

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2006

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Legislative Document

No. 1733

H.P. 1241

House of Representatives, January 3, 2006

**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Enter into Long-term Ground Leases of Real Property and To Convey the Stone Buildings, the Administrative Building and the Center Building Formerly Occupied by the Augusta Mental Health Institute**

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

Received by the Clerk of the House on December 28, 2005. 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 BARSTOW of Gorham.

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

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

5       2. "State property" means the real and personal property described in sections 3 and  
6 4 of this resolve.

7       For purposes of this resolve, the terms "lease" and "ground lease" are used  
8 interchangeably; and be it further

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

11       1. Enter into ground leases of the real property described in section 3;

12       2. Convey title to the buildings described in section 4 subject to surrender to the  
13 State upon termination of the lease; and

14       3. Negotiate, draft, execute and deliver any rights that, in the commissioner's  
15 discretion, may contribute to the value of a proposed lease or are essential to the  
16 operation of a building located on the leased property; and be it further

17       **Sec. 3. Property interests that may be leased. Resolved:** That the  
18 commissioner may enter into ground leases for the following real property: the site  
19 formerly occupied by the Augusta Mental Health Institute on which stand the buildings  
20 known as the Stone Buildings, the Administration Building and the Center Building,  
21 together with such additional land and parking areas as may facilitate operation of the  
22 buildings and are not required by the State for operation of the East Campus

23       The amount of land and the boundary of the state property leased or sold pursuant to  
24 this resolve must be determined by the commissioner, in the commissioner's sole  
25 discretion, to be in the best interest of the State.

26       The state property may be leased for a term of up to 90 years in whole or in part, at  
27 the discretion of the commissioner, subject to such permits or approvals as may be  
28 required by law; and be it further

29       **Sec. 4. Buildings that may be conveyed. Resolved:** That the following  
30 buildings may be conveyed: the Stone Buildings, the Administration Building, the Center  
31 Building and other buildings attached to or associated with the former Augusta Mental  
32 Health Institute complex. The buildings must be conveyed with restrictions on their use  
33 and subject to surrender to the State upon termination of the lease under section 3; and be  
34 it further

35       **Sec. 5. Property to be sold as is. Resolved:** That the commissioner may  
36 negotiate and execute leases, ground leases and purchase and sale agreements upon terms  
37 the commissioner considers appropriate; however, the state property must be sold or  
38 leased "as is," with no representations or warranties.

39       Title to the buildings must be transferred by bill of sale with no covenants and  
40 executed by the commissioner; and be it further

