

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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Legislative Document

No. 1825

H.P. 1311

House of Representatives, March 24, 2010

**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located at 187-189 State Street, Augusta, Known as the Smith-Merrill House, and at 159 Hogan Road, Bangor, known as the Elizabeth Levinson Center**

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Reference to the Committee on State and Local Government suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CAIN of Orono. (GOVERNOR'S BILL)  
Cosponsored by Representatives: FLOOD of Winthrop, MILLETT of Waterford, Senators:  
DIAMOND of Cumberland, ROSEN of Hancock.

1           **Sec. 1. Authority to convey state property. Resolved:** That, notwithstanding  
2 any other provision of law, the State, by and through the Commissioner of Administrative  
3 and Financial Services, may, pursuant to the Augusta State Facilities Master Plan:

4           1. Enter into a lease or leases or convey by sale the interests of the State in the state  
5 property described in section 2 with the buildings and improvements, together with all  
6 appurtenant rights and easements, and all personal property located on that property,  
7 including vehicles, machinery, equipment and supplies;

8           2. Negotiate, draft, execute and deliver any documents necessary to settle any  
9 boundary line discrepancies;

10          3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter 3,  
11 the power of eminent domain to quiet for all time any possible challenges to ownership of  
12 the state property;

13          4. Negotiate, draft, execute and deliver any easements or other rights that, in the  
14 commissioner's discretion, may contribute to the value of a proposed sale or lease of the  
15 State's interests; and

16          5. Release any interests in the state property that, in the commissioner's discretion, do  
17 not contribute to the value of the remaining state property; and be it further

18           **Sec. 2. Property interests that may be conveyed. Resolved:** That the state  
19 property authorized to be sold or leased is:

20          1. A parcel of land and buildings on State Street in Augusta, known as the Smith-  
21 Merrill House, occupied by the State Planning Office, and any associated land as may be  
22 necessary in the determination of the Commissioner of Administrative and Financial  
23 Services; and

24          2. A parcel of land and building on Hogan Road in Bangor; known as the Elizabeth  
25 Levinson Center, occupied by United Cerebral Palsy of Maine, and any associated land as  
26 may be necessary in the determination of the Commissioner of Administrative and  
27 Financial Services; and be it further

28           **Sec. 3. Property to be sold as is. Resolved:** That the Commissioner of  
29 Administrative and Financial Services may negotiate and execute leases and purchase and  
30 sale agreements upon terms the commissioner considers appropriate, but the state  
31 property described in section 2 must be sold "as is," with no representations or warranties.

32           The title must be transferred by quitclaim deed without covenant or release deed and  
33 executed by the commissioner; and be it further

34           **Sec. 4. Exemptions. Resolved:** That any lease or conveyance pursuant to this  
35 resolve is exempt from any statutory or regulatory requirement that the state property  
36 described in section 2 first be offered to the Maine State Housing Authority or another  
37 state or local agency; and be it further

