MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1851

S.P. 634

In Senate, April 30, 1997

An Act to Amend the Laws Regarding Proposed Unaccepted Streets.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Transportation suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator AMERO of Cumberland. Cosponsored by Senator GOLDTHWAIT of Hancock.

]	Be it enacted by the People of the State of Maine as follows:
	Sec. 1. 23 MRSA §3032, sub-§1, as enacted by PL 1987, c. 385,
	32, is repealed.
	Sec. 2. 23 MRSA §3032, sub-§1-A is enacted to read:
	1-A. Deemed vacation. A proposed, unaccepted way or portion
	of a proposed, unaccepted way laid out on a subdivision plan
	recorded in the registry of deeds prior to September 29, 1987 is deemed to have been subject to an order of vacation under section
	3027 if, by the later of 15 years after the date of the recording
	of the subdivision plan laying out the way or portion of the way
	or September 29, 1997, both of the following conditions have been
	net:
	A. The way or portion of the way has not been constructed
	or used as a way; and
	B. The way or portion of the way has not been accepted as a
	town, county or state way or highway or as a public, utility
	or recreational easement.
	A way or portion of a way considered vacated under this
•	subsection is subject to section 3033.
	SUMMARY
	This bill clarifies that before a proposed unaccepted way is
	considered subject to vacation both of the stated conditions must
	be met. The way may not have been constructed or used as a way
ć	and the way may not have been accepted by the specified dates.
	The bill also allows a municipality to accept a proposed way
	as a public, utility or recreational easement as well as for motor vehicle purposes in order to avoid an order of vacation.