

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 997

S.P. 343

In Senate, February 4, 1999

**Resolve, Granting a Right-of-way Across Baxter State Park Authority  
Property in the Town of Harpswell to the Coffin Family.**

(EMERGENCY)

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Reference to the Committee on Agriculture, Conservation and Forestry 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 HARRIMAN of Cumberland.

2           **Preamble.** The Constitution of Maine, Article IX, Section 23  
3 requires that real estate held by the State for conservation  
4 purposes may not be reduced or its uses substantially altered  
5 except on the vote of 2/3 of all members elected to each House.

6           **Emergency preamble.** Whereas, Acts and resolves of the  
7 Legislature do not become effective until 90 days after  
8 adjournment unless enacted as emergencies; and

9           **Whereas,** the Coffin family is required to file a forest  
10 management plan for the Coffin family's Town of Harpswell  
11 property by April 1, 1999 in order to meet the requirements of  
12 the tree growth exemption; and

13           **Whereas,** the issue of the right-of-way must be resolved  
14 before filing the plan; and

15           **Whereas,** the Coffin family will suffer undue economic  
16 hardship if the family is not able to file the plan by April 1,  
17 1999; and

18           **Whereas,** in the judgment of the Legislature, these facts  
19 create an emergency within the meaning of the Constitution of  
20 Maine and require the following legislation as immediately  
21 necessary for the preservation of the public peace, health and  
22 safety; now, therefore, be it

23           **Sec. 1. Grant right-of-way across Baxter State Park Authority**  
24 **property in Town of Harpswell to Coffin family. Resolved:**  
25 Notwithstanding the Maine Revised Statutes, Title 12, sections  
26 1814 and 1816, that an easement in the form of a right-of-way  
27 across the Baxter State Park Authority property located in the  
28 Town of Harpswell depicted on Harpswell tax map R14, lot 67, and  
29 further described in Sagadahoc County Registry of Deeds, Book  
30 3524, Page 171, is granted to the Coffin family and is attached  
31 to the Coffin family property located on the northerly side of  
32 Sebascodegan Island and further described in Sagadahoc County  
33 Registry of Deeds, Book 2490, Page 115; and be it further

34           **Sec. 2. Scope and location of right-of-way easement. Resolved:**  
35 That the scope of the easement for the right-of-way granted  
36 across Baxter State Park Authority in the Town of Harpswell is  
37 limited to a width of one lane, the Baxter State Park Authority  
38 may not block the right-of-way and shall allow the Coffin family,  
39 its successors and assigns to use the right-of-way to access the  
40 Coffin family property described in section 1. The location of  
41 easement for the right-of-way is the same route as the Chaterjee  
42 Road that has historically provided access across the Baxter  
43 State Park Authority property to the Coffin family property.  
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