MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2272

H.P. 1611

House of Representatives, February 3, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on State and Local Government suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative MAYO of Thomaston.

Cosponsored by Senator HOLLOWAY of Lincoln, Representative SKOGLUND of St. George and Representative MANNING of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-TWO

Resolve, to Authorize the Director of the Bureau of Public Improvements to Condemn in the Name of the State Certain State-owned Land in the Town of Warren and the Town of Cushing and Exchange Boundary Line Agreements with Abutting Land Owners.

(AFTER DEADLINE)

Printed on recycled paper.

Sec. 1. Boundary agreements authorized. Resolved: That the State, through the Director of the Bureau of Public Improvements, is authorized to exchange boundary line agreements with landowners abutting state property on Route 97 in the Town of Warren and the Town of Cushing, Knox County, Maine and is further authorized to draft and execute any documents necessary to settle certain ancient clouds on state property and boundary line discrepancies; and be it further

Sec. 2. Emmient domain authorized. Resolved: That the Director of the Bureau of Public Improvements may exercise the power of eminent domain to quiet for all time any possible challenges to state ownership of property on Route 97 in the Town of Warren and the Town of Cushing that is shown on the plan entitled "Plan of Standard Boundary Survey, Minimum Security Prison Farm, Route 97, Warren and Cushing, Maine" dated December 30, 1987 and revised through June 5, 1989. Any eminent domain proceedings brought pursuant to this resolve are governed by the procedures contained in the Maine Revised Statutes, Title 23, section 154, and must be initiated within one year of the effective date of this resolve.

STATEMENT OF FACT

In examining the title records for the prison expansion in the Town of Warren, certain ancient clouds on the real estate title of the State as well as minor discrepancies as to boundary lines with abutting landowners were discovered. This resolve gives the Director of the Bureau of Public Improvements limited authority to convey ownership of state property to abutting landowners and to receive property from abutting landowners. The director also has limited authority to use the power of eminent domain to quiet all title issues within the land area shown on a standard boundary survey for the Minimum Security Prison Farm, on Route 97, in the Town of Warren and the Town of Cushing, Maine.