

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

.....

Resolved: That this authorization shall be limited to the 15 individuals enrolled in error in February, 1972, and shall not be construed to include any other ineligible retired person under the Maine State Employees Health Insurance Plan.

Emergency clause. In view of the emergency cited in the preamble, this Resolve shall take effect when approved.

Effective July 1, 1977

CHAPTER 48

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with International Paper Company.

Director of Bureau of Public Lands; authorized to consummate exchange of public reserved lands. Resolved. That the Director of the Bureau of Public Lands is authorized to consummate the exchange of lands contemplated by the Agreement dated June 8, 1977, between the State of Maine and International Paper Company, a copy of which is attached to this resolve and is incorporated herein for all purposes. Any and all lands received by the State pursuant to the exchange shall be, for all purposes, public reserved lands of the State of Maine and shall be held in trust by the State under the same terms and conditions as apply to other public reserved lands.

AGREEMENT

THIS AGREEMENT is dated this 8th day of June, 1977, between International Paper Company, a New York corporation (herein called "IP"), and the State of Maine, acting through its Commissioner of Conservation and its Director of the Bureau of Public Lands (herein called the "State of Maine").

1. IP agrees to convey to the State of Maine, by quitclaim deed, all of its right, title and interest in and to the real estate described in Exhibit "A" attached and incorporated herein.

2. The State of Maine agrees to convey to IP, by quitclaim deed, all of its right, title and interest in and to the real estate described in Exhibit "B" attached and incorporated herein.

3. In the deed referred to in the foregoing Paragraph 1, IP shall further grant to the State of Maine, for access to lands granted in said deed, the nonexclusive right to cross IP's lands with men and equipment, insofar as IP owns that right, as follows:

- (a) Those lands owned by IP and lying adjacent to the Riley parcel; and
- (b) Those lands owned by IP and lying adjacent to the Letter "E" parcel.

The right to cross with men and equipment shall include the right to construct, repair, maintain and use roads, bridges and other facilities for forest operations and other land management purposes, by the State and its agents, employees, contractors, and by the camp lot lessees of the State, but the right shall not include access by the general public, and the right shall be exercised in a way which does not unreasonably interfere with the owner's use of such lands.

With respect to said rights of crossing, the State agrees to use existing roads where practicable and that any new roads shall be located in a mutually agreeable place which is reasonably convenient for access. In the event of a disagreement as to location, the parties shall promptly submit to a binding arbitration of the precise location.

4. With respect to the leases listed in Exhibit "C" attached, the parties agree that as of the date of the exchange of closing documents hereunder, the respective grantee of the leased properties shall, as of that date, assume all obligations and benefits of the lessor under said leases; and the respective grantor shall hold the respective grantee harmless from any claims accruing prior to the date of exchange of the closing documents hereunder.

5. The parties to this Agreement are aware that legislative approval is a prerequisite to the performance of the terms of this Agreement and that it is therefore contingent upon the granting of such authority. Documents required to accomplish the terms of this Agreement shall be exchanged within six months following the effective date of the legislation. This Agreement may be cancelled by written notice by either party to the other at any time prior to the exchange of said documents.

6. This Agreement shall be binding upon, and shall inure to the benefit of, the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement both as of the day and year first above written.

Attest:

F. W. Brown
Assistant Secretary

INTERNATIONAL PAPER COMPANY

By: John Stephens
1978 Vice President

Attest:

Barbara C. Gifford

STATE OF MAINE

By: Henry Scheer, Jr.
Director, Bureau of Public Lands

APPROVED:
DEPARTMENT OF CONSERVATION

By: Richard E. Barringer
Richard E. Barringer
Commissioner

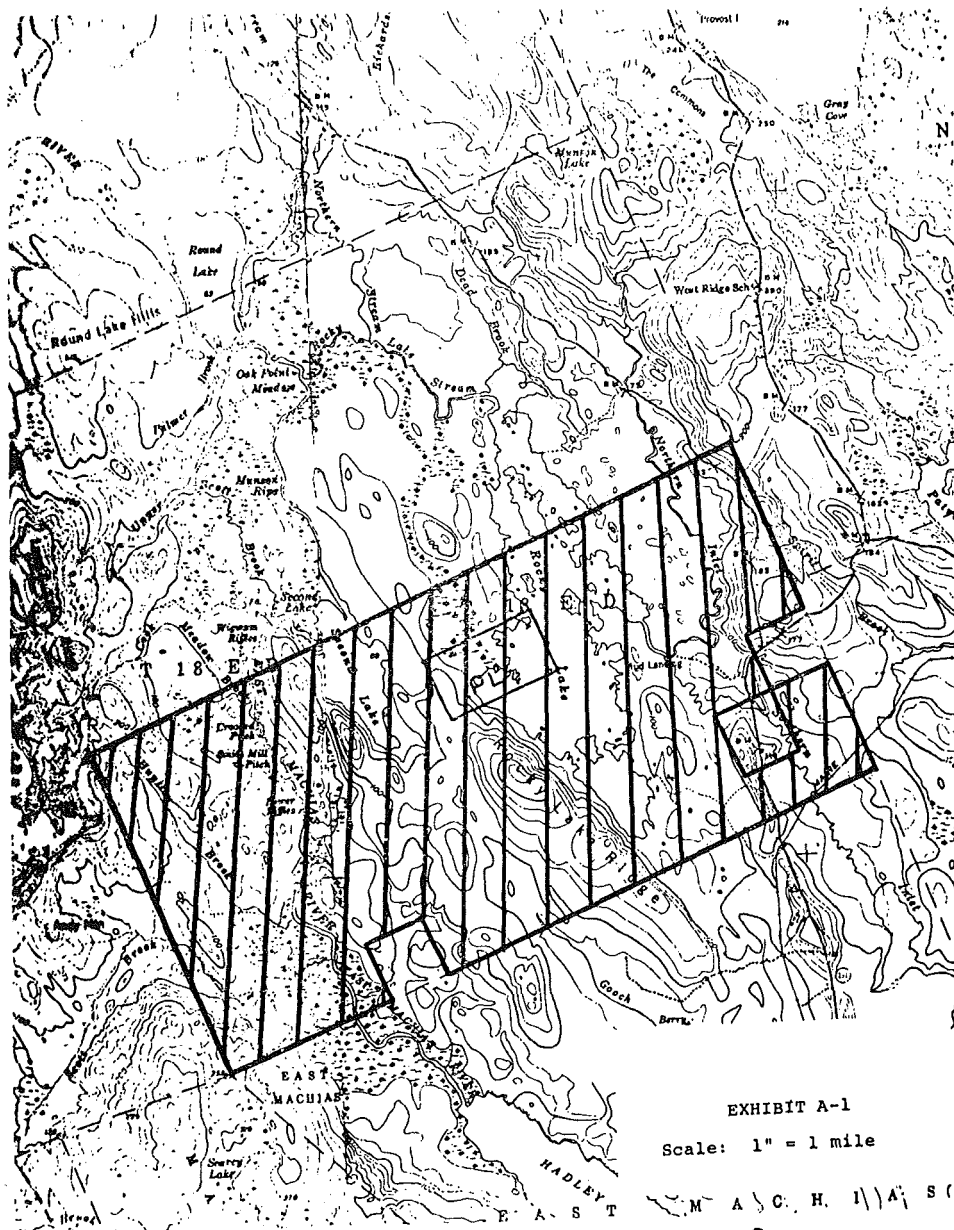
EXHIBIT A

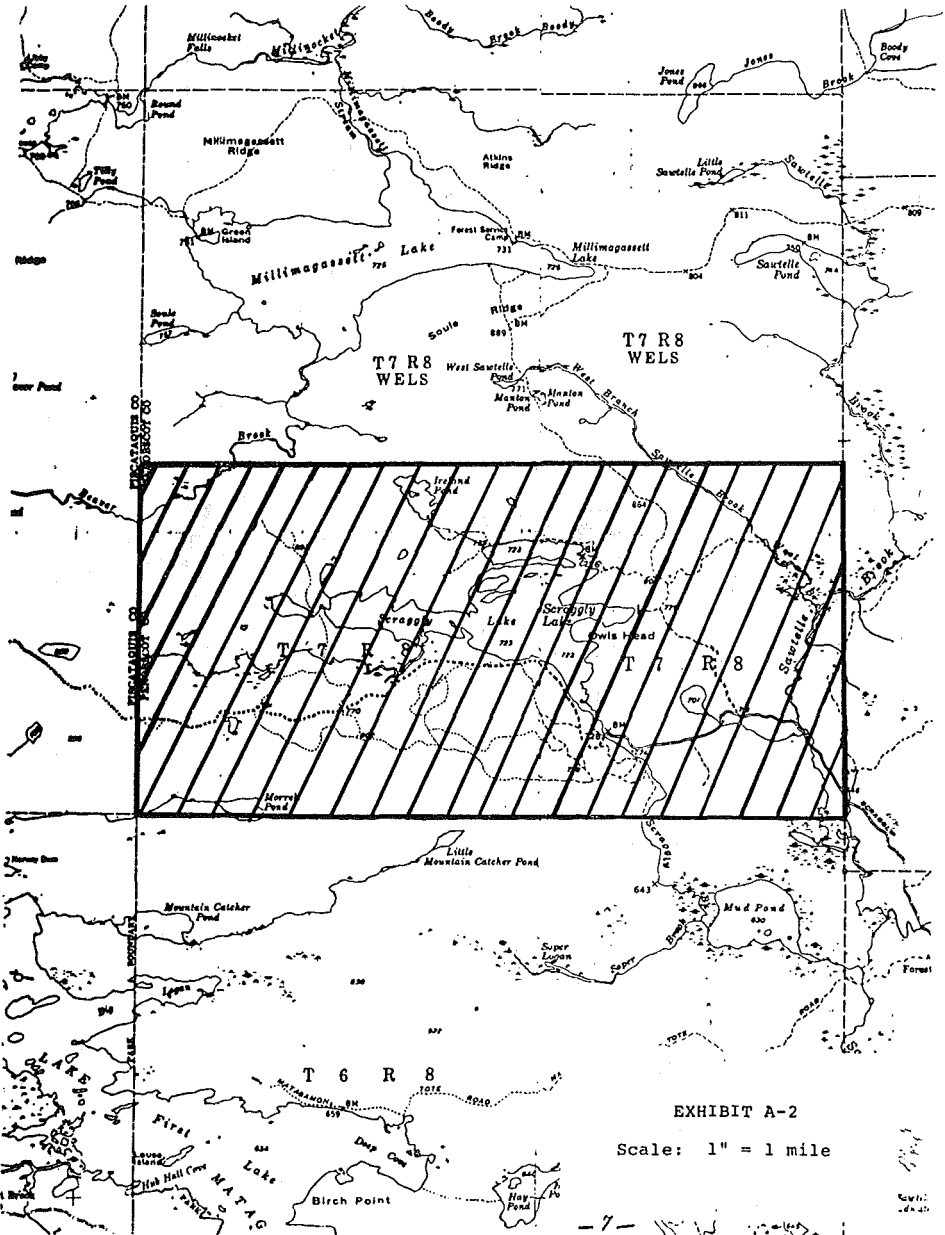
INTERNATIONAL PAPER COMPANY LANDS TO STATE

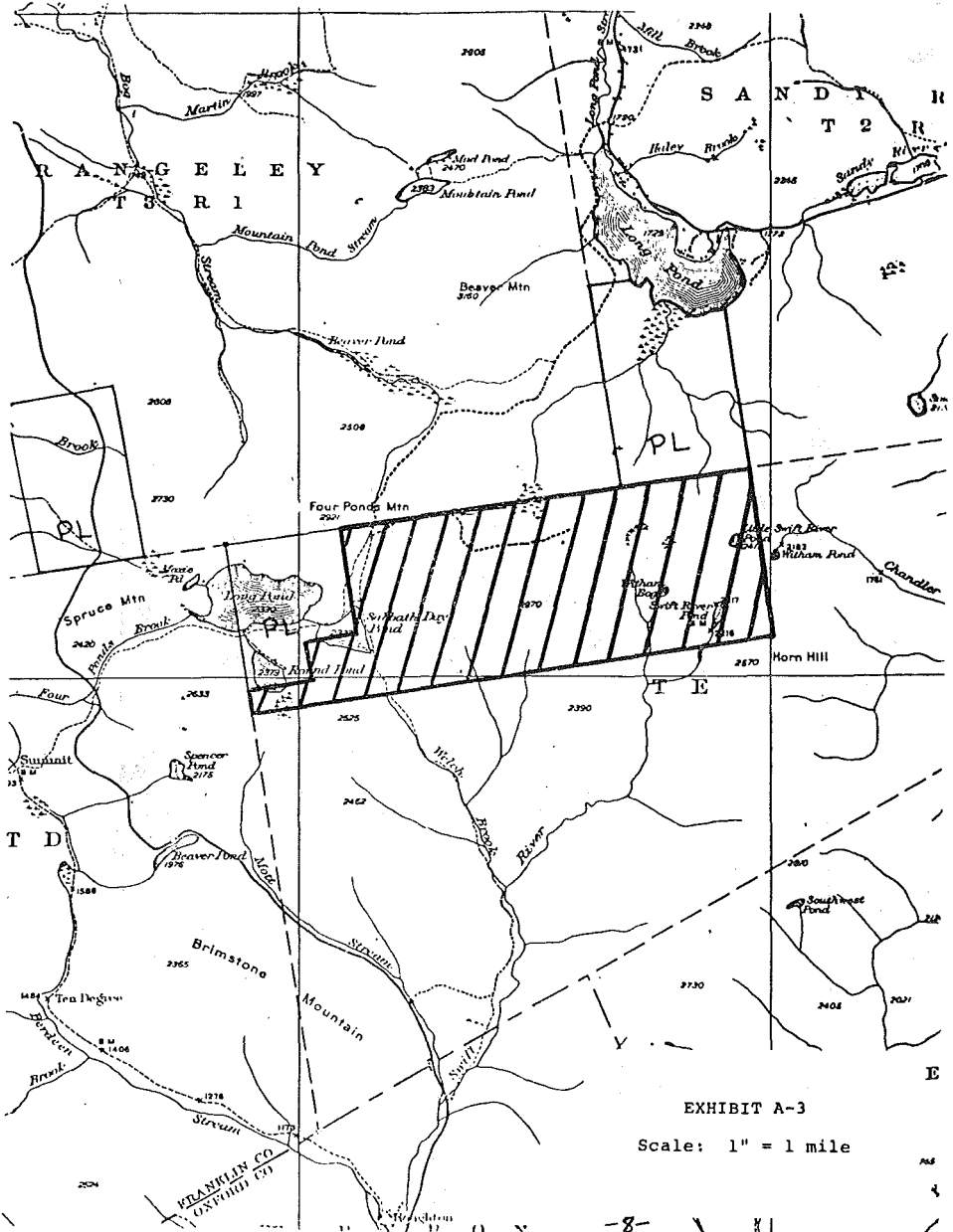
Township	Acreage
T. 18, E.D.	9,434
T. 7, R. 8, WELS	10,054
T.E.	3,225
T.A., 1 (Riley)	9,864
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Total Acreage	32,577

All approximately as shown on the maps attached hereto as Exhibits A-1, A-2, A-3 and A-4.

International Paper Company shall convey its interest in timber and grass rights on public lots in T. 18, E.D. (320 acres) and T. 7, R. 8, WELS (250 acres) to the State of Maine.







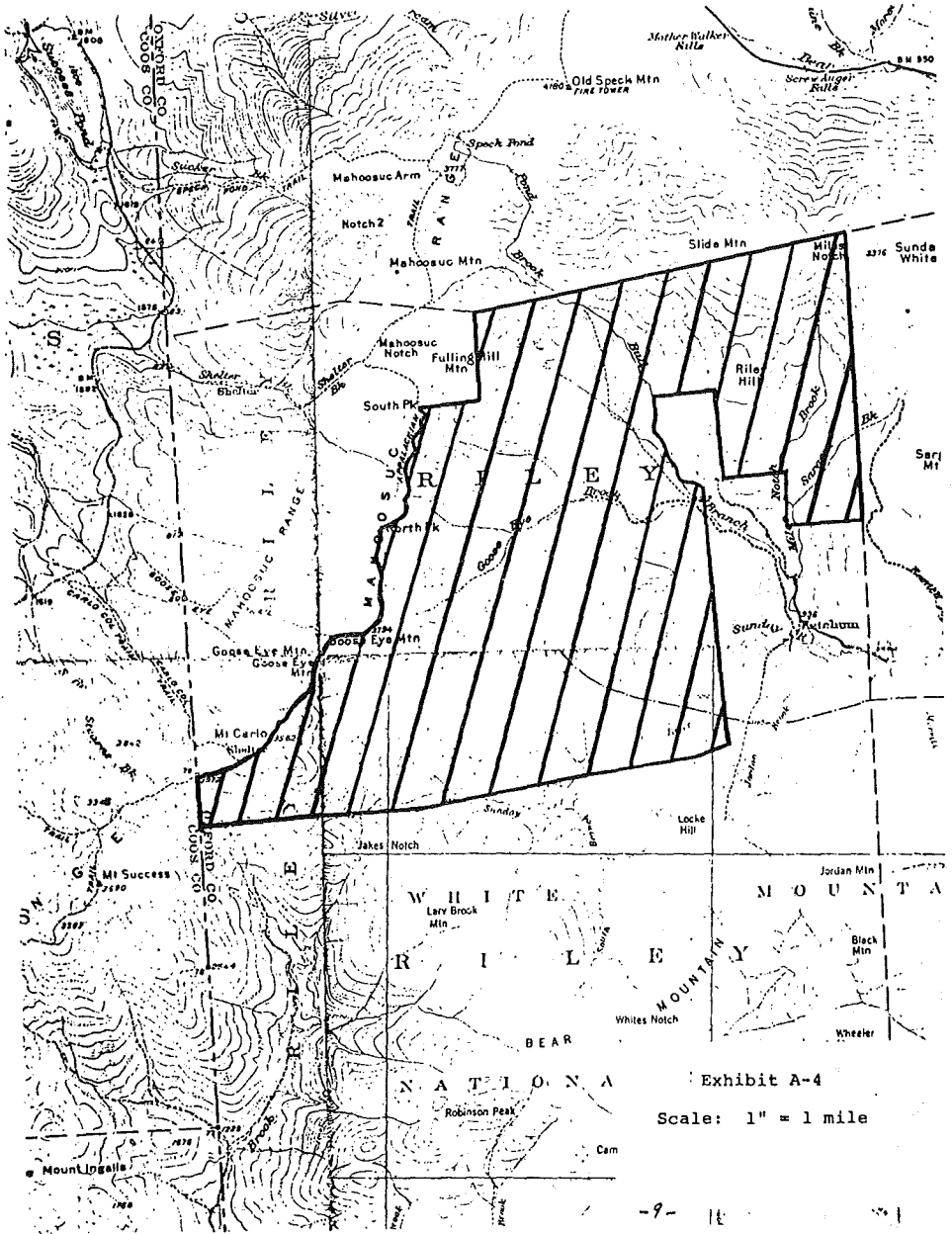


Exhibit A-4

Scale: 1" = 1 mile

EXHIBIT B

STATE LANDS TO INTERNATIONAL PAPER COMPANY

Township	Acreage
T. 16, R. 4, WELS	956
T. 7, R. 5, WELS	960
T. 15, R. 5, WELS	1,000
T. 17, R. 5, WELS	333
T. 14, R. 8, WELS	333
T. 11, R. 13, WELS	1,000
T. 2, R. 8, NWP	939
T. 10, R. 11, WELS	1,000
T. 2, R. 5, BKPWKR (Lower Enchanted)	960
T. 2, R. 5, BKPEKR (Squaretown)	480
T. 12, R. 13, WELS	593
T. 11, R. 14, WELS	974
T. 14, R. 15, WELS	323
T. 1, R. 6, WELS	667
T. 16, R. 5, WELS	667
T. 11, R. 10, WELS	1,000
T. 12, R. 10, WELS	1,000
T. 11, R. 11, WELS	1,000
T. 11, R. 12, WELS	1,000
T. 14, R. 12, WELS	326
T. 11, R. 16, WELS	1,000
T. 11, R. 17, WELS	690
T. 4, R. 5, WBKP (Oxbow)	492
T. 4, R. 6, WBKP (Bowmantown)	922
T. 10, R. 13, WELS	1,000
T. 10, R. 14, WELS	704
T. 7, R. 16, WELS	446
T. 8, R. 16, WELS	1,000
T. 8, R. 17, WELS	1,000
T. 8, R. 18, WELS	1,000
T. 9, R. 18, WELS	692
T. 6, R. 19, WELS	1,000
T. 7, R. 19, WELS	1,000
T. 8, R. 19, WELS	500
T. 15, R. 6, WELS	250
T. 16, R. 9, WELS	903

(Exhibit B Continued)

Township	Acreage
T. 12, R. 11, WELS	269
T. 13, R. 13, WELS	188
T. 12, R. 14, WELS	94
T. 12, R. 16, WELS	239
T. 13, R. 16, WELS	181
T. 8, R. 6, WELS	160
T. 9, R. 10, WELS	250
T. 10, R. 15, WELS	104
T.A., 1 (Riley)	960
Andover N. Surplus	676
T. 3, R. 5, BKPEKR (Little Squaw)	630
T.E. (Middle Lot)	320
T.E. (S.E. Lot)	396
Total Acreage	<u>32,577</u>

In those townships listed in this Exhibit B where the public lot is, or may subsequently be determined to be, unlocated, the acreage above conveyed is to be unlocated but to lie within that part or share of the township presently owned by IP; and the State of Maine hereby agrees not to locate any additional public reserved acreage in that part or share of the township presently owned by IP.

EXHIBIT C

I. Leases currently on Public Lots

Lessee	Township
Gary Locke	T. 17, R. 5, WELS
Richard W. Libby	"
Richard H. Johnson	"
Clarence H. Chapman	"
William Staples	"
Philip Carrier	"
Maine Public Service Company	"
Walter Durgin	T.A., 1 (Riley)
Harold Wilson	T. 3, R. 5, BKPEKR (Little Squaw)

2. Leases currently on International Paper Company ownership

Lessee	Township
Dr. Walter Henry	T. 18, E.D.
Mrs. Margaret Hukki	"
George I. Lund	"
32 Special Club	"
Karl Richardson	"
Richard Tuell	"
John M. Wiswell	"
Ronald T. Speers, Commissioner	"
Francis Dunn	T. 7, R. 8, WELS
Ralph E. and Frank C. Edwards	"
Delmont Glidden	"
J. M. Huber Corporation	"
Clinton Porter	"
Elmer J. Smallwood	"
Ralph L. Clarke	T.E.
Bruce Holmes	"
Mrs. Martin Jungman	"
Lewis C. Ladd	"
Grover H. and Phyllis M. Luce	"
Verne E. Scribner	"
Maine Forestry District	"
Rangeley Power Company	"

Effective October 24, 1977

CHAPTER 49

RESOLVE, to Permit Limited Testing of Airmobiles under the Supervision of the Department of Marine Resources.

Department of Marine Resources to supervise limited testing of airmobiles. Resolved: That the Department of Marine Resources shall designate an area of coastal land and waters wherein airmobiles can be used on an experimental basis. The Commissioner of Marine Resources shall promulgate and adopt rules and regulations for the safe operation of these vehicles, the protection of the natural environment of the land, waters and wildlife in the area designated and a system of granting permits to no more than 3 qualified applicants for the experimental program. The commissioner shall consult with the Commissioner of Inland Fisheries and Wildlife and the Commissioner of