

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.

L.D. 2446

(Filing No. S-738)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

**STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION**

SENATE AMENDMENT "B " 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. Public access must be allowed subject to restrictions which may be imposed by the landowner.

; 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

R. of S.

SENATE AMENDMENT " B" to H.P. 1779, L.D. 2446

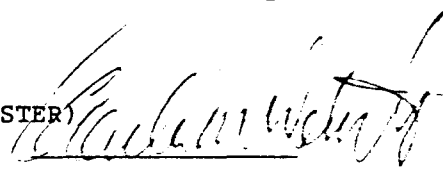
2 director, provided that it must give the bureau at least 90 days'
3 notice from the S.D. Warren Company in the event that the S.D.
4 Warren Company wishes to sell all or any portion of the lands
5 subject to such easements. The bureau must be able to acquire
6 the rights to and related interests in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

14 **FISCAL NOTE**

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

24
26 **STATEMENT OF FACT**

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

40
42 (Senator WEBSTER)
43 SPONSORED BY: 

44 COUNTY: Franklin
46

Reproduced and Distributed Pursuant to Senate Rule 12.
(4/13/90) (Filing No. S-738)