

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1545

S.P. 523

In Senate, June 2, 1993

Resolve, Authorizing the Ellsworth School Department to Transact a Land Exchange to Avoid Wetlands and Ledge Discovered During Project Development of the New Ellsworth High School.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Education 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 FOSTER of Hancock.
Cosponsored by Representatives: FARREN of Cherryfield, WALKER of Blue Hill,
ZIRNKILTON of Mount Desert.

2 Beginning at a pipe found set flush with the ground at the
3 northeasterly corner of land conveyed to Samuel and Jill Banks
4 from Bedford Warren Riggs in a deed dated May, 1986 and recorded
5 in the Hancock County Registry of Deeds, Book 1580, Page 511, and
6 on the southeasterly line of a lot of land conveyed to Charles
7 Leo Siondecine from Delphin Siondecine in the first lot of a deed
8 dated September 24, 1946 and recorded in said Registry, Book 708,
9 Page 137, said pipe being North 53 degrees 03 minutes 30 seconds
10 East five hundred seventy-eight and forty-six hundredths (578.46)
11 feet from a bolt set in the easterly sideline of land of the
12 State of Maine, formerly the Maine Central Railroad; thence North
13 53 degrees 03 minutes 30 seconds East by and along said
14 southeasterly line of land of Siondecine nine hundred forty and
15 five hundredths (940.05) feet to a bolt set in the ground; thence
16 South 36 degrees 56 minutes 30 seconds East eight hundred and
17 zero tenths (800.0) feet to a bolt set in the ground; thence
18 South 53 degrees 03 minutes 30 seconds West eight hundred twelve
19 and seventy-seven hundredths (812.77) feet to a railroad spike
20 set in ledge; thence North 36 degrees 56 minutes 30 seconds West
21 two hundred two and forty-seven hundredths (202.47) feet to a
22 bolt found set in the ground at the easterly corner of a lot of
23 land conveyed to the City of Ellsworth from Ellsworth Water
24 Company in a deed dated December 5, 1985 and recorded in said
25 Registry, Book 1561, Page 573; thence North 40 degrees 06 minutes
26 20 seconds West by and along the northeasterly line of said land
27 of City of Ellsworth two hundred seventeen and eighty hundredths
28 (217.80) feet to a bolt found set in the ground; thence South 50
29 degrees 17 minutes 30 seconds West by and along the northwesterly
30 line of said land of the City of Ellsworth one hundred
31 ninety-nine and eighty-eight hundredths (199.88) feet to a bolt
32 set at the base of a wooden post found set in the ground; thence
33 South 39 degrees 55 minutes 15 seconds East by and along the
34 southwesterly line of said land of the City of Ellsworth
35 forty-three and seventy-two hundredths (43.72) feet to a bolt
36 found set in the ground; thence continuing same course South 39
37 degrees 55 minutes 15 seconds East by and along said
38 southwesterly line of land of the City of Ellsworth one hundred
39 seventy-five and seventy-three hundredths (175.73) feet to an
40 iron pin found set at the base of a wooden post; thence North 72
41 degrees 25 minutes 15 seconds West three hundred four and
42 sixty-four hundredths (304.64) feet to a bolt set at the base of
43 a wooden post at the southeasterly corner of aforementioned land
44 of Banks; thence North 2 degrees 14 minutes 45 seconds West by
45 and along the easterly line of said land of Banks four hundred
46 thirty-eight and eighty-two hundredths (438.82) feet to the point
of beginning and containing 17.62 acres, more or less.

48 The above described being a portion of those premises
49 conveyed to Richard W. and Glenda L. Whitney from St. Regis Paper
50 Company in the first lot of a deed dated December 6, 1982 and

2 recorded in the Hancock County Registry of Deeds, Book 1452, Page
182.

4 The above mentioned bearings are oriented to Magnetic North
1990.

6 ; and be it further
8

10 **Sec. 2. Construction of improvements. Resolved:** That
12 notwithstanding the provisions of the Maine Revised Statutes,
14 Title 20-A, chapter 609 and any other provisions of law, the
16 Ellsworth School Department is authorized to construct and equip
18 the physical education playing fields and related site
improvements for the new Ellsworth High School on the site as
modified by the land exchange authorized in section 1 of this
resolve and to use the proceeds of bonds or notes issued for the
new Ellsworth High School construction project for that purpose.

20 STATEMENT OF FACT

22 This bill authorizes the Ellsworth School Department to
24 modify the location of the physical education playing fields for
the new Ellsworth High School construction project at no cost to
26 the City of Ellsworth or the State of Maine by means of land
exchange in order to resolve construction problems encountered on
28 a portion of the existing site due to the discovery of wetlands
and ledge.