

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1145

S.P. 338

In Senate, February 22, 2001

**Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Jacob Abbott House and the Reed Auditorium Properties, Located at the Stevens School Campus in Hallowell.**

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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.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.

Cosponsored by Senator TREAT of Kennebec, Representatives: COWGER of Hallowell, McDONOUGH of Portland, MURPHY of Berwick, WATSON of Farmingdale.

2           **Sec. 1. Definitions. Resolved:** That, as used in this resolve,  
unless the context otherwise indicates, the following terms have  
the following meanings.

4           1. "Commissioner" means the Commissioner of Administrative  
6 and Financial Services.

8           2. "State property" means the real and personal property  
described in section 3 of this resolve; and be it further

10           **Sec. 2. Authority to convey property. Resolved:** That the State,  
12 by and through the commissioner, may:

14           1. Lease, sell or transfer the interests of the State in  
the state property;

16           2. Negotiate, draft, execute and deliver any documents  
18 necessary to settle any boundary line discrepancies;

20           3. Exercise the power of eminent domain to quiet for all  
time any possible challenges to ownership of the state property;

22           4. Negotiate, draft, execute and deliver any easements,  
24 including historic preservation easements, or other rights that,  
in the commissioner's discretion, may contribute to the value of  
26 a proposed sale or lease of the State's interest; and

28           5. Release any interests in the state property that, in the  
commissioner's discretion, do not contribute to the value of the  
30 remaining state property; and be it further

32           **Sec. 3. Property interests that may be conveyed. Resolved:** That  
the state property authorized to be sold or leased is the  
34 following:

36           1. The Jacob Abbott House, so-called, also known as 61  
Winthrop Street, Hallowell, depicted as building number 13 on the  
38 Augusta State Facilities Master Plan, Building Location Map -  
Stevens School Campus; and

40           2. The Reed Auditorium, so-called, depicted as building  
42 number 11 on the Augusta State Facilities Master Plan, Building  
Location Map - Stevens School Campus.

44           The properties described in subsections 1 and 2 must be  
46 conveyed or leased with a suitable amount of land, as determined  
by the commissioner, as may be appropriate to their intended use,  
48 together with appropriate rights of access including access by  
pedestrians, vehicles and utilities.

50

2 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

4  
6 **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,  
8 the state property must be sold as is, without any  
representations or warranties.

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

14 **Sec. 5. Exemptions. Resolved:** That any lease or conveyance  
pursuant to this resolve is exempt from any statutory or  
16 regulatory requirement that the property first be offered to the  
Maine State Housing Authority or another state or local agency;  
18 and be it further

20 **Sec. 6. Purchase price. Resolved:** That the commissioner shall  
have the current market value of the Jacob Abbott House  
22 determined by an independent appraiser. The commissioner may  
list the property for sale or lease with private real estate  
24 brokers at its appraised value and negotiate sales or leases,  
solicit bids, sell directly to purchasers or enter directly into  
26 leases with tenants. The commissioner may reject any offers.

28 The commissioner shall establish the rent or purchase price  
and the terms of lease or sale.

30  
32 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

34 **Sec. 7. Proceeds. Resolved:** That any proceeds from the sale  
36 of the state property must be deposited in the Bureau of General  
Services - Capital Construction and Improvements Reserve Fund to  
38 be used for the renovation, construction, expansion, abatement or  
demolition of structures at the Stevens School Campus in  
40 Hallowell; and be it further

42 **Sec. 8. Repeal. Resolved:** That this resolve is repealed 3  
44 years from its effective date.

#### 46 SUMMARY

48 This resolve authorizes the Commissioner of Administrative  
and Financial Services to sell or lease the Jacob Abbott House

2 and transfer the Reed Auditorium in Hallowell with a suitable amount of land.