

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 721**

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H. P. 523

House of Representatives, January 24, 1961

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

HARVEY R. PEASE, Clerk

Presented by Mr. Stevens of Portland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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**AN ACT Relating to Construction of Drains and Sewers in City of Portland.**

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

P. & S. L., 1891, c. 184, §§ 517, repealed and replaced. Sections 5, 6 and 7 of chapter 184 of the private and special laws of 1891, as amended, are repealed and the following enacted in place thereof:

‘Sec. 5. Liens. All assessments made under this act shall create a lien upon each and every lot or parcel of land so assessed, which lien shall continue for one year after said assessments are payable, and within 10 days after they are made the clerk of said city shall make out a list of all such assessments, the amount of each assessment, and the name of the person, if known, against whom the same is assessed, to be by him certified; and he shall deliver the same to the treasurer of said city, and if said assessments are not paid within 3 months from the date of said assessments, then the treasurer shall proceed to collect said assessments, with or without interest at a rate of not more than 6% per annum as the municipal officers of said city shall determine, and with costs and incidental charges, in the manner provided for collection of taxes by enforcement of lien procedure, which lien shall be enforced not less than 8 months nor more than one year from the date said assessments are made.

Sec. 6. Redemption. Any person to whom the right by law belongs, may at any time within 18 months from the date of the filing of said lien certificate, redeem such real estate by paying to the treasurer the sum for which the lien was placed on such real estate, with or without interest at a rate of not more than 6% per annum as the municipal officers of said city shall determine, with costs of redemption. After said period, said lien mortgage shall be deemed to

have been foreclosed and the right of redemption to have expired, and said mortgage shall be prima facie evidence in all courts in all proceedings by and against said city, its successors and assigns, of the title of the city to the real estate described therein and of the regularity and validity of all proceedings with reference to the acquisition of title by such lien mortgage and the foreclosure thereof.

Sec. 7. Civil action for collection. If said assessments are not paid, and said city does not proceed to collect said assessments by said lien procedure, or is in any manner delayed or defeated in completing said lien procedure, then the said city in the name of the inhabitants of said city, or in the name of such city, may sue for and maintain a civil action against the party so assessed for the amount of said assessment as for money paid, laid out and expended, in any court competent to try the same, and in such action may recover the amount of such assessment with 6% interest on the same from the date of said assessment and costs; provided, however, that if such city should in any manner accept less than the amount of said assessment with such interest thereon as may have been charged for its right, title and interest in the real estate, the party so assessed shall be under no personal liability for the remainder of said assessment.'