

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1687

H. P. 1381

House of Representatives, April 13, 1977

On Motion of Mr. Blodgett of Waldoboro, referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Martin of Eagle Lake.

Cosponsor: Mr. Palmer of Nobleboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**RESOLVE, Authorizing the Exchange of Certain Public Lands with the
Dead River Group of Companies.**

Director of Bureau of Public Lands; authorized to consummate exchange of public reserved lands. Resolved: That the Director of the Bureau of Public Lands is authorized to consummate the exchange of lands contemplated by the Agreement dated March 28, 1977, between the State of Maine and the Dead River Group of Companies, a copy of which is attached to this resolve and is incorporated herein for all purposes. Any and all lands received by the State pursuant to said exchange shall be, for all purposes, public reserved land of the State of Maine and shall be held in trust by the State under the same terms and conditions as apply to other public reserved lands.

THIS AGREEMENT dated this 28th day of March, 1977, between DEAD RIVER GROUP OF COMPANIES, a Maine corporation, with a place of business at 55 Broadway, Bangor, Maine (herein called "Dead River"), and the State of Maine (acting through its Commissioner of Conservation and its Director of the Bureau of Public Lands, herein called "State of Maine"), is witness to the following:

1. Dead River agrees to convey to the State of Maine by quitclaim deed all its right, title and interest in the real estate described in Exhibit A attached.
2. The State of Maine agrees to convey to Dead River by quitclaim deed all of its right, title and interest in the real estate described in Exhibit B attached.

3. With respect to T.5, N.D., Washington County, the State of Maine shall not locate any additional public reserved acreage in the part of the township presently owned by Dead River.

4. With respect to the lease between Dead River and Mildred Howard dated the 30th day of July, 1968, the parties agree that as of the date of the exchange of closing documents hereunder, the State of Maine shall, as of that date, assume all obligations and benefits of Dead River under said lease; and Dead River shall hold the State of Maine harmless from any claims and obligations accruing prior to the date of exchange of the closing documents hereunder, and the State of Maine shall hold Dead River harmless from any claims and obligations arising subsequent to the date of exchange of the closing documents hereunder.

5. The parties of this Agreement are aware that legislative approval is a prerequisite to the performance of the terms of this Agreement and that it is therefore contingent upon the granting of such authority. Documents required to accomplish the terms of this Agreement shall be exchanged promptly following legislative approval. This Agreement may be cancelled by written notice by either party to the other at any time prior to the exchange of said documents.

6. This Agreement shall be binding upon, and shall inure to the benefit of, the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement both as of the day and year first above written.

Attest: DEAD RIVER GROUP OF COMPANIES
Priscilla Longfellow By: George W. Weiland, its
Vice President

Attest: STATE OF MAINE
Vicki A. Parker By: Lee M. Schepps, Director
Bureau of Public Lands

APPROVED:
DEPARTMENT OF CONSERVATION
By: Richard E. Barringer,
Commissioner

EXHIBIT A

DESCRIPTION OF PROPERTY TO BE CONVEYED

GRANTOR: Dead River Group of Companies
GRANTEE: State of Maine

A certain lot or parcel of land situated in Township 4 N.D., Hancock County, Maine, and bounded and described as follows:

Beginning at a post on the west line of Township 4 N.D. being the southwest corner of land now or formerly owned by Dead River Group of Companies; thence northerly by and along the west town line of Township 4 N.D. 41½ chains, more or less, to a point in Spencer Pond; thence easterly through the land of the grantor and on a line parallel to the south line of Dead River Group of Companies land, 371 chains, more or less, to a point being 250 feet from the shore of Middle Unknown Lake; thence easterly and southerly at all times 250 feet from the shore of Middle Unknown Lake and Lower Unknown Lake to the intersection of the southerly boundary line of Dead River Group of Companies land; thence westerly by and along the south line of the Dead River Group of Companies land 410 chains, more or less, to the west line of Township 4 N.D. said point on west line being the point of beginning; intending to convey approximately 1,520 acres of land;

Excepting from the above described premises a non-exclusive right-of-way on the east side of Middle Unknown Lake, said right-of-way being located by the existing traveled way. The right-of-way reserved shall include the right to cross with men and equipment and this shall include the right to construct, repair, maintain and use roads, bridges and other facilities for forest operations and other land management purposes, by Dead River and its respective agents, employees, contractors, successors or assigns.

Meaning and intending to convey a portion of the land conveyed to the grantor by H. F. Eaton & Sons recorded in Hancock County Registry of Deeds, dated April 10, 1920, Book 552, Page 182; and Book 552, Page 187; and Book, 552, Page 177, and herein conveyed containing 1,520 acres, more or less, excluding the area of three great ponds that fall within this parcel and being a strip of land about five miles long and one-half mile wide located in the southwest part of Dead River Group of Companies ownership in Township 4 N.D., Hancock County, Maine.

Dead River Group of Companies was formerly named Dead River Company. Dead River Company had its name changed to Dead River Corporation on August 16, 1967. It was further changed to Dead River Group on September 1, 1967, and further changed to Dead River Group of Companies on July 15, 1969. Dead River Company acquired the assets of Passamaquoddy Land Co. under a plan of liquidation adopted by the Board of Directors of Passamaquoddy Land Co. and the then Dead River Company on June 30, 1946.

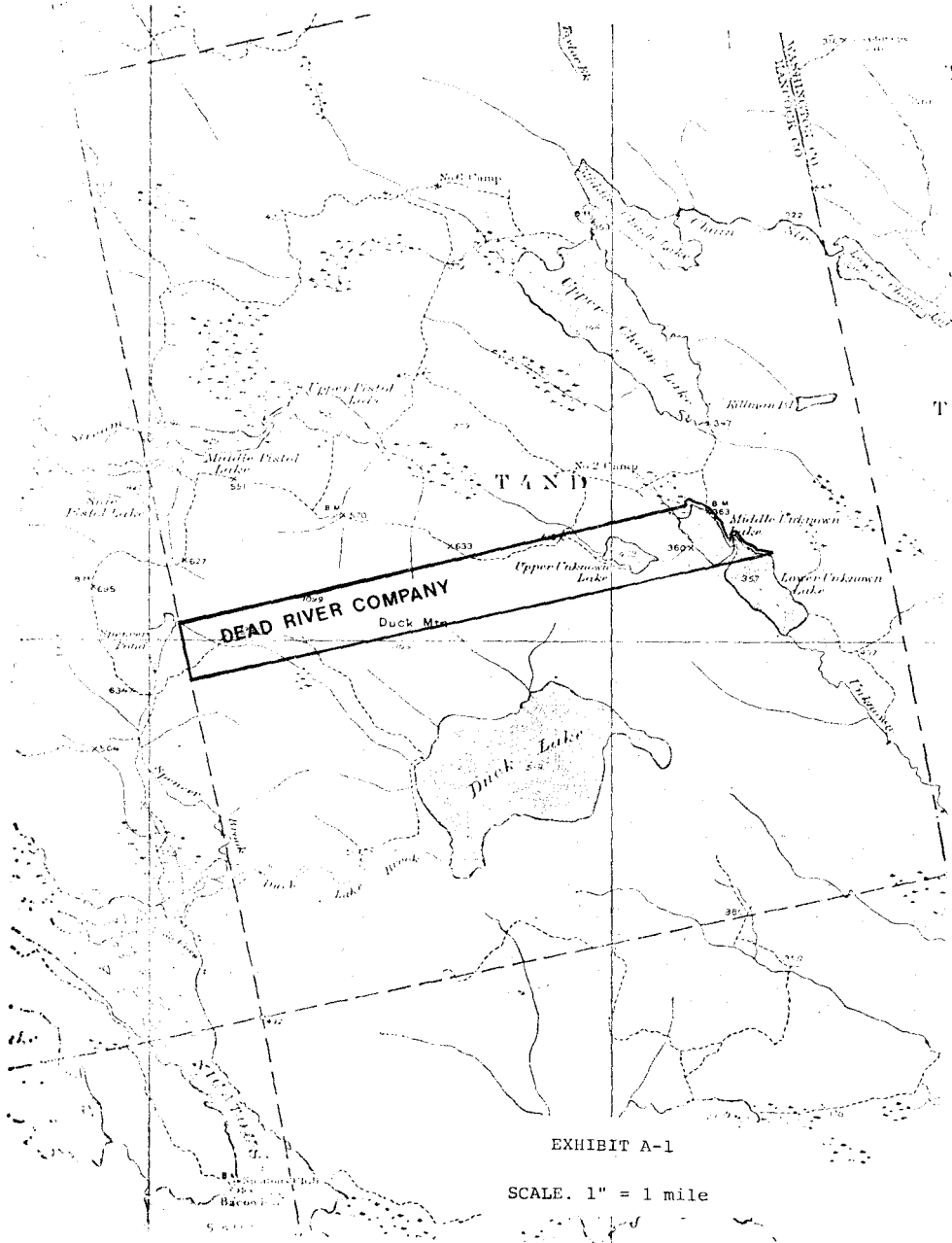


EXHIBIT A-1

SCALE. 1" = 1 mile

EXHIBIT B

STATE LANDS TO DEAD RIVER COMPANY

Township	Acreage
T.4, N.D.	640
T.5, N.D.	480
T.5, R.1, NBPP	400
TOTAL ACREAGE	1,520

STATEMENT OF FACT

This resolve would authorize an exchange of public reserved lands with the Dead River Group of Companies in which the State would convey approximately 1,520 acres in 4 parcels in exchange for approximately 1,520 acres in one parcel. As a part of the trade, the Dead River Group of Companies would return to the State any interest it has in the timber and grass on the trade lands and this would result in an increase of approximately 1,520 acres of land for State management. The parcel which would be conveyed to the State abuts land already owned by the State in the area of Duck Lake and includes frontage on Upper, Middle and Lower Unknown Lakes in northern Hancock County. The parcel affords significant opportunities for multiple use management.