

MAINE STATE LEGISLATURE

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(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 2020

H. P. 1987

House of Representatives, March 19, 1980

Read Twice under Suspension of the Rules and Passed to be Engrossed without reference to the Committee. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. D. Carter of Winslow.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

RESOLVE, Authorizing the Bureau of Public Lands to Convey the State's Interest in a Certain Parcel of Land in Augusta to the Maine Veterans Home, Subject to Certain Conditions.

Director of Bureau of Public Lands; authorized to transfer public domain lands, subject to conditions. Resolved: That the Director of the Bureau of Public Lands is authorized, but not directed, to convey to the Maine Veterans Home, a public body corporate under the laws of the State of Maine, the state's interest in a certain parcel of land in Augusta, 8.9 acres more or less, or any part thereof, on the Cony Road, as described in Exhibit A attached and incorporated herein, and on a Plan of Property dated December 18, 1979, by H. I. and E. C. Jordan, Surveyors, on file at the Bureau of Public Lands. The Director of the Bureau of Public Lands, herein called "director," may convey title to the parcel only upon the following conditions.

1. The director may not convey title to the parcel unless and until the Maine Veterans Home, herein called "Veterans Home," has entered into a loan agreement with a single lending institution to obtain a loan not to exceed \$750,000 with the period for repayment not to exceed 7 years.
2. The director may convey title to the parcel only if it shall revert back to the State on the date the lending institution receives the final payment, paying back the loan described in section 1.

3. The director may convey title to the parcel only if the Veterans Home agrees to reimburse the State for any funds the State may expend should the State choose to pay back the loan described in section 1, should the Veterans Home default on its payments; provided that nothing in this section shall be deemed to obligate the State to expend funds to pay back the loan.

4. The director may convey title to the parcel only if the Veterans Home agrees not to encumber the parcel with any mortgage, lien or other financial obligation, other than the loan described in section 1. If, notwithstanding the prohibition set forth in the preceding sentence, the parcel is encumbered in any way other than with the loan described in section 1, the Veterans Home shall remove such encumbrance immediately upon request of the director, will reimburse the State for any cost to the State in removing such encumbrance, and will indemnify the State for any damage resulting from the existence of that encumbrance. The State assumes no responsibility to discharge any present or future encumbrance on the parcel which may be conveyed pursuant to this resolve.

5. The director shall lease the parcel to the Veterans Home after title to the parcel has reverted back to the State. The director shall lease the parcel to the Veterans Home only for so long as the parcel is used for the purposes associated with the maintenance of a veteran's home.

6. Bond, notes and other evidences of indebtedness of the Veterans Home shall not be deemed to constitute debts of the State, nor a pledge of the credit of the State.

EXHIBIT A

A certain lot or parcel of land situated on the westerly side of Cony Road and the southerly side of Piggery Road in the City of Augusta, County of Kennebec and State of Maine being bounded and described as follows:

Beginning at a metal reinforcing rod, said rod being located at the intersection of the westerly sideline of Cony Road and the southerly sideline of Piggery Road;

Thence N 56° 45' 40'' W along the southerly sideline of Piggery Road a distance of 320 feet to a metal reinforcing rod;

Thence continuing along the same course of N 56° 45' 40'' W and the southerly sideline of said road, a distance of 320 feet to a metal rod;

Thence by land of the grantor the following courses:

S 8° 21' 20'' W a distance of 313.60 feet to a metal rod;

Thence S 33° 10' W a distance of 247.00 feet to a metal rod;

Thence S 55° 27' W a distance of 65.92 feet to a metal rod;

Thence S 33° 10' W a distance of 167.00 feet to a metal rod;

Thence S 56° 50' E along the remains of a barbed wire fence and other land of the grantor, a distance of 460.15 feet to a metal rod and the westerly sideline of Cony Road;

Thence N 44° 09' 40'' E along the westerly sideline of said Cony Road, a distance of 253.88 feet to a metal rod;

Thence N 35° 58' E and continuing along the westerly sideline of Cony Road, a distance of 510.30 feet to a metal rod and the point of beginning.

The above described courses are magnetic of the year 1978.

STATEMENT OF FACT

This resolve authorizes the Director of the Bureau of Public Lands to convey a parcel of land in Augusta to the Veterans Home. The purpose of the conveyance is to render possible the obtaining of short-term capital financing from a private source. It is the intent of the Legislature that this action not establish a precedent for such conveyances in the future, and that the State recover title to this property when the short-term financing of the Veterans Home has been paid off.