MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 236

S.P. 65

In Senate, January 23, 2001

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in 6 Parcels of Land, One with a Building, Held by the Department of Education and Located in the Unorganized Territories.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Reference to the Committee on State and Local Government suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator PENDLETON of Cumberland. Cosponsored by Representative: KASPRZAK of Newport.

4	the following meanings.
4 6	1. "Commissioner" means the Commissioner of Administrative and Financial Services.
8	2. "State property" means the real and personal property described in section 3; and be it further
L0 L2	Sec. 2. Authority to convey property. Resolved: That the State, by and through the commissioner, may:
L4	1. Lease or sell the interests of the State in the state property;
L6 L8	2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
20	3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;
24	4. Negotiate, draft, execute and deliver any easements or
26	other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the
28	State's interest; and
30	5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further
32	Sec. 3. Property interests that may be conveyed. Resolved: That
34	the state property authorized to be sold, leased or purchased is the following:
36	1. A parcel of land held by the Department of Education and
38	known as the Songo School, located along Crocker Pond Road in Albany Township, Oxford County and depicted on Unorganized
40	Territory Tax Map OX016, Plan 2 as Lot 57, approximately .6 acre, and described in Oxford County Registry of Deeds B123,P218; B262,
42	P543; and B377, P381;
44	2. A parcel of land held by the Department of Education and known as the Dresser School, located in Albany Township, Oxford
46	County and depicted on Unorganized Territory Tax Map OX016, Plan 2 as Lot 208, approximately .25 acre, and described in Oxford
48	Eastern Division County Registry of Deeds, B310, P227;
50	3. A parcel of land held by the Department of Education and
52	known as the Clark School, located in Albany Township, Oxford County and depicted on Unorganized Territory Tax Map OX016, Plan
54	2 as Lot 110, approximately .19 acre, and described in Oxford County Registry of Deeds B78, P173 and B330, P474;

Sec. 1. Definitions. Resolved: That as used in this resolve,

unless the context otherwise indicates, the following terms have

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4. The State's interest in a parcel of land held by the Department of Education located in Lambert Lake Township,
Washington County and depicted on Unorganized Territory Tax Map WA020, Plan 2 as Lot 6, approximately .25 acre, and described in Washington County Registry of Deeds B325, P127;

- 5. A parcel of land held by the Department of Education and known as the Caswell School, located in T17 R4 Township, Sinclair, Aroostook County and depicted on Unorganized Territory Tax Map ARO21, Plan 5 as Lot 12, approximately one acre, and described in Aroostook County Registry of Deeds B93, P183; and
- 6. A parcel of land with a building located on the land, held by the Department of Education, known as the Blaine School, located in Rockwood Strip Township, Somerset County and depicted on Unorganized Territory Tax Map SO033, Plan 8 as Lot 47, approximately one acre with building, and described in Somerset County Registry of Deeds B355, Plo7.

The state property may be sold in whole or in part, at the discretion of the commissioner, subject to such permits or approvals as may be required by law; and be it further

Sec. 4. Property to be sold as is. Resolved: That the commissioner may negotiate and execute leases and purchase and sale agreements upon those terms the commissioner considers appropriate; however, the state property must be sold as is, without any representations or warranties.

Title must be transferred by quitclaim deed without covenant and executed by the commissioner; and be it further

- Sec. 5. Exemptions. Resolved: That any lease or conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further
- Sec. 6. Purchase price. Resolved: That the commissioner shall have the current market value of the state property determined by an independent appraiser. The commissioner may list the property for sale or lease with private real estate brokers at its appraised value and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers.
- The commissioner shall establish the rent or purchase price and the terms of lease or sale.
- If the commissioner elects to solicit bids, the commissioner shall publish notices of sale sufficient to advertise the property. The commissioner may reject any bids; and be it further

2	Sec. 7. Proceeds. Resolved: That any net proceeds, purchase
	price less closing and disposition costs incurred by the
4	Department of Administrative and Financial Services, from the
	sale of the property must be deposited in the Unorganized
6	Territory Education and Services Fund. These funds must be carried forward until expended; and be it further
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	Sec. 8. Repeal. Resolved: That this resolve is repealed 3
10	years from its effective date.

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SUMMARY

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This resolve authorizes the Commissioner of Administrative and Financial Services to sell 6 parcels of land, one with a building, held by the Department of Education in the unorganized territories, but no longer used by the department.