

MAINE STATE LEGISLATURE

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(After Deadline)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1879

H. P. 1704

House of Representatives, June 10, 1977

The Committee on Natural Resources suggested. Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25.

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 Reserved Lands
with International Paper Company.**

Director of Bureau of Public Lands ; authorized to consummate exchange of public reserved lands. Reserved: That the Director of the Bureau of Public Lands is authorized to consummate the exchange of lands contemplated by the Agreement dated June 8, 1977, between the State of Maine and International Paper Company, 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 the exchange shall be, for all purposes, public reserved lands 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.

STATEMENT OF FACT

This resolve would authorize an exchange of public reserved lands with the International Paper Company in which the State would convey approximately 32,577 acres in 48 parcels in exchange for approximately 32,577 acres in 4 parcels. As a part of the trade, International Paper Company would return to the State any interest it has in the timber and grass in the trade lands and on an additional 550 acres of public lots. The parcels to be conveyed to the State include areas contiguous to parcels received in other land exchanges in the Mahoosuc Mountain Range (Riley Township, Oxford County) and in

the Four Ponds area (Letter E Township, Franklin County). In addition, the State would receive the southern half of Township 18 E.D., Washington County, including most of the shoreline of Rocky Lake, and the southern half of Township 7, Range 8, Piscataquis County, including all of Scraggly Lake. All of the parcels afford to the State significant opportunities for recreation and multiple-use forest management.

AGREEMENT

THIS AGREEMENT is dated this 8th day of June, 1977, between International Paper Company, a New York corporation (herein called "IP"), and the State of Maine, acting through its Commissioner of Conservation and its Director of the Bureau of Public Lands (herein called the "State of Maine").

1. IP agrees to convey to the State of Maine, by quitclaim deed, all of its right, title and interest in and to the real estate described in Exhibit "A" attached and incorporated herein.

2. The State of Maine agrees to convey to IP, by quitclaim deed, all of its right, title and interest in and to the real estate described in Exhibit "B" attached and incorporated herein.

3. In the deed referred to in the foregoing Paragraph 1, IP shall further grant to the State of Maine, for access to lands granted in said deed, the nonexclusive right to cross IP's lands with men and equipment, insofar as IP owns that right, as follows:

(a) Those lands owned by IP and lying adjacent to the Riley parcel; and

(b) Those lands owned by IP and lying adjacent to the Letter "E" parcel.

The right to cross with men and equipment shall include the right to construct, repair, maintain and use roads, bridges and other facilities for forest operations and other land management purposes, by the State and its agents, employees, contractors, and by the camp lot lessees of the State, but the right shall not include access by the general public, and the right shall be exercised in a way which does not unreasonably interfere with the owner's use of such lands.

With respect to said rights of crossing, the State agrees to use existing roads where practicable and that any new roads shall be located in a mutually agreeable place which is reasonably convenient for access. In the event of a disagreement as to location, the parties shall promptly submit to a binding arbitration of the precise location.

4. With respect to the leases listed in Exhibit "C" attached, the parties agree that as of the date of the exchange of closing documents hereunder, the respective grantee of the leased properties shall, as of that date, assume all obligations and benefits of the lessor under said leases; and the respective grantor shall hold the respective grantee harmless from any claims accruing prior to the date of exchange of the closing documents hereunder.

5. The parties to 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 within six months following the effective date of the legislation. 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:

INTERNATIONAL PAPER COMPANY

F. W. Brown
Assistant Secretary

By: John Stephens
195 Vice President

Attest:

STATE OF MAINE

Robert A. Gillett

By: Henry Scheper
Director, Bureau of Public Lands

APPROVED:
DEPARTMENT OF CONSERVATION

By: Richard E. Barringer
Richard E. Barringer
Commissioner

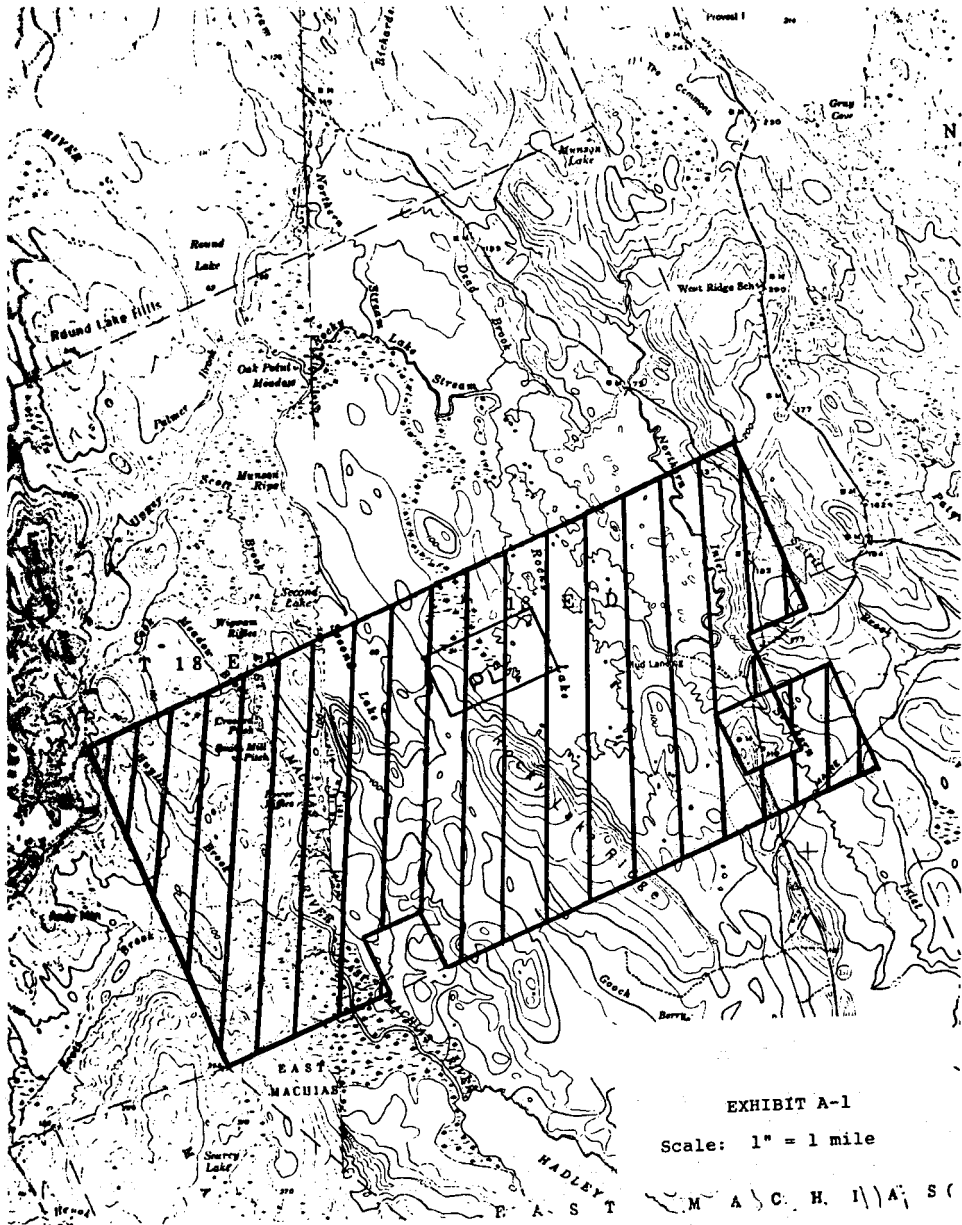
EXHIBIT A

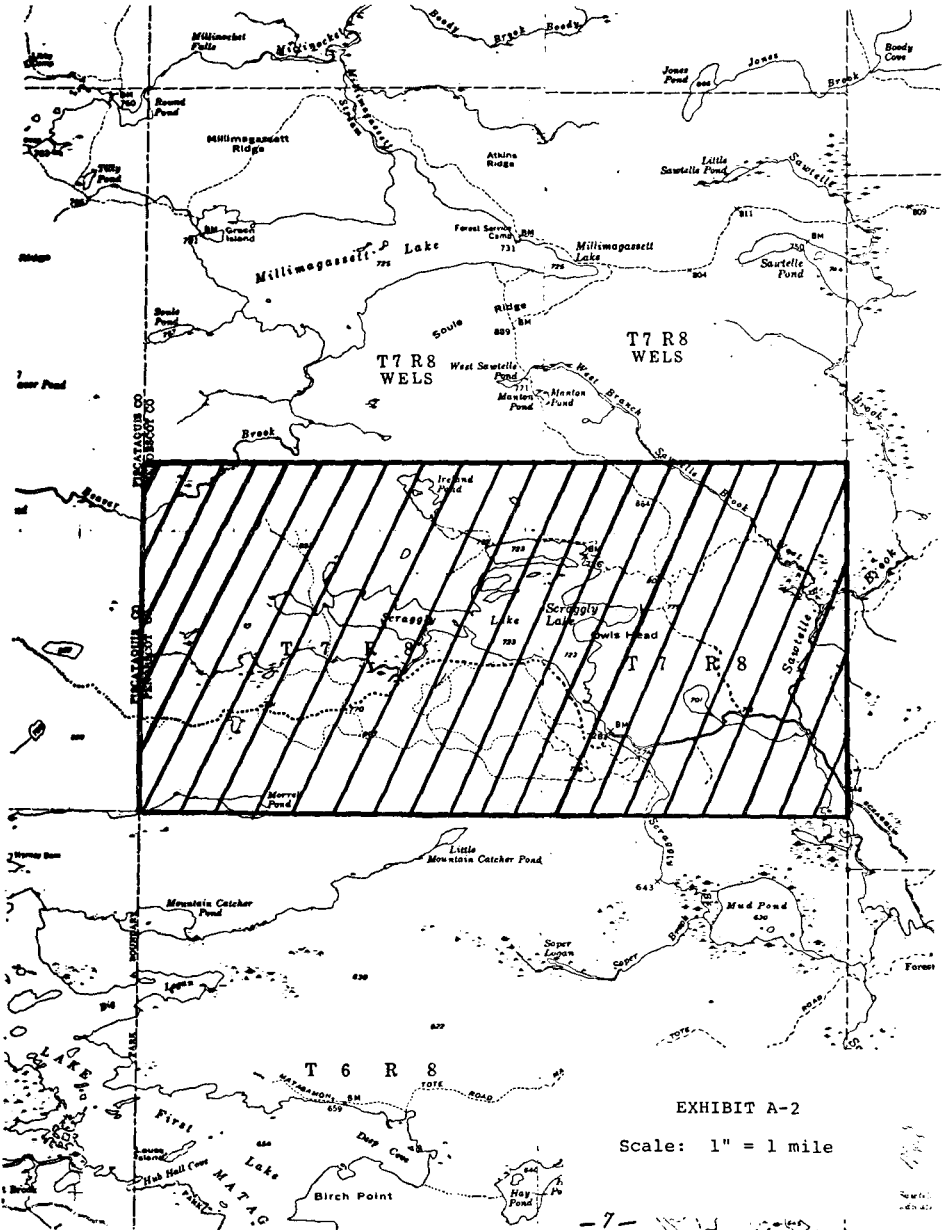
INTERNATIONAL PAPER COMPANY LANDS TO STATE

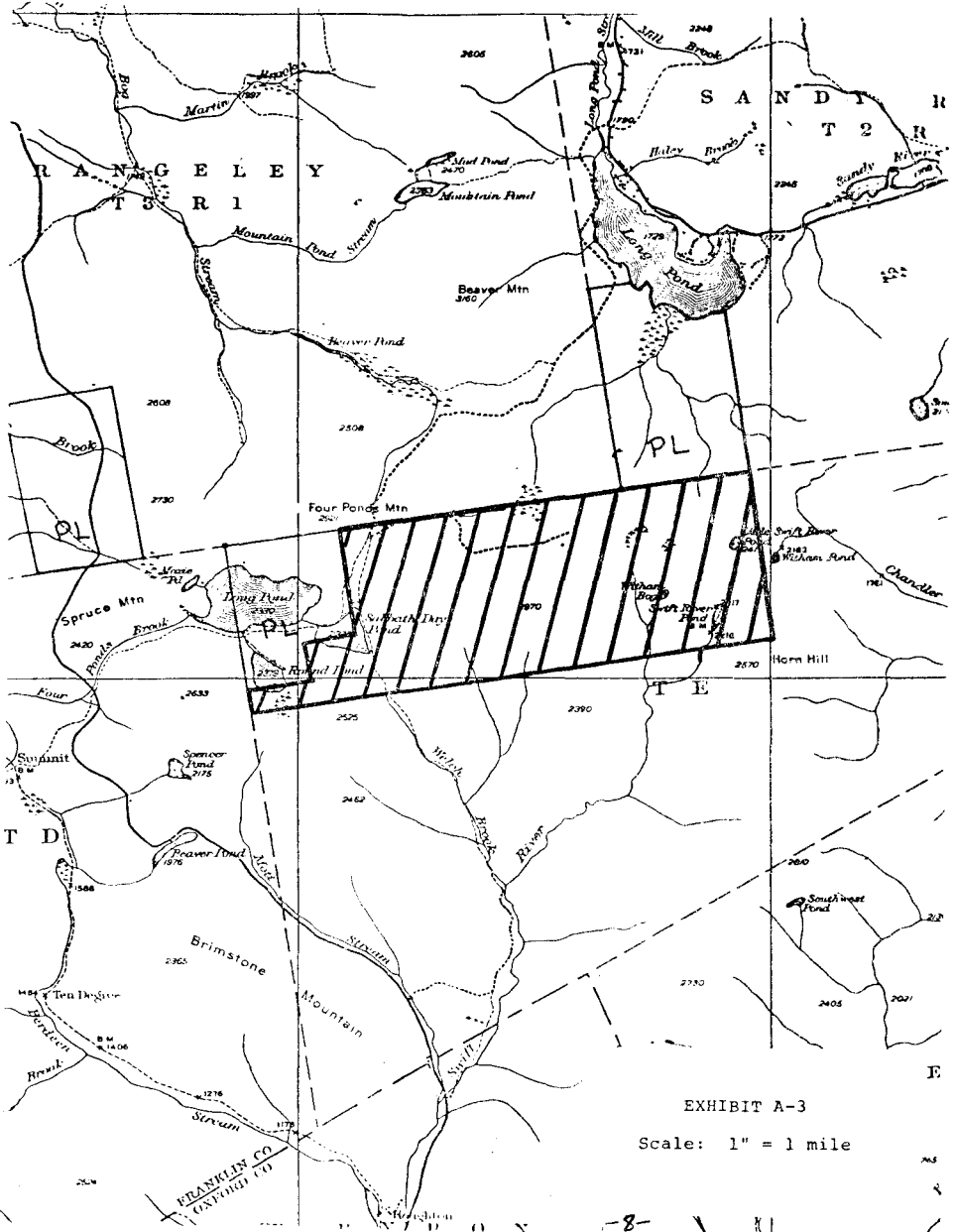
Township	Acreage
T. 18, E.D.	9,434
T. 7, R. 8, WELS	10,054
T.E.	3,225
T.A., 1 (Riley)	9,864
Total Acreage	32,577

All approximately as shown on the maps attached hereto as Exhibits A-1, A-2, A-3 and A-4.

International Paper Company shall convey its interest in timber and grass rights on public lots in T. 18, E.D. (320 acres) and T. 7, R. 8, WELS (250 acres) to the State of Maine.







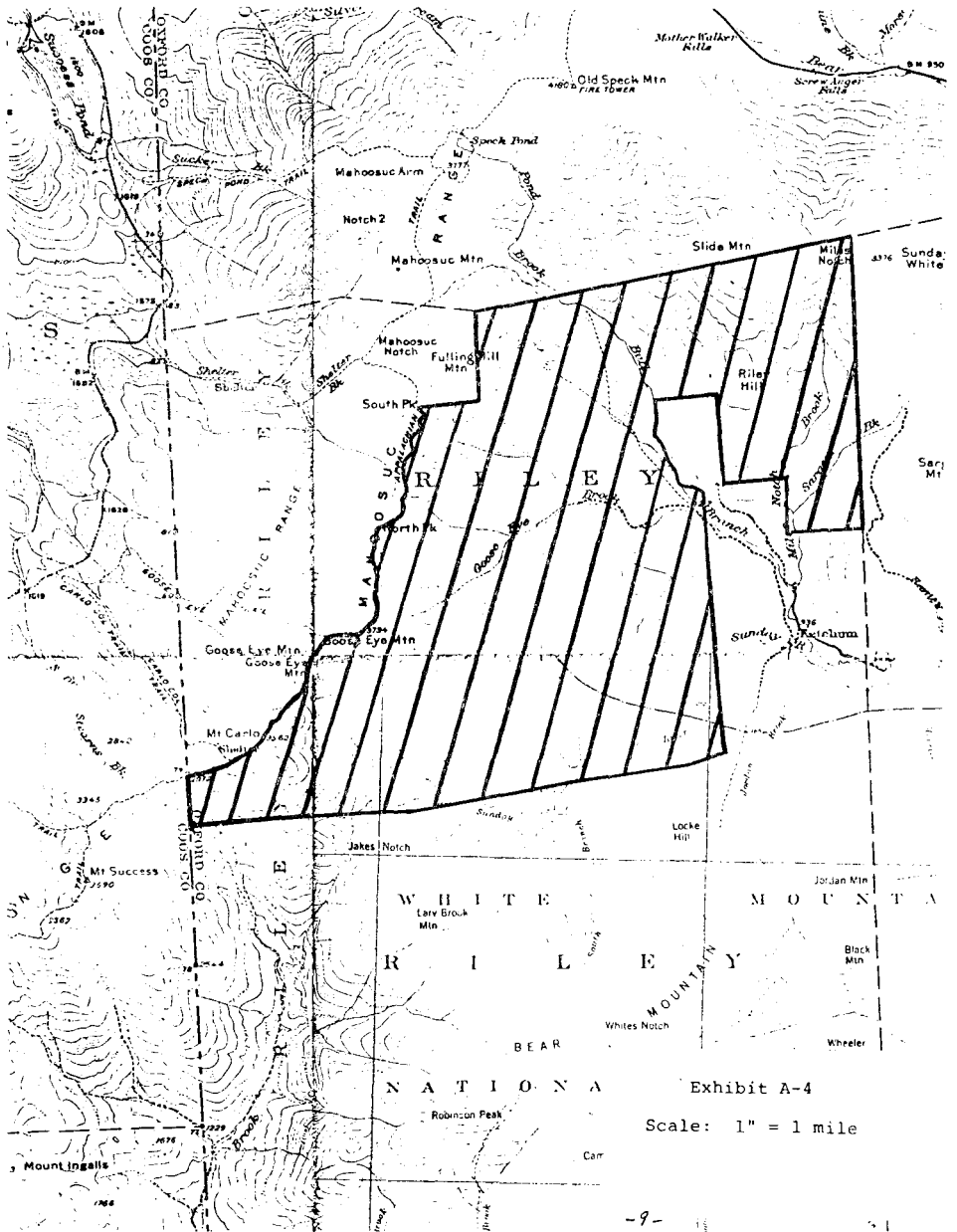


EXHIBIT B

STATE LANDS TO INTERNATIONAL PAPER COMPANY

Township	Acreeage
T. 16, R. 4, WELS	956
T. 7, R. 5, WELS	960
T. 15, R. 5, WELS	1,000
T. 17, R. 5, WELS	333
T. 14, R. 8, WELS	333
T. 11, R. 13, WELS	1,000
T. 2, R. 8, WELS	939
T. 10, R. 11, WELS	1,000
T. 2, R. 5, BKPWKR (Lower Enchanted)	960
T. 2, R. 5, BKPEKR (Squaretown)	480
T. 12, R. 13, WELS	593
T. 11, R. 14, WELS	974
T. 14, R. 15, WELS	323
T. 1, R. 6, WELS	667
T. 16, R. 5, WELS	667
T. 11, R. 10, WELS	1,000
T. 12, R. 10, WELS	1,000
T. 11, R. 11, WELS	1,000
T. 11, R. 12, WELS	1,000
T. 14, R. 12, WELS	326
T. 11, R. 16, WELS	1,000
T. 11, R. 17, WELS	690
T. 4, R. 5, WBKP (Oxbow)	492
T. 4, R. 6, WBKP (Bowmantown)	922
T. 10, R. 13, WELS	1,000
T. 10, R. 14, WELS	704
T. 7, R. 16, WELS	446
T. 8, R. 16, WELS	1,000
T. 8, R. 17, WELS	1,000
T. 8, R. 18, WELS	1,000
T. 9, R. 18, WELS	692
T. 6, R. 19, WELS	1,000
T. 7, R. 19, WELS	1,000
T. 8, R. 19, WELS	500
T. 15, R. 6, WELS	250
T. 16, R. 9, WELS	903
T. 12, R. 11, WELS	269
T. 13, R. 13, WELS	188
T. 12, R. 14, WELS	94
T. 12, R. 16, WELS	239

(Exhibit B Continued)

Township	Acreage
T. 13, R. 16, WELS	181
T. 8, R. 6, WELS	160
T. 9, R. 10, WELS	250
T. 10, R. 15, WELS	104
T.A., 1 (Riley)	960
Andover N. Surplus	676
T. 3, R. 5, BKPEKR (Little Squaw)	630
T.E. (Middle Lot)	320
T.E. (S.E. Lot)	396
	32,577
Total Acreage	

In those townships listed in this Exhibit B where the public lot is, or may subsequently be determined to be, unlocated, the acreage above conveyed is to be unlocated but to lie within that part or share of the township presently owned by IP; and the State of Maine hereby agrees not to locate any additional public reserved acreage in that part or share of the township presently owned by IP.

EXHIBIT C

1. Leases currently on Public Lots

Lessee	Township
Gary Locke	T. 17, R. 5, WELS
Richard W. Libby	"
Richard H. Johnson	"
Clarence H. Chapman	"
William Staples	"
Philip Currier	"
Maine Public Service Company	"
Walter Durgin	T.A, 1 (Riley)
Harold Wilson	T. 3, R. 5, BKPEKR (Little Squaw)

2. Leases currently on International Paper Company ownership

Lessee	Township
Dr. Walter Henry	T. 18, E.D.
Mrs. Margaret Hukki	"
George I. Lund	"
32 Special Club	"
Karl Richardson	"
Richard Tuell	"

Lessee	Township
John M. Wiswell	“
Ronald T. Speers, Commissioner	“
Francis Dunn	T. 7, R. 8, WELS
Ralph E. and Frank C. Edwards	“
Delmont Glidden	“
J. M. Huber Corporation	“
Clinton Porter	“
Elmer J. Smallwood	“
Ralph L. Clarke	T.E.
Bruce Holmes	“
Mrs. Martin Jungman	“
Lewis C. Ladd	“
Grover H. and Phyllis M. Luce	“
Verne E. Scribner	“
Maine Forestry District	“
Rangeley Power Company	“