

MAINE STATE LEGISLATURE

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L.D. 2446

(Filing No. S-736)

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " A " to H.P. 1779, L.D. 2446, "Resolve, Authorizing the Conveyance of Certain Public Lands and the Settlement of a Boundary Line Dispute Involving Public Lands"

Amend the resolve in section 2 in the last line (page 1, line 30 in L.D.) by striking out the following: "settlement." and inserting in its place the following: 'settlement; and be it further'

Further amend the resolve by inserting at the end before the statement of fact the following:

Sec. 3. Director of Bureau of Public Lands; property received by State. Resolved: That the Bureau of Public Lands may consummate the agreement contemplated under section 1, subsection 1 of this resolve between the bureau and S.D. Warren Company only if the language in "subparagraph 1," on page 2 in Exhibit C, a quitclaim deed without covenant, to the agreement dated March 21, 1990, is replaced with language to read:

- 1. These granted rights to the State of Maine do not represent a deeded right of access to the general public. Public use of these roadways is governed by the Grantor's policy of use of its roadways by the general public.

; and be it further

Sec. 4. Option to acquire access; land exchange with S.D. Warren Company. Resolved: That the Director of the Bureau of Public Lands may consummate the land exchange contemplated under section 1, subsection 1 of this resolve only if the S.D. Warren Company grants to the Bureau of Public Lands an option to acquire full public rights-of-way and all interests in real estate necessary thereto over the lands that are covered by the limited easements of access, as described in Exhibit C, to the land in Days Academy Grant that the State is acquiring from the S.D. Warren Company. The option must be in a form acceptable to the

2 director, provided that it must give the bureau at least 90 days'
4 notice from the S.D. Warren Company in the event that the S.D.
6 Warren Company wishes to sell all or any portion of the lands
8 subject to such easements. The bureau must be able to acquire
10 the rights to and related interests in real estate covered by
12 this option at any time during the 90-day period following the
14 notice by the S.D. Warren Company, provided that if legislative
16 approval is necessary to the exercise by the State of the option,
18 the time period allowed for the State's exercise of the option is
20 extended to a period ending not sooner than 90 days following the
22 close of the next regular session of the Legislature.
24

14 FISCAL NOTE

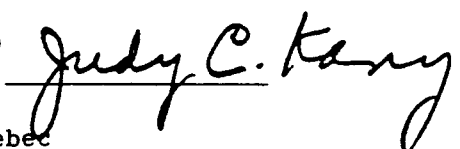
16 Enactment of this legislation will result in the Department
18 of Conservation, Bureau of Public Lands, absorbing costs
20 associated with the conveyance of properties and settling of
22 boundary line disputes identified in sections 1 and 2 of the
24 resolve. The Bureau of Public Lands will be reimbursed \$250 for
its services. It can not be determined at this time whether the
section 4 requirement to obtain an option to acquire access will
have a fiscal impact on the Department of Conservation.'

26 STATEMENT OF FACT

28 This amendment permits the Bureau of Public Lands to
30 consummate the agreement between the bureau and the S.D. Warren
32 Company only if the language regarding public access is amended.
34 The amendment also provides for a right of first refusal to be
36 granted to the State for access over the lands in Days Academy
38 Grant that the State is acquiring from the S.D. Warren Company in
the event that the current owner sells those lands to a 3rd
party. It is the intent of the Legislature that this resolve and
Exhibit C not affect any pending litigation concerning any
right-of-way or right of access to the so-called Pavilion lot.
The amendment adds the necessary fiscal note to the resolve.

40
42 (Senator KANY)
44 SPONSORED BY:

COUNTY: Kennebec



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