

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-376)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT"/"to H.P. 987, L.D. 1175, Resolve,
Authorizing and Directing the Bureau of Public Lands to Convey a
Perpetual Easement and Right-of-way in a Certain Parcel of Land in
Augusta to Mobil Pipe Line Company, Subject to Certain Conditions.

Amend the resolve by striking out everything after the title
and inserting in its place the following:

'Director of Bureau of Public Lands authorized to transfer an
easement and right-of-way in public domain lands, subject to con-
ditions. Resolved: That the Director of the Bureau of Public Lands
is authorized and directed to convey to Mobil Pipe Line Company, a
Delaware corporation, a perpetual easement and right-of-way in a
certain parcel of land in Augusta owned by the State by the Bureau of
Public Lands, and incorporated in this resolve. The Director of the
Bureau of Public Lands, in this resolve called "director," shall convey
title to the parcel upon the following conditions.

1. The sale and conveyance of the perpetual easement and right-
of-way shall be to Mobil Pipe Line Company and its successors and
assigns, in consideration of payment of the sum of \$1 by Mobil Pipe
Line Company to the director.

2. The perpetual easement and right-of-way conveyed shall be
for the purposes of constructing, laying, maintaining, operating,
altering, repairing and moving one or more pipelines for the trans-
portation of petroleum products by pipe over and through the lands
subject to the easement and right-of-way.

3. The easement shall be 50 feet in width, and shall be located and described as follows:

The easement to be conveyed shall run over and through a parcel of real property owned by the State through the Bureau of Public Lands, and bounded by State Route 17 on the north, Cony Road on the east, State Route No. 9 on the west, and by certain private property on the south, being the very same parcel referred to as the Augusta State Hospital property in 1949 Resolves, chapter 62 and located in the City of Augusta, County of Kennebec and State of Maine.

The easement crossing the above-described parcel shall be 50' in width being 25' on each side of a line described as follows: Beginning at a point in the easterly property line of the parcel, the point being located S35°58'W a distance of 41 feet from a metal reinforcing rod, the rod being located at the intersection of the westerly sideline of Cony Road and the southerly sideline of Piggery Road; Thence N56°45'40"W a distance of 677.67 feet to a point; Thence S33°14'20"W a distance of 100 feet to a point; Thence S22°00'W a distance of 309.2 feet to a point; Thence S89°14'W a distance of 1304 feet to a point; Thence S87°39'W a distance of 630 feet to a point; thence S89°01'W a distance of 1353 feet to a point in the southerly property line of the parcel.

The above-described courses are magnetic as of the year 1978.

4. Responsibility for the one or more pipelines to be located within the easement, including their construction, maintenance and repair, shall rest with Mobil Pipe Line Company and its successors and assigns. Mobil Pipe Line Company and its successors and assigns shall be responsible for damage caused by reason of its negligent failure to meet any of its responsibilities as described in this resolve.

5. The easement and right-of-way shall be of perpetual duration and shall terminate if and when the easement and right-of-way cease to be used as the location for one or more pipelines for the transportation of petroleum products.

6. Upon conveyance of the above-described perpetual easement any claim asserted by Mobil Pipe Line Company against the State of Maine under 1949 Resolves, chapter 62, to an easement on that portion of land from which the pipeline is to be removed shall be extinguished.

Statement of Fact

This amendment:

1. Describes the easement; and
2. Provides that any claim asserted by the company to an easement on the land from which the pipeline is to be removed shall be extinguished with this conveyance.

Reported by the Committee on State Government.
Reproduced and distributed under the direction of the Clerk
of the House.

5/13/81

(Filing No. H-376)