

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1412

S.P. 516

In Senate, May 1, 1989

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.  
Cosponsored by Representative FARNSWORTH of Hallowell.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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Resolve, Concerning Grant of Easement .

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(EMERGENCY)



1           **Emergency preamble.** Whereas, Acts and resolves of the  
Legislature do not become effective until 90 days after  
3 adjournment unless enacted as emergencies; and

5           Whereas, the easement for the water line is necessary to  
provide water to a housing development for domestic and fire  
7 purposes; and

9           Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
11 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
13 safety; now, therefore, be it

15           **Director of Public Improvements; transfer of easement for a water  
line in Hallowell. Resolved:** That the Director of Public  
17 Improvements shall convey to the Hallowell Water District of  
Hallowell, Maine, for fair market value, an easement for the sole  
19 purpose of a water line from Pleasant Street in Hallowell to  
premises of Maurice G. Blais.

21           The Director of Public Improvements is authorized and  
23 directed to convey by deed to the Hallowell Water District and  
its successors and assigns an easement over a certain lot or  
25 parcel of land westerly and northerly of Pleasant Street,  
so-called, in the City of Hallowell, Kennebec County, State of  
27 Maine, the easement to be 50 feet in width and to be located from  
Pleasant Street over the southeasterly portion of land of the  
29 State of Maine to land of Maurice G. Blais, the easement to be  
for the installation, use and maintenance of a proposed water  
31 line, that easement being bounded and described as follows:

33           Beginning at the intersection of the northwesterly  
right-of-way line of said Pleasant Street with the  
35 northeasterly right-of-way line of Page Street, so-called,  
at the westerly corner of land now or formerly of one  
37 Kreisman, reference deed recorded in Kennebec County  
Registry of Deeds in Book 2848, Page 263; thence S 31° 00'  
39 00" W along the northwesterly right-of-way line of said  
Pleasant Street a distance of 250.00 feet; thence N 59° 00'  
41 00" W across land of said State of Maine a distance of 50.00  
feet; thence N 31° 00' 00" E across land of said State of  
43 Maine a distance of 926 feet, more or less, to land of said  
Maurice G. Blais, reference deed recorded in said Registry  
45 of Deeds in Book 2790, Page 125; thence S 58° 14' 44" E  
along land of said Maurice G. Blais a distance of 50.01 feet  
47 to a capped 3/4-inch iron rod set at the intersection of  
stone walls; thence S 31° 00' 00" W along land of said  
49 Maurice G. Blais and along land of said Kreisman a distance  
of 674 feet, more or less, to the point of beginning.

51           Bearings are based on a 1985 magnetic observation.

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The above description is based on a Standard Boundary Survey by Thayer Engineering Company, Farmingdale, Maine.

Being a portion of the premises described in a deed of Edith Louis Beeman and Kate Beeman Berry to State of Maine, dated October 30, 1929 and recorded in Kennebec County Registry of Deeds in Book 668, Page 205.

Also conveying herewith the right to enter upon the easement to lay, relay, repair, maintain and remove water pipes upon or under the easement with all necessary fixtures and appurtenances, together with the right at all times to make connections with the lines to land adjoining the easement owned by Maurice G. Blais by means of pipes; to trim, cut down and remove bushes to the extent necessary, in the judgment of the Hallowell Water District, for any of the above purposes. Also, Maurice G. Blais agrees to build no permanent structure within the specified distances of the buried line, except by written agreement with the Hallowell Water District.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

#### STATEMENT OF FACT

This resolve authorizes the conveyance of an easement to the Hallowell Water District for the sole purpose of installation of a water line.

The easement authorized by this resolve to be conveyed to the Hallowell Water District is across property not required for state purposes. The property lies at the easterly end of the former Stephens School for Girls and is not being utilized by the State at this time.

The easement for the water line is to provide water to the site for domestic and fire purposes. The water line to be installed will be at least an 8-inch main. It will raise the value of state property adjacent to the easement.