

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2168

S.P. 805

In Senate, March 12, 2002

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

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL
Secretary of the Senate

Presented by Senator MARTIN of Aroostook. (GOVERNOR'S BILL).
Cosponsored by Representative BUNKER of Kossuth Township.

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; and

7 **Whereas,** the real estate authorized for conveyance by this
8 resolve is under the designations described 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, sections 1837 and 1851; now,
14 therefore, be it

15 **Sec. 1. Director of Bureau of Parks and Lands authorized to sell or**
16 **convey certain real estate. Resolved:** That the Director of the Bureau
17 of Parks and Lands within the Department of Conservation may by
18 quitclaim deed convey the following properties on such terms and
19 conditions as the director may direct:

20 1. A certain lot or parcel of land in Eagle Lake to be
21 conveyed by the Bureau of Parks and Lands to the Inhabitants of
22 the Town of Eagle Lake bounded and described as follows:
23 Commencing at the southeast corner of those premises conveyed by
24 Quitclaim Deed dated April 16, 1993 from Peoples Heritage Savings
25 Bank to the State of Maine and recorded in the Northern District
26 of the Aroostook County Registry of Deeds in Book 902, Page 238,
27 said point being in the centerline of the Camp Road, so-called,
28 at an iron pin, said point being also designated as "October 13,
29 1992 5/8"X 34" rebar & cap set"; thence in a generally easterly
30 and northeasterly direction along the centerline of said Camp
31 Road to a point in the centerline of said road which is thirty
32 (30) feet, more or less, on a course south forty degrees thirty
33 one minutes west of an iron pin in the southwesterly corner of
34 the property formerly of Oran and Cecile P. Gagnon; thence on a
35 course north forty degrees thirty one minutes east thirty (30)
36 feet, more or less to the iron pin in the southwesterly corner of
37 the property formerly of Oran and Cecile P. Gagnon; thence in a
38 westerly and southwesterly direction maintaining a course
39 parallel and always thirty feet distant from the center line of
40 the above named Camp Road to a point in the westerly line of the
41 subject property; thence south two degrees 25 minutes 30 seconds
42 west 30 feet to the point of beginning.

43 Excepting and reserving to the State of Maine, its successors and
44 assigns, a right-of-way in common with others, at all times, and
45 for all purposes, with or without vehicles, to travel to and from

2 Sly Brook Road, so-called, over and along the existing Camp Road,
3 so-called, as presently laid out and as shown on "Survey Plan for
4 Roland and Emelda Toussaint and Bryan J. and Linda C. Harper as
5 revised October 21, 1992 for Peoples Heritage Savings Bank" by
6 Michael P. Cyr, P.L.S. 1255, File No. ELTOUSST (One E.L.), to
7 Point "A" as shown on said plan, together with the right to
8 install, replace and maintain utilities within said right-of-way.

9
10 Meaning and intending to convey a portion of those premises as
11 described in the deed dated April 16, 1993 from Peoples Heritage
12 Savings Bank to the State of Maine, recorded in the Aroostook
County Registry of Deeds in Book 902, Page 238.

13
14 Said conveyance to be in exchange for an easement deed from the
15 Inhabitants of the Town of Eagle Lake in and to the southerly
16 half of the so-called Camp Road from Sly Brook Road, so-called,
17 to Point "A" as shown on said plan of Toussaint and Harper, said
18 easement to be at all times and for all purposes, with or without
19 vehicles, together with the right to install, replace and
20 maintain utilities within said right-of-way.

21
22 2. A certain lot or parcel of land in Eagle Lake to be
23 conveyed in fee by the Bureau of Parks and Lands to Gordon and
24 Juliette Bragdon, husband and wife, of RR 1, Box 1093-A, Eagle
25 Lake, Maine 04739, said lot to be encumbered by an easement to be
26 conveyed by the Bureau of Parks and Lands to Bertrand and Rita
27 Collin, husband and wife, of 160 Stonedge Drive, Newington,
28 Connecticut 06111; said lot to enclose the existing septic system
29 shared jointly by Gordon and Juliette Bragdon and Bertrand and
30 Rita Collin; said lot or parcel of land being on the northerly
31 side of the Sly Brook Road Extension, so-called, and being
32 opposite and across from the lands of said Bragdon and Collin and
33 containing 1 acre, more or less. See deed from Roland and Emelda
34 Toussaint to Gordon and Juliette Bragdon, dated June 12, 1968 and
35 recorded in the Aroostook County Registry of Deeds, Northern
36 Division, Book 362, Page 272. This conveyance is subject to the
37 restriction that the parcel is to be used primarily for a septic
38 system for the benefit of those residences of said Bragdons and
39 Collins and their respective heirs and assigns and that all
40 commercial or industrial uses as well as structures used for
41 occupancy are prohibited.

42
43 Said easement is to be conveyed to Bertrand and Rita Collin for
44 their use and maintenance of the septic system that serves their
45 property as described in a deed from Donald and Dorothy Gagnon to
46 Bertrand and Rita Collin, dated December 7, 1987 and recorded in
47 the Aroostook County Registry of Deeds in Book 731, Page 320, and
48 the said property of Gordon and Juliette Bragdon.

2 The above conveyances to Gordon and Juliette Bragdon in fee and
to Bertrand and Rita Collin of an easement are to be conveyed at
appraised fair market value.

4
6 3. A certain lot or parcel of land, being a portion of the
Codyville Public Lot, in Codyville, to be conveyed for \$1.00 and
other valuable consideration by the Bureau of Parks and Lands to
8 Raymond E. and Lois J. Harvie, husband and wife, of 93 Norma
Avenue, Weymouth, Massachusetts 02188, said lot or parcel being
10 5.4 acres, more or less, and located on the northerly side of
Route 6 in the Town of Codyville, Washington County. Said
12 conveyance to be in exchange for a release of any and all claims
against the State of Maine by Raymond E. and Lois J. Harvie
14 concerning title to the Codyville Public Lot.

16 SUMMARY

18
20 This legislation authorizes the Director of the Bureau of
Parks and Lands within the Department of Conservation to convey 3
relatively small parcels of public reserved lands to achieve the
22 following objective:

24 Parcel 1. Convey a portion of road in Eagle Lake Township to
the Town of Eagle Lake, allowing the road to be established as a
26 public way, maintained by the town;

28 Parcel 2. Convey a parcel in Eagle Lake, occupied by a
septic system, to current lessees of same for fair market value;
30 and

32 Parcel 3. Convey that portion of the Codyville Public Lot
currently cleared and occupied by residential structures and an
34 associated building to the owners of said structures in exchange
for a release of any remaining right they may have in the
36 Codyville Public Lot in order to clear title for both parties.