

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 296

H. P. 557

House of Representatives, February 4, 1943.

Referred to Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Barnes of Houlton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT to Provide a Lien for Sewer Rates for the Houlton Water Company.

Be it enacted by the People of the State of Maine, as follows :

Sec. 1. Liens. The Houlton Water Company has a lien for its charges for sewer service furnished to any building upon said building and the land on which it stands and for its costs as hereinafter provided; which lien shall have precedence over all encumbrances on said building and land, except claims for taxes assessed thereon. If the owner of such land or building, or one of them, is a minor or is otherwise incompetent, such lien shall exist and such minority or other disability shall not bar the enforcement thereof.

Sec. 2. Enforcement of liens; recording. The lien herein provided shall be enforced in the following manner: not less than 3 months nor more than 1 year after the expiration of any period for which sewer rates have accrued, the treasurer of Houlton Water Company shall send by registered mail, postage prepaid, to the person against whom any such rates are charged, a notice in writing signed by him, stating the amount of such rates and the period covered thereby, and briefly describing the property as to which said rates accrued, stating that a lien is claimed on said buildings and land to secure the payment of said rates, and demanding payment

of said rates within 10 days after the date of mailing of such notice. After the expiration of said 10 days and within 10 days thereafter, the treasurer shall record in Aroostook registry of deeds a certificate signed by him setting forth the amount of such rates, the period for which they accrued, a description of the real estate as to which the rates accrued and an allegation that a lien is claimed on said real estate to secure the payment of said rates, that a demand for payment has been made in accordance with the provisions of this act, and that said rates remain unpaid. At the time of recording of the certificate in said registry of deeds the treasurer shall mail by registered mail to each record holder of a mortgage on said real estate, addressed to him at his last and usual place of abode, a true copy of said certificate. If the said demand was not made on the record owner of said premises, the treasurer shall send by registered mail a like notice to such record owner. The fee charged to the rate payer and added to the lien for said notice and filing shall be \$1, and the fee to be charged by the register of deeds for such filing shall be 50c.

Sec. 3. Liens to vest in company. If said rates and charges are not paid within 1 year after the filing of said certificate in Aroostook registry of deeds, the lien herein provided shall become absolute, and title, subject only, to liens for taxes assessed on said premises, shall vest in said Houlton Water Company.

Sec. 4. Liens may be discharged. In the event that said rates and charges are paid within the period of 1 year after the filing of said notice in Aroostook registry of deeds, the treasurer shall discharge the lien in the same manner as now provided for the discharge of real estate mortgages.