

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2115

S.P. 861

In Senate, May 22, 2006

An Act To Amend the Boundaries between the City of Saco and The Town of Old Orchard Beach

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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 HOBBS of York.

1 **Emergency preamble. Whereas,** acts of the Legislature do not become effective
2 until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** it is the desire of the Town of Old Orchard Beach and the City of Saco to
4 change their common boundary; and

5 **Whereas,** a parcel of land currently sits across the common boundary and the ability
6 of the current owner to build on the parcel is uncertain without a change to the common
7 boundary; and

8 **Whereas,** the Town of Old Orchard Beach and the City of Saco have agreed that the
9 parcel should be wholly within the boundary of the Town of Old Orchard Beach; and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
11 the meaning of the Constitution of Maine and require the following legislation as
12 immediately necessary for the preservation of the public peace, health and safety; now,
13 therefore,

14 **Be it enacted by the People of the State of Maine as follows:**

15 **Sec. 1. P&SL 1883, c. 248, §1,** as amended by PL 1991, c. 33, is further amended
16 to read:

17 **Sec. 1. Boundaries changed and extended; payment of damages.** All that
18 part of the city of Saco lying within the following described lines and boundaries,
19 namely; commencing at the easterly corner between the said city of Saco and the town of
20 Scarborough; thence by the line between said city of Saco and said town of Scarborough
21 northwesterly to a stone in the sea wall; thence N 42°55' W by a set line 693 rods, to a
22 granite stone placed at a point where the line between said city of Saco and said town of
23 Scarborough intersects with a line in the said city of Saco known as the Granger line;
24 thence S 47°12' W 5,416 feet, more or less, to a granite stone inscribed "S" on the
25 northwest side and "O" on the southeast side found set in the ground on the southwesterly
26 side of the old location of the "East Old Orchard" Road; thence continuing on the same
27 course 4,252.10 feet to a point located N 43°42'45" W 4.50 feet from a granite monument
28 with drill hole found set in the ground; thence N 43°42'45" W 31.54 feet to a granite
29 monument with drill hole found set in the ground; thence N 46°40'30" E 273.94 feet to
30 the base of an old loose granite monument found set in the ground; thence N 47°11'45" W
31 148.88 feet to a granite monument with drill hole found set in the ground; thence S
32 55°19'45" W 1,451.87 feet to an iron pipe found driven into the ground; thence S
33 47°57'30" E 389.34 feet to a point located N 47°57'30" W 1.97 feet from a granite
34 monument with drill hole found set in the ground; thence S 47°12'00" W 862.86 feet to a
35 granite monument with iron rod inscribed "S" on the northwest side and "O" on the
36 southeast side found set in the ground on the "Middle Line" so-called; thence continuing
37 on the same course 3,850 feet, more or less, to a granite stone on the bank of Goose Fair
38 Brook in said city of Saco; thence southeasterly by said Goose Fair Brook to the sea;
39 thence southeasterly, on the same course 1,000 feet to a point; thence northeasterly,
40 parallel to and 1,000 feet distant from the shore to a point 1,000 feet southeasterly from
41 the boundary first above named; thence northwesterly 1,000 feet to the boundary first
42 above named, or to such distance as the city of Saco may have owned or controlled prior
43 to February 20, 1883; with all the sea shore and flats and all other interests in said land

1 lying between the medial line of said Goose Fair Brook extended and said easterly corner
2 of the city of Saco; and also that parcel of land described as follows: Beginning at a
3 capped iron rod set (PLS #2190) on the northwesterly sideline of a private way known as
4 Trotter Lane and the existing town line of Old Orchard Beach and city of Saco as of May
5 10, 2006 at the corner of land now or formerly of Ronald Patoine; said point of beginning
6 being N 37° 07' 57" W a distance of 59.85 feet from a capped iron rod found (PLS
7 #2190) in the town of Old Orchard Beach at the intersection of the southeasterly sideline
8 of said Trotter Lane and the northwesterly sideline of the cul-de-sac of Patoine Place, so-
9 called, at the easterly corner of land of Ronald Patoine; thence from said point of
10 beginning S 49° 46' 25" W across the land of Ronald Patoine and along the existing Old
11 Orchard Beach and city of Saco town line as of May 10, 2006 a distance of 210.17 feet to
12 a point and land now or formerly of Ronald and June LaPointe; thence N 37° 07' 57" W
13 along the land of said LaPointe a distance of 149.81 feet to a capped iron rod found (PLS
14 #1235) and land now or formerly of Biddeford & Saco Water Company; thence N 57°
15 55' 58" E along the land of Biddeford & Saco Water Company a distance of 594.18 feet
16 to a capped iron rod to be set (PLS #2190) and land now or formerly of Richard and
17 Ronald Patoine; thence S 41° 07' 26" E along the land of Richard and Ronald Patoine a
18 distance of 65.27 feet to a capped iron rod found (PLS #1293) and the northwesterly
19 sideline of said Trotter Lane and the existing town line of Old Orchard Beach and city of
20 Saco as of May 10, 2006; thence S 49° 46' 25" W along the northwesterly sideline of said
21 Trotter Lane and along the existing town line of Old Orchard Beach and city of Saco as
22 of May 10, 2006 a distance of 387.11 feet to the point of beginning is hereby incorporated
23 into a separate town by the name of Old Orchard Beach and the inhabitants thereof are
24 hereby invested with all the powers and privileges and are made subject to all the duties
25 and liabilities incident to other towns within this state. Provided the town of Old Orchard
26 Beach pay to the city of Saco, as damages, such an amount as a committee, composed of
27 the chairs of the boards of assessors of said Saco and of said Old Orchard Beach and one
28 other disinterested person by them selected, may determine is just and equitable.

29 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes
30 effect when approved.

31 **SUMMARY**

32 This bill amends the boundaries between the City of Saco and the Town of Old
33 Orchard Beach.

FISCAL NOTE FURNISHED
(See attached)



122nd MAINE LEGISLATURE

LD

LR 3293(01)

An Act to Amend the Boundaries between the City of Saco and the Town of Old Orchard Beach

Fiscal Note for Original Bill

Sponsor: Sen. Hobbins

Committee: Not Referred

Fiscal Note Required: Yes

Fiscal Note

Current Cost - State Mandate

State Mandate

New or Expanded Activity

Requiring a change to the boundary line between Old Orchard Beach and Saco will necessitate revision of town maps and a new survey. The costs are not expected to be significant.

Unit Affected

Municipality

Costs

Insignificant