

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 1952

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H.P. 1455

House of Representatives, December 20, 2001

**Resolve, Authorizing the Director of the Bureau of Parks and Lands  
within the Department of Conservation to Convey a Crossing Easement.**

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Submitted by the Department of Conservation pursuant to Joint Rule 204.

Received by the Clerk of the House on December 17, 2001. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SMITH of Van Buren.  
Cosponsored by Senator MARTIN of Aroostook.

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

6           **Sec. 1. Authority to convey easement. Resolved:** That, under the  
Maine Revised Statutes, Title 5, section 6209, subsection 6 and  
8           Title 12, section 598-A, the Director of the Bureau of Parks and  
Lands within the Department of Conservation is authorized to  
10          convey for fair market value as determined by an independent  
appraiser to Irving Woodlands, LLC, a permanent easement in the  
12          Town of Van Buren to cross an abandoned railroad right-of-way  
acquired by the bureau with funds from the Land for Maine's  
14          Future Fund and managed as a public, multiple-use trail.

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### SUMMARY

20           This easement will give Irving Woodlands, LLC, a permanent  
right to cross the state-owned, abandoned railroad right-of-way  
22          running between Stockholm and Van Buren. Irving Woodlands, LLC,  
has assembled a new access corridor from their lands in T17R3  
24          WELS to the Bangor and Aroostook railroad siding in Van Buren  
that will avoid making an impact on public roads and increase  
26          activity at the siding. The state-owned abandoned railroad  
corridor must be crossed at a site approximately one mile from  
28          Van Buren in order to complete this access corridor.