

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1435

H. P. 1098

House of Representatives, March 12, 1973

Referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mrs. White of Guilford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Validate Land Title in the Wildlands.

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

R. S., T. 33, § 353, amended. Section 353 of Title 33 of the Revised Statutes, as amended, is further amended by adding a new paragraph at the end to read as follows:

All deeds and other instruments for the conveyance of property in this State which are otherwise valid except that they were made in violation of Title 12, section 687, as enacted by the public laws of 1969, chapter 494 and repealed by the public laws of 1971, chapter 457, section 7 or made in violation of Title 12, section 685-B, subsection 6, as enacted by the public laws of 1971, chapter 457, section 5 and amended by the public laws of 1971, chapter 544, section 28-G, are validated.

STATEMENT OF FACT

12 M.R.S.A. § 687, effective October 1, 1969 (repealed by P. L. 1971, c. 457, § 7, effective September 23, 1971) required the seller of certain lands located in the wildlands to notify the Maine Land Use Regulation Commission of such sale. The law provided that deeds conveying such lands would be void, absent such notification. 12 M.R.S.A. § 685-B, sub-§ 6, required the seller of subdivisions to receive approval from the commission before sale. Deeds conveying lots in unapproved subdivisions are void. Many sellers and most

buyers were unaware of the requirements of notification and approval. Consequently many deeds are now void. This bill would validate these deeds.

The Maine Land Use Regulation Commission supports this bill believing that most conveyances in violation of the law were innocent. The commission has submitted a bill to revise the law which it administers, which includes a provision to repeal that section of its law which has the effect of voiding titles, in the belief that such provision is not a necessary enforcement device given the legal and practical complications it occasions.