

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SECOND LEGISLATURE

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## Legislative Document

No. 464

H. P. 362

House of Representatives, January 21, 1965

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Fortier of Waterville.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FIVE

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### AN ACT Amending the Charter of the Waterville Sewerage District.

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

**Sec. 1. P. & S. L., 1949, c. 211, § 5-H, amended.** The 5th and 6th paragraphs of section 5-H of chapter 211 of the private and special laws of 1949, as enacted by section 3, of chapter 127 of the private and special laws of 1957, are amended to read as follows:

‘The costs to be paid by the person assessed shall be ~~\$+~~ \$3 plus the recording fees and registered mail fees paid for sending the true copies of the lien certificate.

The filing of the lien certificate in the registry of deeds shall create a mortgage on said real estate to the district having priority over all other mortgages, liens, attachments and encumbrances of any nature, except **liens, attachments and claims for municipal taxes which shall be of equal status with the mortgage created herein**, and shall give to said district all the rights usually incident to a mortgagee, except that the district shall not have any right of possession of said real estate until the right of redemption hereinafter provided for shall have expired.’

**Sec. 2. P. & S. L., 1949, c. 211, § 8, amended.** The first sentence of section 8 of chapter 211 of the private and special laws of 1949, as amended by section 7 of chapter 92 of the private and special laws of 1953, is further amended to read as follows:

‘For accomplishing the purposes of this Act and for such other expenses as may be necessary for the carrying out of said purposes, said district, through its commissioners without district vote, is authorized to issue its notes and bonds

in one series or in separate series from time to time and to refund and to make subsequent renewals of the same in whole or in part to an amount not exceeding the sum of ~~\$1,000,000~~ **\$3,500,000** outstanding at any one time.'

**Sec. 3. P. & S. L., 1949, c. 211, § 10-A, amended.** The first paragraph of section 10-A of chapter 211 of the private and special laws of 1949, as enacted by section 10 of chapter 92 of the private and special laws of 1953, is amended to read as follows:

'There shall be a lien on real estate served by the ~~several sewers of the district~~ to secure the payment of rates established and due under section 10 which shall take precedence of all other claims on such real estate, excepting only claims for **municipal taxes which shall be of equal status with the lien created herein.** Real estate, for the purposes of this Act shall bear the same definition as given in ~~section 3 of chapter 81 of the revised statutes of 1944~~ **the Revised Statutes of 1964, Title 36, section 551.**'

**Sec. 4. P. & S. L., 1949, c. 211, § 10-A, amended.** The last sentence of the 3rd paragraph of section 10-A of chapter 211 of the private and special laws of 1949, as enacted by section 10 of chapter 92 of the private and special laws of 1953, is amended to read as follows:

'The fee to be charged to the ratepayer for such notice and filing shall ~~not exceed \$1 and the fee to be charged by the register of deeds for such filing shall not exceed 50c~~ be **\$3 plus the recording fees and registered mail fees paid for sending the true copies of the lien certificate.**'

**Sec. 5. P. & S. L., 1949, c. 211, § 10-A, amended.** The 4th paragraph of section 10-A of chapter 211 of the private and special laws of 1949, as enacted by section 10 of chapter 92 of the private and special laws of 1953, is amended to read as follows:

'The filing of the ~~aforsaid~~ **lien** certificate in the registry of deeds ~~as aforsaid~~ shall ~~be deemed to create and shall~~ create a mortgage on ~~the said~~ real estate to the district, having priority over all other mortgages, liens, attachments and encumbrances of any nature, except liens, attachments and claims for **municipal taxes, which shall be of equal status with the mortgage created herein,** and shall give to the district all the rights usually incident to a mortgagee, except that the ~~mortgagee~~ **district** shall not have any right of possession of ~~the said~~ real estate until the right of redemption ~~herein~~ **hereinafter** provided for shall have expired.'