



**PROPERTY RIGHTS  
NETWORK**



MACKINAC  
CENTER



CELEBRATING 20 YEARS • 1988-2008

**PROPERTY RIGHTS ARE  
NOT GUARANTEED.**

**THEY MUST BE FOUGHT FOR  
AND NEVER SURRENDERED.**

One of the biggest threats to property rights is government's use of eminent domain to appropriate your land for other private owners. This principle was most infamously implemented when the city of New London, Conn., attempted to seize the home of Susette Kelo for private economic development, which would increase New London's tax revenues. This case eventually wound up before the U.S. Supreme Court. The Court decided in favor of New London.

In 2006, Mackinac Center scholars educated legislators who drafted the Proposal 4 ballot measure that prevents Kelo-type takings in Michigan. We held property rights symposia throughout the state to discuss our heritage of property rights and the importance of protecting against eminent domain abuse and regulatory takings.

Voters overwhelmingly approved the measure, ending abuses like the 1981 Michigan Supreme Court "Poletown" decision that allowed the city of Detroit to level a neighborhood and transfer the land to General Motors Corp. According to The Detroit News, the project uprooted some 4,200 residents and razed 1,300 homes, 140 businesses and six churches.

# THE STATE'S MOST INSIDIOUS METHOD OF WEAKENING PROPERTY RIGHTS IS REGULATORY TAKINGS

Regulatory takings are more dangerous to property rights than the government's use of eminent domain to seize private property.

Through regulatory takings government can restrict the use of property so severely that a commercial or residential lot becomes virtually useless. Sadly, the landowner may still receive no compensation and is more than likely still required to pay taxes on the full value of the property.



*Property Rights Network Director Russ Harding speaks with an employee of Hart Enterprises who will most likely lose her job if the company is forced to leave Michigan.*



*King of the Wind Farms co-owner Renee Michaels relates how Macomb Township officials and Michigan DEQ regulators have created a nightmare for her family business.*

# PROMOTING PROPERTY RIGHTS THROUGH MULTIMEDIA

The Property Rights Network is educating and emboldening thousands of Michigan residents by helping Michigan landowners tell how regulatory takings are reducing the use and value of their property. We are producing compelling videos of besieged property owners, posting them on our Web site and YouTube and showing them around the state.

One video tells the story of Hart Enterprises, a manufacturer of high-tech medical supplies that has grown significantly since moving its operations to Michigan in 1998.

The company, located in Sparta, employs more than 100 Michigan workers in technical, sales and administrative positions.

Owner Alan Taylor, who wants to expand his thriving high-tech business, has been hindered by state environmental regulatory enforcement. Taylor is threatening to move the company to a different state if he's not allowed to expand a parking lot to accommodate future hires.

The expansion, he's been told, would compromise one of the state's valued "wetlands" — a half-acre plot between the current parking lot and an expressway that retains water for approximately three weeks each spring.





# Hart Enterprises' plight is far from isolated

Every year, hundreds of Michigan businesses and property owners find their rights encroached by overzealous enforcement of vaguely written codes, which further threatens the already perilous economic climate in the state.

## King of the Wind Farms

A second video tells the story of King of the Wind Farms' battle with Macomb Township over an equestrian facility and a simultaneous battle with the Michigan Department of Environmental Quality over their composting operation.

In both instances, the owners tell of abuses of power by regulators and bureaucrats. Opting to challenge these violations of their property rights through the legal system, the owners eventually won, but at great monetary and emotional expense for their family.

Rarely do plaintiffs receive compensatory damages in such cases — and, unlike the average landowner, government agencies seemingly have limitless funds for litigation.

# A statewide network

The nonpartisan Property Rights Network is a statewide organization established to protect and advance property rights in Michigan by helping the state's property owners.

Property owners may feel they have nowhere to turn in the face of regulatory abuses and property takings. They may be intimidated by powerful officials and confusing procedures, and they may be unable to afford expensive attorneys. The Property Rights Network provides them with assistance and a chance to bring their case to the public.

The Network's goals are to elevate public awareness of property rights and how to protect them; encourage policymakers to respect property rights when crafting laws and regulations; and organize property owners across Michigan into a powerful statewide coalition.







## **The Property Rights Network educates the public, the media and legislators on property rights abuses in Michigan.**

The Property Rights Network's goal is to encourage lawmakers to ensure that people are legally protected and that landowners are fairly compensated when their property is subject to a regulatory taking. When lawmakers know their constituents are educated about their rights, they respond.

### **With your help the Property Rights Network will:**

- Produce and distribute materials that inform property owners of their rights.
- Consult with individual property owners regarding regulatory and legal issues.
- Hold a series of regional property rights symposia around the state.
- Publish case studies of private property abuses for policymakers and members of the media.
- Direct and produce original videos that will be marketed to media outlets around the state.
- Communicate with members through a quarterly newsletter.
- Send e-mail alerts on breaking private property issues.
- Conduct extensive research and provide policy recommendations that will strengthen property rights protections in the state.
- Work with journalists to tell landowners' stories about regulatory takings.

# JOIN THE PROPERTY RIGHTS NETWORK

Become a member today by making a tax-deductible \$50 contribution (using the attached postage-paid envelope). Members will have access to all the benefits of the Property Rights Network, including publications, blogs and invitations to exclusive events. Your \$50 contribution will go a long way toward preserving and advancing property rights in Michigan.

## MATCHING FUNDS

A generous contributor and visionary champion of property rights has pledged to match dollar-for-dollar all funds raised up to \$500,000. By sending your contribution today — whether \$50, \$1,000 or more — your gift will be doubled for the protection of landowners from regulatory takings.

And remember, your contribution is tax deductible.

IF ENVELOPE IS MISSING, PLEASE MAIL YOUR CONTRIBUTION TO THE FOLLOWING ADDRESS:



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*Property Rights Network is a project of the Mackinac Center for Public Policy.*



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