

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2218

S.P. 805

In Senate, April 29, 1999

**Resolve, Authorizing Certain Land Transactions by the Department of
Conservation, Bureau of Parks and Lands.**

(AFTER DEADLINE)

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

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 KONTOS of Cumberland.
Cosponsored by Senator GOLDTHWAIT of Hancock.

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

7 **Whereas,** the real estate authorized for conveyance by this
8 resolve is under the designations describe in the Maine Revised
9 Statutes, Title 12, section 598-A; and

10 **Whereas,** the Director of the Bureau of Parks and Lands
11 within the Department of Conservation may sell or exchange lands
12 with the approval of the Legislature in accordance with the Maine
13 Revised Statutes, Title 12, section 1837; now, therefore, be it

14 **Sec. 1. Director of Bureau of Parks and Lands authorized to convey**
15 **certain real estate in exchange for other property. Resolved:** That the
16 Director of the Bureau of Parks and Lands within the Department
17 of Conservation may by quitclaim deed convey the following
18 property in exchange for conveyance of property, described
19 herein, now owned by Cayuga Corporation:

20 1. Property to be conveyed by the Bureau of Parks and Lands
21 to Cayuga Corporation: All of the State's interest in a lot or
22 parcel of land located on the southwesterly side of the Town Farm
23 Road, in Gray, Cumberland County, being approximately 4 acres;
24 said parcel being approximately two hundred (200') feet along the
25 Town Farm Road and approximately eight hundred (800') feet deep,
26 and is a portion of a sixty-four (64) acre parcel currently held
27 by the State and currently designated as Lot 11 of Tax Map 44; and

28 2. Property to be conveyed by the Cayuga Corporation to the
29 State of Maine: All of the Cayuga's interest in a lot or parcel
30 of land located southwesterly of the Town Farm Road along the
31 Royal River in Gray, Cumberland County, and adjacent to other
32 land currently owned by the State of Maine, being approximately
33 53 acres, more or less, and together with a right-of-way for
34 public access; said parcel is a portion of Lot 12 of Tax May 44
35 and Lot 5 of Tax Map 43. Because the parcels are not of equal
36 value, Cayuga Corporation may, at its discretion, consider this a
37 bargain exchange; and be it further

38 **Sec. 2. Director of the Bureau of Parks and Lands authorized to**
39 **convey certain real estate in exchange for other property. Resolved:** That
40 the Director of the Bureau of Parks and Lands within the
41 Department of Conservation may by quitclaim deed convey a
42 right-of-way, in common with the State, in exchange for
43 conveyance of a right-of-way, described herein, now owned by
44 Walter S. Hennig and Barbara A. Hennig. Both rights-of-way are
45 located in Township 10, S.D., Hancock

2 County. The right-of-way to be conveyed by the State runs
southerly from Route 182 across the former Pierce Lot to land of
4 Hennig, a distance of 2,506 feet; the right-of-way to be conveyed
by the Hennigs continues southerly across land of Hennig to other
6 land of the State, the former Diamond Occidental Lot, a distance
of 247 feet. Because the value of the rights-of-way is not
8 equal, other consideration must include the construction of a new
roadway southwesterly from Route 182 across the former Pierce Lot
and the Hennig Lot, thence continuing over the former Diamond
10 Occidental Lot, said new roadway to be a total distance of
approximately one and one-half miles. This construction must be
12 at the sole expense of the Hennigs. In addition, the State may
release and extinguish 3 existing rights-of-way and any and all
14 other easements of whatever kind on the "Hennig Lot" at such time
as the new roadway is completed and approved by the bureau.
16 These rights-of-ways across the Hennig property are: the first
right-of-way runs southerly from Route 182 across the Hennig
18 property a distance of 3,830 feet to the other land of the State;
the 2nd right-of-way runs southerly as an extension from the
20 first right-of-way a distance of 2,337 feet to the other land of
the State; and the 3rd right-of-way runs southwesterly from Route
22 182 across the Hennig property a distance of 3,011 feet to the
other land of the State.

26 SUMMARY

28 This resolve authorizes 2 land transactions by the Director
of the Bureau of Parks and Lands within the Department of
30 Conservation.

32 The first transaction involves an exchange of the State's
interest in land in the Town of Gray for a larger parcel in the
34 Town of Gray that is adjacent to other lands held by the State.
The land exchange will enable the bureau to add 53 acres to the
36 Pineland Unit, while conveying only 4 acres. The 53-acre parcel
has approximately 3,000 feet of frontage on the Royal River and
38 the property will be managed for multiple use.

40 The 2nd transaction involves an exchange of the rights of
way, in common. This land exchange will enhance the access to
42 state lands located in T 10, S.D., Hancock County.