

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 629

S.P. 201

In Senate, January 30, 1997

**Resolve, Authorizing the Conveyance of the Interest of the State in  
Certain Property in Augusta.**

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Reference to the Committee on State and Local Government 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 DAGGETT of Kennebec.  
Cosponsored by Senator NUTTING of Androscoggin, Representatives: MADORE of  
Augusta, O'BRIEN of Augusta.

2           **Preamble. Whereas,** the City of Augusta recently discontinued  
3 the remaining portion of Jackson Street, located between the  
4 State Office Building parking lot and property of the Maine State  
5 Employees Credit Union, referred to in this resolve as "MSECU,"  
6 located at 127 and 131 Sewall Street; and

7           **Whereas,** certain improvements constructed by MSECU encroach  
8 on the abutting property owned by the State; and

9           **Whereas,** the State and MSECU desire to relocate the boundary  
10 between their respective properties in light of the Jackson  
11 Street discontinuance and to address the encroachment issue; and

12           **Whereas,** MSECU has caused to be made a certain plan  
13 entitled "Proposed Transfers" by Thayer Engineering, dated  
14 December 1996, referred to in this resolve as the "plan,"  
15 indicating the proposed conveyances to be made to accomplish  
16 these goals; now, therefore, be it

17  
18  
19           **Sec. 1. Commissioner of Administrative and Financial Services**  
20 **authorized to convey real estate. Resolved:** That the Commissioner of  
21 Administrative and Financial Services is authorized to convey to  
22 MSECU, its successors and assigns, the interest of the State in  
23 the following property and property rights:  
24

- 25           1. Parcels A, B and F as shown on the plan;  
26  
27           2. An easement for ingress, egress and utilities over  
28 parcels C and D as shown on the plan; and  
29  
30           3. An easement for maintenance and repair of the existing  
31 storm drainage system serving the property of MSECU; and be  
32 it further

33           **Sec. 2. Conveyances by MSECU. Resolved:** That in  
34 consideration for the above conveyances, MSECU shall convey to  
35 the State, its successors and assigns, the following property and  
36 property rights.  
37

- 38           1. Parcels D and E as shown on the plan;  
39  
40           2. An easement for egress over the northernmost 6 feet of  
41 parcel A and the southernmost 11 feet of parcel B as shown  
42 on the plan, subject to the right of MSECU, its successors  
43 and assigns, to temporarily block the easement from time to  
44 time in the normal course of operation;  
45  
46

2           3. An easement for maintenance and repair of the existing  
storm drainage system over parcel F as shown on the plan; and

4           4. An easement for maintenance and repair of the existing  
6           waterline over parcels A and B as shown on the plan; and be  
it further

8           **Sec. 3. Payment by MSECUCU to the State. Resolved:** That MSECUCU  
shall pay to the State the excess, if any, of the fair market  
10           value of the property and property rights received by MSECUCU over  
the fair market value of the property and property rights  
12           conveyed by the State as determined by a certified appraiser  
selected by the State; and be it further

14           **Sec. 4. Modification. Resolved:** That the Commissioner of  
16           Administrative and Financial Services, to accomplish the goals of  
this resolve, may make such modifications as necessary to the  
18           final descriptions of the conveyances as described in this  
resolve.

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#### SUMMARY

24           This resolve authorizes the Commissioner of Administrative  
and Financial Services to convey the interest of the State in  
26           certain property in Augusta to the Maine State Employees Credit  
Union in exchange for the conveyance to the State of certain  
28           property of the credit union and the payment to the State by the  
credit union of the excess, if any, of the fair market value of  
30           the property received over the property conveyed.