

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1419, L.D. 2031, Bill, "An Act to Ensure the Retention of Utility Easements in Foreclosure Proceedings"

Amend the amendment in section 1 in the first paragraph by striking out the 10th and 11th lines (page 1, lines 32 and 33 in amendment) and inserting in their place the following:

'the existence of public utility easements, if any, that were recorded subsequent to the mortgage and prior to the commencement of the foreclosure proceeding and without mortgagee consent.'

Further amend the amendment in section 1 in the first paragraph by striking out the 24th to 26th lines (page 1, lines 46 to 48 in amendment) and inserting in their place the following:

'joined. Failure of the mortgagee to join, as a party in interest, the holder of any public utility easement recorded subsequent to the mortgage and prior to commencement of foreclosure proceedings is deemed consent by the mortgagee to such easement.'

STATEMENT OF FACT

This amendment clarifies that the provisions apply to utility easements that are recorded subsequent to the mortgage but prior to the commencement of the foreclosure proceedings.

Filed by Rep. Paradis of Augusta  
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3/5/92 (Filing No. H-1055)