

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1714

H. P. 1603

Office of the Clerk of the House

The Committee on State Government suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 26.

Presented by Mrs. Curtis of Milbridge.

Cosponsor: Mr. Silsby of Ellsworth.

EDWIN H. PERT, Clerk of the House

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

RESOLVE, Authorizing the State to Convey its Interest in the Public Lots in the Town of Osborn to the Inhabitants of Osborn.

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

Conveyance of state's interest in public lots to the inhabitants of the Town of Osborn; authorized. Resolved: That the Director of the Bureau of Public Lands, Department of Conservation, is directed to grant to a local management corporation, established pursuant to the Revised Statutes, Title 13, Part II, chapter 81, consisting of the inhabitants of the Town of Osborn, County of Hancock, by quit claim deed, all right, title and interest of the State in the public lots in the town, except that the State shall stipulate that the lands shall not be sold for any purpose in the future.

STATEMENT OF FACT

The purpose of this resolve is to authorize the Bureau of Public Lands to convey the state's interest in public lots in the Town of Osborn, Hancock County, Maine, to a local management corporation of the inhabitants of the Town of Osborn. Osborn was incorporated as a town in 1976 and is one of the Lottery Townships. Under the Lottery Act of Massachusetts of 1786, public lots were laid out and reserved for the inhabitants when the township was incorporated as a town.

The inhabitants of Osborn are rightly proud of the manner and method of their past interest and participation in the management of these lands and are committed to manage the lands in the future pursuant to the principles of sound resource management and multiple use for the long-term benefit of and in trust for all inhabitants of the town now and in the future.

The Town of Osborn is unique by virtue of its coastal Maine location, the early settlement of 1786 and organization as a plantation in 1840, and in that it is only one of 9 plantations to become an organized town since the enactment of the Public Laws of 1973, chapter 628. The public lots in Osborn are unique in that they were located by Massachusetts, grass and timber rights were never granted to a paper company, they were never liquidated, they have no outstanding recreational value and they have been managed far better than all other public lots, due to more than 100 years' active interest and participation in their management by the inhabitants of the town.

It is the position of the inhabitants of Osborn that as heirs and assigns of the original lottery ticket holders that they have vested rights in their public lots which are supported by the Lottery Act of 1786, in the Bingham's Purchase Deed of 1793, the Articles of Separation of 1819 and the Massachusetts Deed to Maine of 1853.

Under present law, the title to the inhabitants is unclear. All the other inhabitants of the incorporated towns in the Lottery Townships have been granted their respective public lots.

No expenditure of state money is required by this resolve.