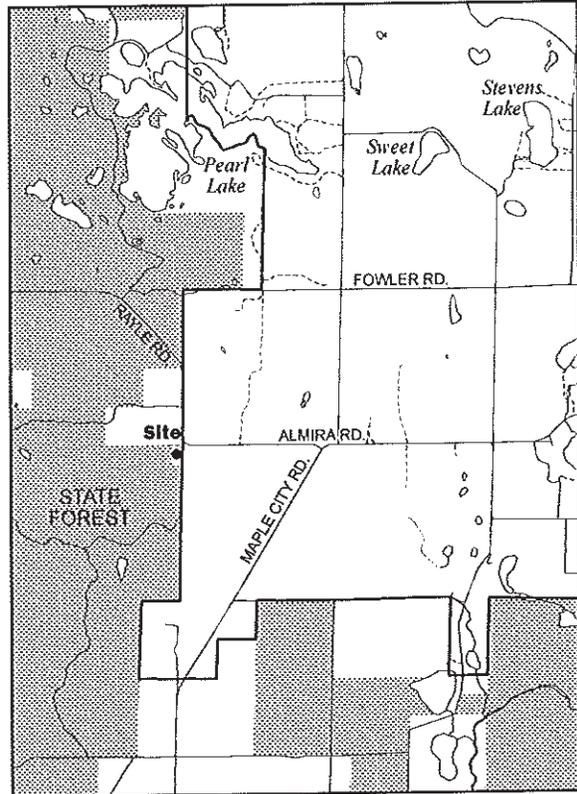
SALE OF STATE-OWNED LAND

Traverse City Management Unit - Benzie County

Land Transaction Case #20070314

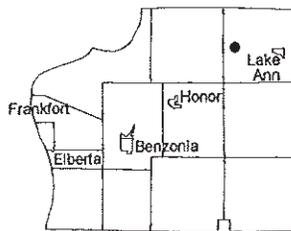


Section 19, T27N, R13W, Almira Township



Regional Location

- State Forest boundary
- ▨ State land to be sold (5.00 acres - \$40,000.00)
- ▤ State land
- Private land
- Buildings



BENZIE COUNTY



DNR-FMD
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01/012/2012, 12:30 pm