

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 712

H. P. 566

House of Representatives, February 22, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Blodgett of Waldoboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

RESOLVE, Authorizing and Directing the State Director of the Bureau of Public Lands to Convey the Interest of the State in Certain Islands in Muscongus Bay.

Director of the Bureau of Public Lands authorized and directed to convey land. Resolved: That the State Director of the Bureau of Public Lands is authorized and directed to convey by quitclaim deed the interest of the State in certain islands in Muscongus Bay as herein set forth:

1. Strawberry Island. Coastal Island Registration No. 65-158. A certain lot or parcel of land with the buildings thereon in Muscongus Bay lying off the Easterly shore of the Town of Bremen, and commonly known as Strawberry Island, containing 1/2 acre of land, more or less, to Charles W. Kirby, 12 Ridgeview Drive., Ossining, New York 10562.
2. Spruce Nubble Island. Coastal Island Registration No. 65-159. A certain lot or parcel of land with the buildings thereon, if any, in Muscongus Bay lying off the Easterly shore of the Town of Bremen, and commonly known as Spruce Nubble Island, containing 1/4 acre of land, more or less, to Georgina Hanson Rayburn, 215 Cushman Street, Fairbanks, Alaska 99701.
3. Narrows Island. Coastal Island Registration No. 65-166. A certain lot or parcel of land with buildings thereon, if any, in Muscongus Bay lying off the Easterly shore of the Town of Bremen, and commonly known as Narrows Island, and also sometimes known as Crow Island, containing 4 acres of land, more or less to William Coburn, Sr., 4 Liberty Square, Boston, Massachusetts 02109.

4. Crotch Island. Coastal Island Registration No. 65-171, 172, 173. A certain lot or parcel of land in Muscongus Bay lying off the Easterly shore of Hog Island, within the Town of Bremen, and commonly known as Crotch Island, containing 2 acres, more or less, to Philip Brackett, 110 1/2 West Main Street, Georgetown, Maine 04548.

5. Jim's Island. Coastal Island Registration No. 65-179. A certain lot or parcel of land with buildings thereon, if any, in Muscongus Bay lying off the Westerly shore of Cow Island, and commonly known as Jim's Island, containing 3/4 acre of land, more or less, to Dr. Earl Gose, 812 Lathrop Street, River Forest, Illinois 60305.

STATEMENT OF FACT

In 1963 selectmen of the Town of Bremen, Lincoln County, advertised for sale by sealed bid 5 Muscongus Bay islands within the township, known as Strawberry, Spruce Nubble, Crotch, Jim's and Narrows Island. The town determined that it had title to convey upon oral consultation by First Selectman Earl Grant with state officials, apparently at the forestry service, which at that time retained considerable administrative powers over public lands. Bids were received and the islands duly quitclaimed to the high bidders. Since that date the grantees from the town have enjoyed full incidents of ownership and have been assessed and have paid real property taxes on the islands to the town.

By virtue of procedures set forth in the Maine Coastal Island Registry Act, Maine Revised Statutes, Title 33, sections 1201-1218, the registrations of these islands by the grantees from the town, or their successors, have been, or may be declared invalid, because of questions now appearing concerning the town's ownership of the islands at the time of conveyance.

The proposed resolve addresses the situation by releasing whatever interest the State may have in these islands to the grantees, or their successors. The proposed Resolve recognizes the inequity of this particular situation where one unit of government of the State advertised for sale and sold certain lands, based upon State assurances that the title was good, while later the State established an entirely unforeseen mechanism by which it reclaimed the property because of the owner's inability to establish the town's title.