

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 629

S.P. 201

In Senate, January 30, 1997

**Resolve, Authorizing the Conveyance of the Interest of the State in
Certain Property in Augusta.**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.
Cosponsored by Senator NUTTING of Androscoggin, Representatives: MADORE of
Augusta, O'BRIEN of Augusta.

2 **Preamble. Whereas,** the City of Augusta recently discontinued
3 the remaining portion of Jackson Street, located between the
4 State Office Building parking lot and property of the Maine State
5 Employees Credit Union, referred to in this resolve as "MSECU,"
6 located at 127 and 131 Sewall Street; and

7 **Whereas,** certain improvements constructed by MSECU encroach
8 on the abutting property owned by the State; and

9 **Whereas,** the State and MSECU desire to relocate the boundary
10 between their respective properties in light of the Jackson
11 Street discontinuance and to address the encroachment issue; and

12 **Whereas,** MSECU has caused to be made a certain plan
13 entitled "Proposed Transfers" by Thayer Engineering, dated
14 December 1996, referred to in this resolve as the "plan,"
15 indicating the proposed conveyances to be made to accomplish
16 these goals; now, therefore, be it

17
18
19 **Sec. 1. Commissioner of Administrative and Financial Services**
20 **authorized to convey real estate. Resolved:** That the Commissioner of
21 Administrative and Financial Services is authorized to convey to
22 MSECU, its successors and assigns, the interest of the State in
23 the following property and property rights:
24

- 25 1. Parcels A, B and F as shown on the plan;
26
27 2. An easement for ingress, egress and utilities over
28 parcels C and D as shown on the plan; and
29
30 3. An easement for maintenance and repair of the existing
31 storm drainage system serving the property of MSECU; and be
32 it further

33
34 **Sec. 2. Conveyances by MSECU. Resolved:** That in
35 consideration for the above conveyances, MSECU shall convey to
36 the State, its successors and assigns, the following property and
37 property rights.
38

- 39 1. Parcels D and E as shown on the plan;
40
41 2. An easement for egress over the northernmost 6 feet of
42 parcel A and the southernmost 11 feet of parcel B as shown
43 on the plan, subject to the right of MSECU, its successors
44 and assigns, to temporarily block the easement from time to
45 time in the normal course of operation;
46

2 3. An easement for maintenance and repair of the existing
storm drainage system over parcel F as shown on the plan; and

4 4. An easement for maintenance and repair of the existing
waterline over parcels A and B as shown on the plan; and be
6 it further

8 **Sec. 3. Payment by MSECUCU to the State. Resolved:** That MSECUCU
shall pay to the State the excess, if any, of the fair market
10 value of the property and property rights received by MSECUCU over
the fair market value of the property and property rights
12 conveyed by the State as determined by a certified appraiser
selected by the State; and be it further

14 **Sec. 4. Modification. Resolved:** That the Commissioner of
16 Administrative and Financial Services, to accomplish the goals of
this resolve, may make such modifications as necessary to the
18 final descriptions of the conveyances as described in this
resolve.

20

22

SUMMARY

24 This resolve authorizes the Commissioner of Administrative
and Financial Services to convey the interest of the State in
26 certain property in Augusta to the Maine State Employees Credit
Union in exchange for the conveyance to the State of certain
28 property of the credit union and the payment to the State by the
credit union of the excess, if any, of the fair market value of
30 the property received over the property conveyed.