

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2005

Legislative Document

No. 1674

H.P. 1182

House of Representatives, May 16, 2005

**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.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PINEAU of Jay. (GOVERNOR'S BILL)
Cosponsored by Senator BRYANT of Oxford and
Representative: JOY of Crystal, Senators: DAVIS of Piscataquis, RAYE of Washington.

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

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

12 **Whereas,** the Director of the Bureau of Parks and Lands
within the Department of Conservation may sell or exchange lands
14 with the approval of the Legislature in accordance with the Maine
Revised Statutes, Title 12, sections 1837 and 1851; now,
16 therefore, be it

18 **Sec. 1. Director of Bureau of Parks and Lands authorized, but not
directed, to convey certain real estate in Chesuncook Township, County of
Piscataquis. Resolved:** That the Director of the Bureau of Parks
20 and Lands within the Department of Conservation may by quitclaim
deed without covenant convey for appraised fair market value and
22 for private uses, and on such other terms and conditions as the
director may direct, to David and Luisa Surprenant a certain lot
24 of land in Chesuncook Township (T5 R13 WELS) located in
Chesuncook Village, Maine, being approximately 2.2 acres in size
26 and which is described in a lease currently held by said David
and Luisa Surprenant, as lessees, said lease dated February 9,
28 2000, with the department as lessor; and be it further

30 **Sec. 2. Director of Bureau of Parks and Lands authorized, but not
directed, to convey certain real estate in Wyman Township, County of
32 Franklin. Resolved:** That the Director of the Bureau of Parks and
Lands within the Department of Conservation may by quitclaim deed
34 without covenant convey for appraised fair market value, and on
such other terms and conditions as the director may direct, to
36 Gareth V. Warren a certain lot of land in Wyman Township, Maine,
being approximately 0.36 of an acre in size for purposes of a
38 septic system, said land being located on Routes 16 and 27 in
Wyman Township (portion of Book 1153, Page 211, Franklin County
40 Registry of Deeds). Such lot or parcel of land is more
particularly described as follows: Beginning at an iron pipe
42 found in the southwesterly sideline of Routes 16 and 27 and at
the northeasterly corner of land now or formerly of Gareth V.
44 Warren and at the northwesterly corner of land of the grantor
herein, said pipe lying approximately two hundred and fifty feet
46 (250'+/-) southeasterly of the intersection of said road sideline
with "Stoney Brook"; thence south nineteen degrees fifty-one
48 minutes west a distance of four hundred and fifty-four and
six-tenths feet (S 19° 51'W 454.6')

2 along said Warren land to an iron pipe found at the southeasterly
corner of said Warren land; thence south seventy-nine degrees
4 forty-seven minutes east a distance of eight and no tenths feet
(S 79° 47' E 8.0') along land to be retained by the grantor
6 herein to an iron pin set; thence north thirty-three degrees
eleven minutes east a distance of one hundred and thirty-nine and
8 three-tenths feet (N 33° 11' E 139.3') along said retained land
to an iron pin set; thence north nineteen degrees fifty-one
10 minutes east a distance of three hundred and three and
eighth-tenths feet (N19° 51' E 303.8') along said retained land to
12 an iron pin set in the aforesaid road sideline; thence north
fifty-one degrees two minutes west a distance of forty-two and
14 three-tenths feet (N 51° 02' W 42.3') along said road sideline to
the point and place of beginning, and containing thirty-six
hundredths of an acre (0.36 ac). The courses recited herein are
16 based on a survey performed by York Hill Surveying of Vienna,
Maine and depicted on a plan entitled "Gareth V. Warren" by said
18 York Hill dated April 28, 2004. Bearings are oriented to a
magnetic reference meridian depicted on said plan. Iron pins set
20 are #5 rebar. The 0.36 acre is a portion of those premises
described in a deed from J. M. Huber Corporation to the State of
22 Maine dated October 16, 1989, and recorded April 2, 1990 in the
Franklin County Registry of Deeds in Book 1153, Page 211; and be
24 it further

26 **Sec. 3. Director of Bureau of Parks and Lands authorized, but not**
28 directed, to convey certain real estate in Town of Rockwood, County of
Somerset. Resolved: That the Director of the Bureau of Parks and
Lands within the Department of Conservation may by quitclaim deed
30 without covenant convey for appraised fair market value, and on
such other terms and conditions as the director may direct, to
32 Welden King a certain lot of land in Rockwood Strip (T1 R1 NBKP),
Maine, being approximately 300 acres, in exchange for
34 approximately 225 acres in Sapling Township (T1 R7 BKPWKR); and
be it further

36 **Sec. 4. Director of Bureau of Parks and Lands authorized, but not**
38 directed, to convey certain land in Sandy Bay Township (T5 R3 NBKP),
County of Somerset. Resolved: That the Director of the Bureau of
40 Parks and Lands within the Department of Conservation may by
quitclaim deed without covenant convey, for appraised fair market
42 value, and on such other terms and conditions as the director may
direct, to the United States of America, acting by and through
44 its General Services Administration, a certain lot or parcel of
land, situated on the northerly side of Route 201, in Sandy Bay
46 Township (T5 R3 NBKP), Maine, of approximately 0.3 of an acre in
size, but no more than approximately 1.078 acres as shown on a
48 plan entitled "Site Concept Plan B" dated January 20, 2004, by
Gorrill-Palmer Consulting Engineers, Inc., (a copy of said plan
50 is on file with the department) for purposes of national security
at the Jackman border crossing. Said lot or parcel of land is

2 situated on the northerly side of Route 201, in the Township of
Sandy Bay (T5 R3 NBKP), County of Somerset, and State of Maine,
4 and is adjacent to and southerly of the Jackman border crossing,
and is a portion of the parcel conveyed by Louis O. Hilton to the
6 State of Maine by deed dated December 12, 1985, and recorded in
the Somerset County Registry of Deeds in Book 1233, Page 53.
8 Said parcel subject to the rights of others to use the gravel
road that runs through the subject parcel, said gravel road to be
10 upgraded by the United States of America, acting by and through
its General Services Administration, in cooperation with the
12 State of Maine, Department of Conservation, to accommodate timber
harvesting, travel by the public and snowmobiling. For reference
14 see rights reserved in a deed from Louis O. Hilton to the State
of Maine and recorded in the Somerset County Registry of Deeds in
Book 1233, Page 53, and rights conveyed in common with Hilton and
16 others recorded in said Registry of Deeds in Book 770, page 336;
and be it further

18
**Sec. 5. Director of Bureau of Parks and Lands authorized, but not
20 directed, to convey certain land in Town of Jonesboro, County of
Washington. Resolved:** That the Director of the Bureau of Parks
22 and Lands within the Department of Conservation may by quitclaim
deed without covenant convey, for \$1 and on such other terms and
24 conditions as the director may direct, to the University of Maine
System, a certain lot of land and buildings and improvements
26 thereon commonly referred to as Blueberry Hill Farm, and also
known as the Maine Agricultural Experiment Station, located in
28 the Town of Jonesboro, Maine, being approximately 29 acres in
size and all as described in a deed from Patrick J. Sullivan and
30 Harry C. Sullivan to the State of Maine dated January 24, 1946
and recorded in the Washington County Registry of Deeds in Book
32 468, Page 232. The purpose of this section is to authorize the
conveyance of the subject lot, which was inadvertently omitted in
34 Resolve 1965, chapter 86. That resolve authorized the transfer
of certain lots of land owned by the State of Maine to the former
36 University of Maine. The University of Maine and its successors,
including the University of Maine System, has since operated,
38 improved and maintained the parcel as the Maine Agricultural
Experiment Station and Blueberry Hill Farm; and be it further

40
**Sec. 6. Director of Bureau of Parks and Lands authorized, but not
42 directed, to convey certain real estate in Town of Jay, County of Franklin.
Resolved:** That the Director of the Bureau of Parks and Lands
44 within the Department of Conservation may by quitclaim deed
without covenant convey for fair market value, and on such other
46 terms and conditions as the director may direct, including
maintenance and safety obligations and responsibilities, to the
48 inhabitants of the Town of Jay, a 50-foot wide trail-crossing
easement at Station 2571+00 in the

2 Town of Jay, Maine. Said railroad crossing easement is further
described as: A certain parcel of land situated easterly of
4 Route 4, in the Town of Jay, County of Franklin, State of Maine,
bounded and described as follows, to wit: Beginning at a set
6 rebar on the apparent easterly sideline of land formerly of the
Maine Central Railroad Company, said rebar being southerly along
8 the apparent curved sideline of said former railroad land, a
curved distance of two hundred twenty and eighty-nine hundredths
10 (220.89) feet, from another a set rebar being at the southwest
corner of land now or formerly of Jose Diaz as recorded in Book
12 467, Page 102 at the Franklin County Registry of Deeds; thence
southerly along the apparent curved sideline of said former
14 railroad land and along land of the inhabitants of the Town of
Jay, a curved distance of fifty and thirty-five hundredths
16 (50.35) feet, to a set rebar; thence north 81 degrees 04 minutes
27 seconds west through former railroad land, a distance of
18 sixty-six and eight-hundredths (66.08) feet, to a set rebar;
thence northerly along the apparent curved sideline of said
20 former railroad land and along land of the inhabitants of the
Town of Jay, a curved distance of fifty and thirty-five
22 hundredths (50.35) feet, to a set rebar; thence south 81 degrees
04 minutes 27 seconds east through former railroad land, a
24 distance of sixty-six and fifteen-hundredths (66.15) feet, to the
first mentioned set rebar, being the point of beginning. All
26 bearings are magnetic 1994. All set rebar are topped with a
plastic cap stamped "Kachnovich PLS 1134." The above parcel of
28 land being over a portion of land of the State of Maine,
Department of Conservation, Bureau of Parks and Lands as recorded
30 in the Franklin County Registry of Deeds in Book 1889, Page 173.
See survey plan entitled "(Boundary Survey - Land of the
32 Inhabitants of the Town of Jay - total area = 34.38 acres),"
revised February 2005 - compiled by Kachnovich Land Surveying;
and be it further

34
**36 Sec. 7. Director of Bureau of Parks and Lands authorized, but not
directed, to convey certain real estate in Town of Jay, County of Franklin.**

Resolved: That the Director of the Bureau of Parks and Lands
38 within the Department of Conservation may by quitclaim deed
without covenant convey for fair market value, and on such other
40 terms and conditions as the director may direct, including
maintenance and safety obligations and responsibilities, to
42 Richard S. and Jeanne M. Jackson; a new Jackson trail-crossing
easement sixteen (16) feet wide by sixty-six (66) feet long,
44 located at Station 2552+11 in the Town of Jay, Maine and in
exchange for release of the existing sixteen (16) foot-wide by
46 sixty-six (66) foot-long Jackson railroad crossing easement
previously conveyed to Richard S. and Jeanne M. Jackson located
48 at Station 2549+11; and be it further

2 **Sec. 8. Director of Bureau of Parks and Lands authorized, but not**
3 **directed, to convey certain real estate in Town of Crystal, County of**
4 **Aroostook and Town of Patten, or Town of Sherman, County of Penobscot.**
5 **Resolved:** That the Director of the Bureau of Parks and Lands
6 within the Department of Conservation may by quitclaim deed
7 without covenant convey on such terms and conditions as the
8 director may direct, including maintenance and safety obligations
9 and responsibilities, to J. M. Huber Corp., an easement located
10 in the Town of Crystal, Maine and the Town of Patten or the Town
11 of Sherman, Maine for purposes of forest production, management
12 and harvesting.

12

14

SUMMARY

16

17 This resolve authorizes the Director of the Bureau of Parks
18 and Lands within the Department of Conservation to convey
19 property or interests in property at locations described in this
20 resolve for fair market value and on such other terms and
21 conditions as the director may direct. Any proceeds from the
22 sale of land must be used to purchase additional land in the same
 county for the same purpose.