

# MAINE STATE LEGISLATURE

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L.D. 2030  
(Filing No. H-609 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1439, L.D. 2030, "Resolve, Directing the Director of the Bureau of Public Lands to Convey the State's Interest in Certain Lands Surrounding Little Sebago Lake."

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Amend the resolve by striking out all of subsections 1 to 3 and inserting in their place the following:

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1. The Director of the Bureau of Public Lands shall, upon application and compliance with the provision of this resolve by the upland property owner, convey by quitclaim deed the State's interest in the lands included in the area on the shore of Little Sebago Lake in Cumberland County, which lands lie in whole or in part between the ancient low-water mark as established by the common law and the present low-water mark of the lake, to those persons who have clear title to the upland land abutting the land described in this subsection, as evidenced by deeds and conveyances of record.

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2. The Attorney General shall provide all necessary legal assistance to the bureau to accomplish the mandate of this resolve. With the approval of the Attorney General, the bureau may hire the services of private counsel. The owner of an upland lot who desires to obtain the State's interest, as described in subsection 1, must have all necessary title searches performed and must provide all necessary documentation before a quitclaim deed may be granted under subsection 1. At the time of application, the owner of an upland lot shall:

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A. Provide documentation of proof of title to the upland lot abutting the land to which he wishes to acquire title. The documentation shall

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1 include a certified title opinion from a Maine  
2 attorney that the upland lot owner holds clear  
3 title to that land;

4 B. Provide a copy of a site plan showing the  
5 boundary lines of his abutting upland lot and  
6 neighboring abutting lots and the proposed exten-  
7 sion of the boundary lines to the shoreline of  
8 the lake over the property to which he wishes to  
9 acquire title. The site plan shall be certified  
10 by a licensed Maine land surveyor; and

11 C. File an affidavit that the notice require-  
12 ments of this paragraph have been fulfilled, a  
13 copy of any notice sent to abutters as required  
14 by this paragraph and a signed agreement from the  
15 abutting land owner or owners that the abutting  
16 owner or owners agree to the extension of bounda-  
17 ry lines proposed or, in the event no agreement  
18 can be reached with the abuttor or abutters, a  
19 statement to that effect signed by the upland lot  
20 owner.

21 The owner of the upland lot shall give notice,  
22 including a copy of the site plan, to owners of  
23 land abutting on either side of his land. Notice  
24 shall be by certified mail and shall be mailed at  
25 least 15 days before filing the application with  
26 the bureau. The notice shall include a statement  
27 that if the abutting landowner disputes or has  
28 questions concerning the application he may con-  
29 tact the Bureau of Public Lands.

30 3. Within 30 days of receipt of a completed ap-  
31 plication as provided in subsection 2, the Director  
32 of the Bureau of Public Lands shall determine an eq-  
33 uitable method of extending the boundary of the up-  
34 land lot to the shoreline through the state land and  
35 shall issue a quitclaim deed as provided in subsec-  
36 tion 1. The owner of an upland lot who desires to ob-  
37 tain the State's interest in lands described in sub-  
38 section 1 must accept the director's decision as to

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1 boundary lines before a quitclaim deed may be granted  
2 under subsection 1. The director's decision on the  
3 location of the lot lines is not reviewable by a  
4 court of law. The director may establish a fee pay-  
5 able by upland owners applying for a quitclaim deed  
6 under subsection 1. The fee shall be calculated to  
7 compensate the State for the reasonable costs in-  
8 volved in administering this resolve.'

9 STATEMENT OF FACT

10 The purpose of this amendment is to clarify the  
11 process by which a quitclaim deed may be issued to  
12 upland abutting landowners for state-owned land  
13 around Little Sebago Lake. The amendment requires the  
14 abutting landowner seeking the quitclaim deed to pro-  
15 vide certified documentation to support his applica-  
16 tion. This will relieve the Bureau of Public Lands  
17 and the Department of the Attorney General from the  
18 time-consuming and costly tasks involved, such as  
19 searching titles and mapping boundaries. The amend-  
20 ment also provides a mechanism for notifying abutting  
21 landowners of the proposed boundary line extension  
22 prior to issuance of the quitclaim deed. The amend-  
23 ment also authorizes the Director of the Bureau of  
24 Public Lands to establish fees to cover reasonable  
25 costs, such as preparation of deeds and other admin-  
26 istrative functions.

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