

# 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 electronic originals  
(may include minor formatting differences from printed original)



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

---

Legislative Document

No. 1552

H.P. 1139

House of Representatives, May 5, 2011

**Resolve, Authorizing the Commissioner of Administrative and  
Financial Services To Sell or Lease the Interests of the State in  
Certain Real Property Located in Rockwood and Sinclair in the  
Unorganized Territory**

---

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

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative COTTA of China.

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, referred to in this resolve as "the commissioner," may:

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 in Rockwood formerly occupied by the Rockwood Elementary  
21 School consisting of approximately 6.35 acres conveyed to the Town of Rockwood  
22 School District and recorded in the Somerset County Registry of Deeds, Book 1516, Page  
23 154; and

24          2. A parcel of land in Sinclair occupied by the Patrick Theriault School consisting of  
25 approximately 73 acres conveyed to the Town of Sinclair School District and recorded in  
26 the Aroostook County Registry of Deeds, Book 939, Page 228; and be it further

27           **Sec. 3. Property to be sold as is. Resolved:** That the commissioner may  
28 negotiate and execute leases and purchase and sale agreements upon terms the  
29 commissioner considers appropriate; however, the state property described in section 2  
30 must be sold as is, with no representations or warranties.

31          Title must be transferred by quitclaim deed without covenant or release deed and  
32 executed by the commissioner; and be it further

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

1 **Sec. 5. Appraisal. Resolved:** That the commissioner shall have the current  
2 market value of the state property described in section 2 determined by an independent  
3 appraiser. The commissioner may list the state property for sale or lease with private real  
4 estate brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or  
5 enter directly into leases with tenants. The commissioner may reject any offers; and be it  
6 further

7 **Sec. 6. Proceeds. Resolved:** That any proceeds from the sale or lease of  
8 unorganized territory property pursuant to this resolve must be deposited into the  
9 Unorganized Territory Education and Services Fund, as designated by the commissioner;  
10 and be it further

11 **Sec. 7. Repeal. Resolved:** That this resolve is repealed 5 years from its effective  
12 date.

13 **SUMMARY**

14 This resolve authorizes the State to sell or lease specific land and buildings in the  
15 unorganized territories that are no longer necessary to the Department of Education and  
16 directs the proceeds of any sale and lease to the Unorganized Territory Education and  
17 Services Fund.