

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 1527

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H.P. 1100

House of Representatives, May 9, 2013

**Resolve, Authorizing the Department of Agriculture, Conservation  
and Forestry, Division of Parks and Public Lands To Convey  
Certain Lands and Enter into Certain Leases with the Federal  
Government**

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DILL of Old Town. (GOVERNOR'S BILL)  
Cosponsored by Senator JACKSON of Aroostook and  
Representatives: BLACK of Wilton, CRAY of Palmyra, MAREAN of Hollis, TIMBERLAKE  
of Turner.

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

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

6           **Whereas,** the Director of the Division of Parks and Public Lands within the  
7           Department of Agriculture, Conservation and Forestry may lease public reserved lands to  
8           the Federal Government with the approval of the Legislature in accordance with the  
9           Maine Revised Statutes, Title 12, section 1852, subsection 7; and

10          **Whereas,** the Director of the Division of Parks and Public Lands within the  
11          Department of Agriculture, Conservation and Forestry may sell lands with the approval  
12          of the Legislature in accordance with the Maine Revised Statutes, Title 5, section 6209,  
13          subsection 6 and Title 12, section 1814 and section 1851, subsections 1 and 2; now,  
14          therefore, be it

15          **Sec. 1. Director of Division of Parks and Public Lands authorized, but**  
16          **not directed, to lease certain land within the Coburn Mountain public**  
17          **reserved lands in Upper Enchanted Township, Somerset County. Resolved:**  
18          That the Director of the Division of Parks and Public Lands within the Department of  
19          Agriculture, Conservation and Forestry may lease, on such terms and conditions as the  
20          director may direct, certain rights and lands within the Coburn Mountain public reserved  
21          lands in Upper Enchanted Township, Somerset County to the United States Government  
22          or the United States Customs and Border Protection. The lease is limited to the rights to  
23          maintain, operate, expand, modernize and improve existing public safety communications  
24          facilities located within the Coburn Mountain public reserved lands, including access  
25          rights necessary to service such facilities; and be it further

26          **Sec. 2. Director of Division of Parks and Public Lands authorized, but**  
27          **not directed, to convey certain land in Dover-Foxcroft, Piscataquis County.**  
28          **Resolved:** That the Director of the Division of Parks and Public Lands within the  
29          Department of Agriculture, Conservation and Forestry may by quitclaim deed without  
30          covenant convey for appraised fair market value and other compensation and on such  
31          other terms and conditions as the director may direct 2 parcels of land, one totaling  
32          approximately .44 acre and one totaling approximately .018 acre, to an abutter, Dead  
33          River Company. The 2 parcels to be conveyed are a portion of the state-owned Newport  
34          to Dover-Foxcroft recreational rail trail corridor and associated sidings. The purpose of  
35          this conveyance is to resolve a boundary issue; and be it further

36          **Sec. 3. Director of Division of Parks and Public Lands authorized, but**  
37          **not directed, to convey certain land in Dover-Foxcroft, Piscataquis County.**  
38          **Resolved:** That the Director of the Division of Parks and Public Lands within the  
39          Department of Agriculture, Conservation and Forestry may by quitclaim deed without  
40          covenant convey for appraised fair market value and other compensation and on such  
41          other terms and conditions as the director may direct a parcel of land totaling

1 approximately .17 acre to an abutter, McKusick Petroleum Company. The parcel to be  
2 conveyed is a .17-acre portion of the state-owned Newport to Dover-Foxcroft recreational  
3 rail trail corridor and associated sidings. The purpose of this conveyance is to resolve a  
4 boundary issue; and be it further

5 **Sec. 4. Director of Division of Parks and Public Lands authorized, but**  
6 **not directed, to convey certain land in Adamstown Township, Oxford**  
7 **County. Resolved:** That the Director of the Division of Parks and Public Lands within  
8 the Department of Agriculture, Conservation and Forestry may by quitclaim deed without  
9 covenant convey for appraised fair market value and on such other terms and conditions  
10 as the director may direct certain lots or parcels of land, with a total of approximately 24  
11 acres, to the West Richardson Pond Public Lot Association.

12 The parcels to be conveyed are located on a 24-acre lease lot subdivision portion of  
13 the Richardson Lake public reserved lands. The 12 lots are on the southwestern shoreline  
14 of West Richardson Pond and extend from the Lincoln Plantation and Adamstown  
15 Township town line south to Route 16 and are also located between the Richardson Lake  
16 public reserved lands access road and the shoreline of West Richardson Pond. The parcels  
17 are currently leased to 10 camp lot lessees who are members of the West Richardson  
18 Pond Public Lot Association.

#### 19 SUMMARY

20 This resolve allows the Director of the Division of Parks and Public Lands within the  
21 Department of Agriculture, Conservation and Forestry to lease rights and lands within the  
22 Coburn Mountain public reserved lands in Upper Enchanted Township, Somerset County  
23 to the United States Government or the United States Customs and Border Protection to  
24 maintain, operate, expand, modernize and improve existing public safety communications  
25 facilities.

26 The resolve allows the director to sell 2 parcels of land in Dover-Foxcroft,  
27 Piscataquis County to an abutter, Dead River Company, to resolve a boundary issue.

28 The resolve allows the director to sell a parcel of land in Dover-Foxcroft, Piscataquis  
29 County to an abutter, McKusick Petroleum Company, to resolve a boundary issue.

30 The resolve allows the director to sell parcels of land in Adamstown Township,  
31 Oxford County to the West Richardson Pond Public Lot Association.