

MAINE STATE LEGISLATURE

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CHAPTER 309

EMINENT DOMAIN

Sec.

3501. Materials taken from lands not enclosed or planted.

3502. Land taken; damages.

3503. Recording of proceedings.

§ 3501. Materials taken from lands not enclosed or planted

A road commissioner may remove any obstacle which obstructs or is likely to obstruct a way or render its passage dangerous. He may dig for stone, gravel or other material suitable for making or repairing ways in land not enclosed or planted and remove the same to the ways. If the land from which such materials were taken is not within the limits of the way, the owner of it shall be paid therefor in money by the town, to be recovered after demand and refusal by the road commissioner, in an action as on an implied promise.

R.S.1954, c. 96, § 72.

§ 3502. Land taken; damages

The municipal officers of any municipality may purchase, take over and hold for any municipality, for public use, such materials and land as may be necessary to provide a change of location or alignment of any highway, or to secure materials, including clay, gravel, sand and rock, with the necessary ways and access thereto, for the improvement, construction and maintenance of highways. If the municipal officers of any municipality are unable to purchase such materials or land with the necessary ways and access thereto, at what they deem a reasonable valuation, the county commissioners of the county wherein such material or land is located shall, on petition of the municipal officers or interested parties, ascertain and determine the damages in the same manner as provided by statute for land taken for highway purposes, and all parties aggrieved by the estimate of damages shall have like remedy as provided by statute for appraisal of damages for land taken by towns for highway purposes.

R.S.1954, c. 96, § 73.

§ 3503. Recording of proceedings

No taking, layout or acceptance of land or any interest therein by a municipality or other municipal corporation, or the dis-

continuance of same, after September 12, 1959, shall be effectual against persons without actual notice thereof, unless there is recorded in the registry of deeds for the county where the land lies either a deed or certificate attested by the clerk of said municipal corporation, describing the land, and setting forth the final action of the municipal corporation in regard thereto.

1959, c. 91.