

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 431

S. P. 185

In Senate, January 18, 1961

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Davis of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Transfer of Portland Municipal Airport by City of Portland to State of Maine.

Preamble. The City of Portland presently owns and operates a municipal airport which serves as a main port of entry of the residents of the City of Portland, the residents of surrounding communities and the residents of the State of Maine as a whole; and

It seems desirable and feasible that the State of Maine should assume ownership and responsibility for the cost of an airport which serves the needs of the people of the State of Maine.

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

Sec. 1. City of Portland to transfer. The City of Portland is authorized by and through its director of finance to convey to the State of Maine by quitclaim deed for the sum of \$1 the land, buildings owned by it, and air easements comprising the Portland Municipal Airport, but not including any personal property contained thereon belonging to the City of Portland, except for one surplus snow blower and one lawn mower which will be returned by the City of Portland to the State of Maine at time of transfer of title, together with any and all avigation appurtenances serving said airport, including any and all necessary easements over, through and under any other property of the City of Portland for the purposes of such appurtenances and any and all necessary easements the City of Portland may have acquired over, through and under private property for the purposes of such appurtenances, whether obtained by gift, purchase, condemnation or otherwise, and the State of Maine is authorized to accept from the City of Portland a deed of gift and conveyance of said land, buildings, air easements,

avigation appurtenances and easements to be held by the State of Maine so long as said airport shall be used, operated and maintained as an airport by the State of Maine for the benefit of the general public, said deed to be in the following form and subject to the conditions and covenants set forth therein :

DEED

KNOW ALL MEN BY THESE PRESENTS that the City of Portland, a body politic and corporate located in the County of Cumberland and State of Maine, in consideration of \$1 and other good and valuable considerations paid by the State of Maine, the receipt whereof is acknowledged, does remise, release, sell and forever QUITCLAIM unto the State of Maine the following described land, buildings and air easements comprising the Portland Municipal Airport, but not including any personal property of the said City of Portland contained thereon, except as aforesaid, and the following described avigation appurtenances and easements, to be held by the State of Maine so long as said airport shall be used, operated and maintained by said State of Maine as an airport for the benefit of the general public :

Beginning at a point in the easterly side line of Westbrook Street at its intersection with the southerly side line of land now or formerly of T. Maude Maxfield, etc., said point of beginning being distance 301.82 feet southerly along the easterly side line of Westbrook Street from the first angle in the said easterly side line of Westbrook Street southerly of Garrison Street; thence easterly and making an included angle of $83^{\circ}30'$ with the northerly direction of the said easterly side line of Westbrook Street and by land now or formerly of Maxfield, a distance of 47.75 feet to a point; thence northeasterly and making an included angle of $150^{\circ}34'$ with the westerly direction of the last described course and by land now or formerly of Maxfield and by land now or formerly of Millard C. Travis and Gordon F. Taylor, a distance of 601.91 feet to an iron pipe near the bank of Fore River; thence along the same course produced northeasterly in a straight line across the flats of Fore River, a distance of 1140 feet, more or less, to the channel of Fore River; thence southeasterly by the channel of Fore River to the division line between the City of Portland and the City of South Portland; thence continuing southeasterly by the channel of Fore River to the easterly boundary line of the flats appurtenant to the property herein described; thence southwesterly by the said easterly boundary line of the flat appurtenant to the property herein described, to high-water mark and a point in the division line between the land herein described and the land of the State of Maine and occupied by the State School for Boys; thence westerly along the said division line between the land herein described and land of the State of Maine a distance of 1452.0 feet to an iron at the southeasterly corner of the lot of land conveyed by George H. Minott to State of Maine by deed dated July 3, 1937 and recorded in Cumberland County Registry of Deeds, Book 1526, Page 405; thence northerly by land of the State of Maine and making an included angle of $90^{\circ}34'$ with the easterly direction of the last described course, a distance of 351.4 feet to an iron; thence westerly by land of the State of Maine and making an included angle of $90^{\circ}28'$ with the southerly direction of the last described course, a distance of 1887.69 feet to a point; thence southerly by land

of the State of Maine and making an included angle of $79^{\circ}56'$ with the easterly direction of the last described course, a distance of 493.09 feet to a point; thence westerly by land of the State of Maine and making an included angle of $82^{\circ}57'$ with the northerly direction of the last described course and on a line parallel with and distant 800 feet southerly at right angles from the center line of the East-West runway of the Portland Municipal Airport, a distance of 800.00 feet to a point; thence northerly by land of the State of Maine and making an angle of $90^{\circ}00'$ with the last described course, a distance of 50.00 feet to a point; thence westerly by land of the State of Maine and making an angle of $90^{\circ}00'$ with the last described course and on a line parallel with and distant 750 feet southerly at right angles from the center line of the East-West runway of the Portland Municipal Airport, a distance of 251.44 feet to a point in the easterly side line of Westbrook Street; thence northerly along the said easterly side line of Westbrook Street and making an included angle of $87^{\circ}05'$ with the easterly direction of the last described line, a distance of 150.20 feet, more or less, to the northerly terminus of Westbrook Street within the limits of South Portland, said northerly terminus having been established by the County Commissioners of the County of Cumberland by the discontinuance of a portion of Westbrook Street on November 1, 1955; thence westerly along the northerly terminus of Westbrook Street as thus established, a distance of 49.50 feet to the westerly side line of Westbrook Street; thence westerly and making an included angle of $87^{\circ}05'$ with the southerly direction of the said westerly side line of Westbrook Street and on a line parallel with and distant 600 feet southerly at right angles from the center line of the East-West runway of the Portland Municipal Airport, a distance of 1006.60 feet to a point; thence southerly at right angles to the last described course, a distance of 150.00 feet to a point; thence westerly at right angles to the last described course and on a line parallel with and distant 750 feet southerly at right angles from the center line of the said East-West runway and said center line produced westerly, a distance of 4064.37 feet, more or less, to a point and land now or formerly of Edna C. Maxfield; thence northwesterly and making an included angle of $149^{\circ}32'$ with the easterly direction of the last described course, a distance of 241.69 feet to the assumed southeasterly side line of the Payne Road; thence northeasterly by the assumed southeasterly side line of the Payne Road, a distance of 1640.67 feet, more or less, to the division line between the City of Portland and the City of South Portland and an intersection with the southeasterly side line of Johnson Street; thence northeasterly by the southeasterly side line of Johnson Street, a distance of 79.74 feet to a point and land now or formerly of Christian Kragelund; thence southeasterly by land of Kragelund and making an included angle of $88^{\circ}52'$ with the southwesterly direction of said southeasterly side line of Johnson Street, a distance of 201.31 feet to a point; thence easterly and deflecting to the north with an angle of $30^{\circ}07'$ and on a line parallel with and distant 750 feet northerly at right angles from the center line of the East-West runway of Portland Municipal Airport produced westerly a distance of 1337.11 feet to a point and land of Brooklawn Memorial Park; thence southeasterly by land of Brooklawn Memorial Park and deflecting to the right with an angle of $35^{\circ}34'$ a distance of 538.13 feet to a point; thence easterly by land of Brooklawn Memorial Park and deflecting to the left with an angle of $35^{\circ}34'$ a distance of 563.11 feet to a point in the division line between the City of Portland and the City of South Portland;

thence northeasterly along said division line and making an included angle of $123^{\circ}04\frac{1}{2}'$ with the westerly direction of the last described course, a distance of 368.23 feet to a point and land of Isaac H. Fairweather; thence easterly with a deflection angle to the right of $41^{\circ}04'$ a distance of 658.45 feet to a point; thence northeasterly by land of said Fairweather and land of Llewellyn K. Pressey and making a deflection angle to the left of $18^{\circ}48'$ a distance of 1159.16 feet to the westerly side line of Westbrook Street; thence southerly by the said westerly side line of Westbrook Street and making an included angle of $69^{\circ}39\frac{1}{2}'$ with the southwesterly direction of the last described course a distance of 374.36 feet to a point and the southerly terminus of Westbrook Street within the limits of the City of Portland, said southerly terminus having been established through the discontinuance of a portion of Westbrook Street by the County Commissioners of the County of Cumberland on November 1, 1955; thence easterly at right angles to the last described course and along the southerly terminus of Westbrook Street as thus established a distance of 66.00 feet to the easterly side line of Westbrook Street; thence northerly by the said easterly side line of Westbrook Street, a distance of 2136.06 feet, more or less, to the point of beginning.

ALSO another lot or parcel of land located partly in the City of Portland and partly in the City of South Portland and bounded and described as follows:

Beginning at a stone monument on the northwesterly side line of Johnson Street in the City of Portland, said monument marking the division line between the City of Portland and the City of South Portland; thence westerly along the division line between the City of Portland and the City of South Portland and making an included angle of $133^{\circ}57\frac{1}{2}'$ with the northeasterly direction of the said northwesterly side line of Johnson Street a distance of 31.08 feet to a point; thence westerly and deflecting to the right with an angle of $14^{\circ}58\frac{1}{2}'$ and on a line parallel with and distant 750 feet northerly at right angles from the center line of the East-West runway of Portland Municipal Airport produced westerly a distance of 1132.42 feet to a point in the easterly side line of land of the Maine Turnpike Authority; thence southerly by the easterly side line of land of the Maine Turnpike Authority and by a curve to the right whose radius is 5879.58 feet a distance of 1519.68 feet as measured on the arc thereof to a point and land now or formerly of Walter Korseniewski; thence easterly by land of Korzeniewski and on a line parallel with and distant 750 feet southerly at right angles from the center line of the East-West runway of the Portland Municipal Airport produced westerly a distance of 436.00 feet to a point in the assumed northwesterly side line of the Payne Road; thence northeasterly by the northwesterly side line of the Payne Road a distance of 1775.87 feet, more or less, to the point of beginning.

Excepting and reserving from the above described parcels certain lots of land acquired by the City of South Portland for the construction of the so-called Westbrook Street By-Pass Road now named Western Avenue, all as shown on Maine State Highway Commission Right-of-Way Map, Portland-South Portland, Cumberland County, Westbrook Street By-Pass, 1955, on file in the office of the Department of Public Works of the City of South Portland.

ALSO all right, title, and interest acquired by the City of Portland by the following air rights and avigation easement deeds:

Brooklawn Memorial Park to the City of Portland by deed dated October 21, 1955 and recorded in Cumberland County Registry of Deeds in Book 2255, Page 50.

State of Maine to the City of Portland by deed dated August 2, 1955 and recorded in Cumberland County Registry of Deeds in Book 2245, Page 78.

Bertram J. Fairweather to the City of Portland by deed dated July 10, 1957 and recorded in Cumberland County Registry of Deeds in Book 2361, Page 135.

Llewellyn K. Pressey to the City of Portland by deed dated July 25, 1957 and recorded in Cumberland County Registry of Deeds in Book 2365, Page 139.

ALSO all right, title and interest acquired by the City of Portland in and to air rights and avigation easements over the following described parcels of land by condemnation proceedings dated June 20, 1955 and recorded in the records of the city clerk of the City of Portland in Volume 72, Page 256:

Beginning at a stake on the westerly side of Westbrook Street distant S. $24^{\circ}30'$ W. 722.20 feet from an angle point in said Westbrook Street; thence S. $24^{\circ}30'$ W. 150.20 feet to a stake; thence N. $68^{\circ}25'$ W. 14.75 feet to a stake on the northeast side line of the lot of land conveyed by Merle P. Chaplin to the Chaplin Corp. by deed dated January 11, 1951 and recorded in said Cumberland County Registry of Deeds in Book 2063, Page 404; thence by said Chaplin Corp. land N. $51^{\circ}45'$ W. 294.31 feet to a stake marking an angle in said Chaplin Corp. land; thence by said Chaplin Corp. land S. $49^{\circ}08\frac{1}{2}'$ W. 95.21 feet to a stake; thence through land now or formerly of Merle P. Chaplin N. $68^{\circ}25'$ W. 464.24 feet to a stake and land conveyed by Nielsine K. Jensen to Edward J. Gallagher by deed dated June 10, 1942 and recorded in Cumberland County Registry of Deeds in Book 1677, Page 342; thence by said Gallagher land N. $40^{\circ}51\frac{1}{2}'$ W. 37.26 feet to a monument marking an angle in said Gallagher land; thence by said Gallagher land S. $42^{\circ}29'$ W. 18.45 feet to a stake; thence through land now or formerly of Merle P. Chaplin N. $68^{\circ}25'$ W. 154.34 feet to a stake; thence N. $21^{\circ}35'$ E. 150 feet to a stake; thence S. $68^{\circ}25'$ E. 1006.60 feet to the point of beginning.

Again beginning at a stake on the northeasterly line of land conveyed by Merle P. Chaplin to the Chaplin Corp. by deed dated January 11, 1951 and recorded in Cumberland County Registry of Deeds in Book 2063, Page 404; said stake marking an angle point in the southerly side line of land now or formerly of Merle P. Chaplin, said point being distant N. $68^{\circ}25'$ W. 14.75 feet from Westbrook Street; thence by land now or formerly of Merle P. Chaplin on the following described courses: N. $51^{\circ}45'$ W. 294.31 feet to a stake; thence S. $49^{\circ}08\frac{1}{2}'$ W. 95.21 feet to a stake; thence through said Chaplin Corp. land S. $68^{\circ}25'$ E. 326.01 feet to the point of beginning.

Again beginning at a concrete monument marking an angle point in the southerly side line of land conveyed by Charles P. Trickey to Joseph F. and Ella M. Chaplin by deed dated May 9, 1899 and recorded in Cumberland County Registry

of Deeds in Book 675, Page 201 and now or formerly of Merle P. Chaplin, said monument also marking the most northerly corner of the lot of land conveyed by Neilsine K. Jensen to Edward F. Gallagher by deed dated June 10, 1942 and recorded in said Registry of Deeds in Book 1677, Page 342; thence by said land now or formerly of Merle P. Chaplin S. $42^{\circ}29'$ W. 18.45 feet to a stake; thence through land of Edward F. Gallagher S. $68^{\circ}25'$ E. 39.62 feet to land now or formerly of Merle P. Chaplin; thence by said land now or formerly of Merle P. Chaplin N. $40^{\circ}51\frac{1}{2}'$ W. 37.26 feet to the point of beginning.

Again beginning on the assumed easterly side of said Payne Road at an iron marking the most westerly corner of land conveyed by James G. Johnson to Wilfred A. Hay, Trustee for Clinton C. Phinney, in the second parcel of a deed dated August 17, 1942 and recorded in Cumberland County Registry of Deeds in Book 1689, Page 158; thence by said Phinney land and by the remains of a fence S. $37^{\circ}57'$ E. 241.69 feet to a stake; thence through land of Edna Maxfield N. $68^{\circ}25'$ W. 288.92 feet to the Payne Road; thence by said Payne Road N. $54^{\circ}55'$ E. 146.68 feet to the point of beginning.

ALSO all right, title and interest acquired by the City of Portland in and to air rights and avigation easement over the following described parcel of land by condemnation proceedings dated June 30, 1937 and recorded in the records of the City Clerk of the City of Portland in Volume 61, Page 207.

Beginning at a point in the division line of land now or formerly of F. P. Cummings Estate and land of the Portland City Airport, said point of beginning being the point of intersection of the center line of the northwest-southeast runway of the Portland City Airport with the said division line between land of F. P. Cummings Estate and land of the Portland City Airport; thence southwesterly along the said division line of land of F. P. Cummings Estate and land of Portland City Airport a distance of 255.79 feet to a point, said point being distant 255.00 feet southwesterly at right angles from the center line of the northwest-southeast runway; thence northwesterly on a course parallel with and distant 255.00 feet at right angles from the center line of the said northwest-southeast runway, produced northwesterly, a distance of 829.93 feet to a point; thence northeasterly and making an angle of $90^{\circ}00'$ with the last described course a distance of 510.00 feet to a point; thence southeasterly and making an angle of $90^{\circ}00'$ with the last described course and on a course parallel with and distant 255.00 feet at right angles from the center line of the said northwest-southeast runway, produced northwesterly, a distance of 870.07 feet, more or less, to the said division line between land of F. P. Cummings Estate and land of Portland City Airport; thence southwesterly along the said division line of land of F. P. Cummings Estate and land of Portland City Airport a distance of 255.79 feet, more or less, to the point of beginning.

This conveyance is being made subject to the following deeds of easement.

City of Portland to Portland Water District, dated October 4, 1956, recorded in Cumberland County Registry of Deeds in Book 2318, Page 7.

City of Portland to Portland Water District, dated October 4, 1956, recorded in Cumberland County Registry of Deeds in Book 2318, Page 11.

- City of Portland to Portland Water District, dated October 4, 1956, recorded in Cumberland County Registry of Deeds in Book 2318, Page 214.
- City of Portland to Portland Water District, dated January 14, 1958, recorded in Cumberland County Registry of Deeds in Book 2392, Page 232.
- Trustees of Estate of Frank P. Cummings to Portland Water District, dated October 4, 1934, recorded in Cumberland County Registry of Deeds in Book 1465, Page 37.
- Maine Development Company to Portland Water District, dated January 2, 1931, recorded in Cumberland County Registry of Deeds in Book 1367, Page 166.
- Maine Development Company to the Portland Water District, dated January 8, 1931, recorded in Cumberland County Registry of Deeds in Book 1367, Page 309.
- Cora M. Cushing to Portland Water District, dated December 24, 1930, recorded in Cumberland County Registry of Deeds in Book 1367, Page 65.
- Clifford Strange to Portland Water District, dated January 8, 1931, recorded in Cumberland County Registry of Deeds in Book 1367, Page 311.
- Herbert Jackson to Portland Water District, dated October 14, 1939, recorded in Cumberland County Registry of Deeds in Book 1589, Page 211.
- City of Portland to Portland Gas Light Company, dated March 24, 1959, recorded in Cumberland County Registry of Deeds in Book 2462, Page 254.
- Burton Densmore to Portland Pipe Line Corporation, dated July 14, 1941, recorded in Cumberland County Registry of Deeds in Book 1646, Page 6.
- Merle P. Chaplin to Portland Pipe Line Corporation, dated August 28, 1941, recorded in Cumberland County Registry of Deeds in Book 1646, Page 130.
- Isaac Fairweather to Portland Pipe Line Corporation, dated June 26, 1941, recorded in Cumberland County Registry of Deeds in Book 1646, Page 4.
- Eleanor Johnson Neilson to Portland Pipe Line Corporation, dated October 2, 1941 and recorded in Cumberland County Registry of Deeds in Book 1646, Page 198.
- State of Maine to Portland Pipe Line Corporation, dated January 25, 1950, recorded in Cumberland County Registry of Deeds in Book 1986, Page 433.
- City of Portland to Portland Pipe Line Corporation, dated April 7, 1953, recorded in Cumberland County Registry of Deeds, Book 2124, Page 473.
- City of Portland to Portland Pipe Line Corporation, dated October 6, 1941, recorded in Cumberland County Registry of Deeds in Book 1655, Page 221.

Wilfred A. Hay, Trustee for Clinton C. Phinney, to Socony-Vacuum Oil Company, dated July 3, 1948 and recorded in Cumberland County Registry of Deeds in Book 1916, Page 392.

Vanstone Realty Incorporated and Harry E. Nixon, Trustee, to Socony-Vacuum Oil Company, dated June 8, 1948, recorded in Cumberland County Registry of Deeds in Book 1916, Page 391.

Estate of Frank P. Cummings to Socony-Vacuum Oil Company, dated December 19, 1947 and recorded in Cumberland County Registry of Deeds in Book 1891, Page 137.

Frances B. Evans to Socony-Vacuum Oil Company, dated January 31, 1949 and recorded in Cumberland County Registry of Deeds in Book 1943, Page 446.

Frances B. Evans to Socony-Vacuum Oil Company, dated January 31, 1949 and recorded in Cumberland County Registry of Deeds in Book 1943, Page 447.

City of Portland to the Chaplin Corporation, dated January 15, 1958 and recorded in Cumberland County Registry of Deeds in Book 2392, Page 289.

ALSO all the right, title and interest of the City of Portland in and to the following buildings, but not including any personal property contained therein, located on said Portland Municipal Airport:

Administration Building

Garage

Fire Building

Hangar occupied by Northeast Airways, Inc.

Two-story cottage occupied by Federal Aviation Agency

One-story cottage occupied by Archie Tibbetts

ALSO all the right, title and interest of the City of Portland in and to a radio beam station location situated in Westbrook, Maine, together with all its right, title and interest in and to a right-of-way for a road leading to said location and in and to a right-of-way for a pole line leading to said location as acquired by the following deeds:

Floella A. Maxwell to City of Portland, dated September 23, 1936 and recorded in Cumberland County Registry of Deeds in Book 1504, Page 410.

Floella A. Maxwell to City of Portland, dated September 23, 1936 and recorded in Cumberland County Registry of Deeds in Book 1504, Page 409.

Floella A. Maxwell and Harriet Louise Edwards to Cumberland County Power and Light Company, New England Telephone and Telegraph Company, and City of Portland, dated September 23, 1936 and recorded in Cumberland County Registry of Deeds, in Book 1507, Page 275.

Said conveyance being made subject to a lease covering said premises and rights-of-way given by the City of Portland to the United States of America by instrument dated February 20, 1937 and recorded in Cumberland County Registry of Deeds in Book 1518, Page 387.

ALSO all the right, title and interest of the City of Portland in and to the following aviation obstruction lights, including all existing poles, lights, wiring, cable and controls: one light on a pole in a right-of-way at No. 1588 Congress Street, said pole being located about 4 feet south of the south street line of Congress Street and another light on a pole in said right-of-way, said pole being located about 250 feet south of the south street line of Congress Street, together with all right, title and interest of the City of Portland in and to an easement for the purpose of erecting, maintaining and replacing said lights and appurtenances thereto given by the Trustees under an Indenture of Trust of Harold Johnson to the City of Portland by deed dated January 15, 1959 and recorded in Cumberland County Registry of Deeds in Book 2453, Page 324; also another light on a pole at No. 1601 Congress Street, said pole being located about 8 feet south of the north street line of Congress Street; another light on a pole at No. 1611 Congress Street, said pole being located about 8 feet south of the north street line of Congress Street; also another light on a pole in Western Cemetery opposite No. 119 Western Promenade, said pole being located about 50 feet easterly of the east street line of Western Promenade; together with the right perpetually to enter at any and all times upon the premises comprising said Western Cemetery for the purpose of maintaining, repairing, replacing and removing said light and appurtenances; also a light on a standard on the tower of the Maine Medical Center at No. 22 Bramhall Street, together with all rights acquired for the purposes of said light by the City of Portland in an agreement with the Maine General Hospital under date of October 24, 1957.

The State of Maine, by acceptance of this deed and in consideration for such conveyance covenants and agrees that:

1. It will honor any and all leases and agreements existing as of the date of this conveyance for the term set forth therein between the City of Portland and the following tenants or lessees at said Portland Municipal Airport:

LESSEE	OPERATION
Federal Aviation Agency	Traffic control — remote control — instrument landing
Federal Aviation Agency	Radio Range
Federal Aviation Agency	Safety Office
Federal Aviation Agency	District Office and services
Weather Bureau	Office
Archie Tibbetts	Rental of cottage
Avis Rent-A-Car System	Auto Rental and Limousine Service
Hertz Corporation	Auto Rental
Columbia Hotel	Bulletin Board Rental
American Coin Locks	Coin Locks
Herbert Zatz	Comb Vending Machine

Associated Aviation Underwriters	Insurance Vending Machine
Maine Aviation Corporation	General Aviation Business
Northeast Aviation	Gasoline Storage Tanks
Northeast Airways	General Aviation Business
Northeast Airlines, Inc.	Office space, storage space, shelter rental, landing rights
Armstrong Company	Restaurant
George's Taxi	Taxi Stand
Logan Taxi	Taxi Stand
Pine Tree Taxi	Taxi Stand
Portland Taxi	Taxi Stand
Dick's Taxi	Taxi Stand

- It does hereby assume all of the obligations of the City of Portland, under the Resolutions adopted by the City Council and under the Grant Agreements between said City and the United States of America, acting through the Administrator of Civil Aeronautics and the Administrator of Federal Aviation Agency, for several Federal Aid Airport Projects, all of which are listed below and further covenants and agrees that it will faithfully perform all of such obligations.

RESOLUTIONS ADOPTED BY CITY OF PORTLAND ACCEPTING FEDERAL AID IN DEVELOPMENT OF PORTLAND CITY AIRPORT

- Resolution adopted in City Council February 17, 1941, as amended by Resolution adopted in City Council March 17, 1941.
- Resolution adopted in City Council and approved by the City Manager September 15, 1941.

FEDERAL-AID AIRPORT PROJECT GRANT AGREEMENTS BETWEEN CITY OF PORTLAND AND UNITED STATES

- Project No. 9-17-001-701. Grant Agreement executed by City on October 20, 1947.
- Project No. 9-17-001-702. Grant Agreement executed by City on October 18, 1949, and amended by amendments dated June 16, 1950 and March 30, 1951.
- Project No. 9-17-001-103. Grant Agreement executed by City on April 17, 1951.
- Project No. 9-17-001-105. Grant Agreement executed by City on April 22, 1951.
- Project No. 9-17-001-306. Grant Agreement executed by City on June 26, 1953.
- Project No. 9-17-001-507. Grant Agreement executed by City on June 21, 1955, amended by amendments dated October 31, 1955, June 25, 1956, May 7, 1958 and January 15, 1959, and as supplemented by agreement dated May 7, 1958.

7. Project No. 9-17-001-508. Grant Agreement executed by City on June 21, 1955.
8. Project No. 9-17-001-609. Grant Agreement executed by City on June 27, 1956, as supplemented by agreement dated May 7, 1958, and amended by amendment dated July 3, 1958.
9. Project No. 9-17-001-0710. Grant Agreement executed by City on June 7, 1957, and amended by amendment dated October 3, 1957.
10. Project No. 9-17-001-5811. Grant Agreement executed by City on October 8, 1957, and amended by amendment dated January 15, 1959.
11. Project No. 9-17-001-5912. Grant Agreement executed by City on February 5, 1959.

3. If and when said airport shall no longer be used, operated and maintained as an airport for the benefit of the general public in accordance with the obligations assumed in the preceding paragraph, the State of Maine will reconvey to the City of Portland for the sum of \$1 the premises herein conveyed, together with any improvements placed thereon, and will at the same time and for the said sum of \$1 convey to the City of Portland any additional land, buildings and improvements which have been incorporated in and made a part of said airport as of the date of reconveyance, together with any and all additional air easements, aviation appurtenances and easements in connection therewith which may have been obtained to serve said airport. The City of Portland covenants and agrees, effective as of the date of such reconveyance, that it will be bound by all of the obligations, assumed by the City under the Resolutions and Grant Agreements listed above, as well as all of the obligations assumed by the State of Maine in Agreements affecting the airport, if any, which may have been entered into by and between the State and the United States or any Agency thereof, and that it will faithfully perform all of such obligations.

4. If and when the property conveyed to the State of Maine by the City of Portland on December 31, 1850 for use as a state school for boys shall no longer be used for such purpose, the State of Maine will reconvey said state school property to the City of Portland for the sum of \$1 provided, that should the premises herein conveyed by the City of Portland to the State of Maine for airport purposes still be the property of the State of Maine, the City of Portland will reconvey to the State of Maine said state school property for airport and related purposes on the condition that said property so reconveyed to the State of Maine will be again conveyed to the City of Portland under the covenant set forth in paragraph 3 hereof.

5. It will not suffer or permit any strip or waste of the premises and appurtenances herein conveyed, reasonable wear and tear excepted, and that it will keep and maintain said premises and appurtenances in the same or better condition as existing as of the date of this conveyance, and that it will likewise keep and maintain in good condition any additional premises and appurtenances incorporated in said airport from and after said date of conveyance.

6. The official name of the airport herein conveyed shall contain the name of the City of Portland so long as the State of Maine shall hold title to it.

Upon acceptance of this deed by the State of Maine, the City of Portland covenants and agrees that:

1. It will execute and deliver to the Grantee assignments of any and all rights of the City of Portland in and to the leases and agreements listed under Paragraph 1 of the covenants to be performed by the State of Maine.
2. It will give the State of Maine a deed of easement on the so-called Finks property, title to which is being retained by the City of Portland, which will:
 - (a) grant unto the State of Maine such rights as may be necessary to provide a free and unobstructed air passage over said property;
 - (b) grant unto the State of Maine the right to use said Finks property for the construction, installation and maintenance of such aids to air navigation as may be required; and
 - (c) provide that the City of Portland will use or permit the use of said property only in accordance with the terms of condition numbered '8' appearing in the Grant Agreement for Federal Aid Airport Project No. 9-17-001-5912, which provides that the City will 'maintain the land comprising said clear zone and approach zone to which the Sponsor holds fee simple title free and clear of all structures except those required as aids to air navigation unless duly authorized by the Administrator of the Federal Aviation Agency.

TO HAVE AND TO HOLD the above described land, buildings, air easements, avigation appurtenances and easements with all the privileges and appurtenances thereto to the State of Maine so long as said premises shall be used, operated and maintained as an airport by the State of Maine for the benefit of the general public and in accordance with all the obligations of the City of Portland assumed by the State of Maine under this deed, and the City of Portland covenants with the said State of Maine that it will WARRANT AND DEFEND the said premises to the said State of Maine against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, the said City of Portland has caused this instrument to be signed and sealed in its corporate name by, its Director of Finance, thereunto duly authorized, and the said State of Maine has caused this instrument to be signed and sealed in its corporate name by, its thereunto duly authorized, this day of A. D. 1961.

Sec. 2. State to assume obligations and covenants. The State of Maine, by and through its Aeronautics Commission, is authorized to assume all obligations and covenants of the City of Portland under resolutions adopted by the city council of said city and under the Grant Agreements between said city and the United States of America, acting through the Administrator of Civil Aeronautics and the Administrator of Federal Aviation Agency, for the several Federal Airport Projects, all as listed under covenant 2 in the aforesaid proposed deed of conveyance, and to execute agreements with said Federal Aviation Agency carrying out such covenants and obligations.