

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 30

S.P. 38

In Senate, January 13, 2021

**Resolve, Authorizing the Director of the Bureau of Parks and Lands
To Convey a Parcel of Land in Augusta to the Maine Veterans'
Homes**

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Received by the Secretary of the Senate on January 11, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DILL of Penobscot.
Cosponsored by Speaker FECTEAU of Biddeford.

1 **Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate
2 held by the State for conservation or recreation purposes may not be reduced or its uses
3 substantially altered except on the vote of 2/3 of all members elected to each House.

4 **Whereas,** certain real estate authorized for conveyance by this resolve is within the
5 designations described in the Maine Revised Statutes, Title 12, section 598-A; and

6 **Whereas,** title to the parcel of land underlying the veterans' home in Augusta was
7 conveyed by the former Department of Conservation, Bureau of Public Lands to the Maine
8 Veterans' Homes in order to provide security for the issuance of bonds to finance the
9 construction of a veterans' home in Aroostook County and in southern Maine and the
10 legislation and deed related to that conveyance requires that the parcel revert back to the
11 State when all bonds described in subsection 1 of the deed conveying the property to the
12 Maine Veterans' Homes mature and all outstanding principal, interest and premium, if any,
13 on the bonds has been paid to the bondholders and any indenture mortgage securing the
14 bonds has been defeased; and

15 **Whereas,** once the parcel reverts, the Director of the Bureau of Parks and Lands
16 within the Department of Agriculture, Conservation and Forestry is required to enter into
17 a lease with the Maine Veterans' Homes under the same terms as the previous lease as long
18 as the property is used for the purposes associated with the maintenance of a veterans' home
19 in Augusta; and

20 **Whereas,** the Maine Veterans' Homes are constructing a new facility in Augusta and
21 will not require the use of the existing veterans' home or require a lease for the existing
22 veterans' home and operation of the existing veterans' home will cease and the Director of
23 the Bureau of Parks and Lands within the Department of Agriculture, Conservation and
24 Forestry would then be authorized to sell the land to the Maine Veterans' Homes, upon
25 legislative authorization, to allow the Maine Veterans' Homes to sell the structure and the
26 land it is on to a future buyer; and

27 **Whereas,** the Director of the Bureau of Parks and Lands within the Department of
28 Agriculture, Conservation and Forestry may sell, lease or exchange lands with the approval
29 of the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1814,
30 1837 and 1851; now, therefore, be it

31 **Sec. 1. Director of the Bureau of Parks and Lands is authorized, but not**
32 **directed, to convey certain land occupied by the Maine Veterans' Home**
33 **located at the corner of Cony Road and Piggery Road in Augusta, Maine.**

34 **Resolved:** That the Director of the Bureau of Parks and Lands within the Department of
35 Agriculture, Conservation and Forestry may convey, by quitclaim deed without covenant
36 for an appraised fair market value that is the higher of 2 appraisals or the highest of more
37 than 2 appraisals, one appraisal paid for the Bureau of Parks and Lands and the second paid
38 for by the Maine Veterans' Homes, and on such other terms and conditions as the director
39 may direct, a certain parcel of land with a total of approximately 8.9 acres, being the
40 property that the veterans' home was constructed on, referred to in this resolve as "the
41 property," situated at the corner of Cony Road and Piggery Road in Augusta, County of
42 Kennebec, together with all appurtenant rights and easements located on that property, to
43 the Maine Veterans' Homes. In addition, the Director of the Bureau of Parks and Lands
44 may grant approval, as required by Resolve 1989, chapter 29 and the deed conveying the

1 property to the Maine Veterans' Homes, dated October 3, 1989 and recorded in the
2 Kennebec County Registry of Deeds in Book 3626, page 281, to the Maine Veterans'
3 Homes to sell its structure with the land it is located on at the corner of Cony Road and
4 Piggery Road in Augusta, County of Kennebec.

5 **SUMMARY**

6 This resolve authorizes the Director of the Bureau of Parks and Lands within the
7 Department of Agriculture, Conservation and Forestry to transfer state property to the
8 Maine Veterans' Homes. In addition, as required by Resolve 1989, chapter 29 and the deed
9 to the Maine Veterans' Homes, it grants approval to the Maine Veterans' Homes to sell its
10 structure with the land it is located on at the corner of Cony Road and Piggery Road in
11 Augusta, County of Kennebec. The sale of the property constitutes a revocation of its
12 designation as a nonreserved public land under the Maine Revised Statutes, Title 12,
13 section 598-A.