

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 182

House of Representatives, Feb. 23, 1923.

Reported by Mr. Curtis from Committee on State Lands and Forest Preservation and ordered printed and referred to Committee on Judiciary.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Lord of Wells.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

RESOLVE, Relating to the Acquirement of Certain Lands in the Ogunquit Village Corporation in the Town of Wells, for a Public Park, and Making an Appropriation Therefor.

Sesolved: Section 1. That the sum of thirty-five thousand 2 dollars be, and hereby is, appropriated for the purposes of 3 carrying out the provisions of this act.

Sect. 2. Any three citizens of the state of Maine, to be 2 appointed by the governor are hereby constituted a board 3 for the purpose of, and empowered to, acquire by purchase, 4 on behalf of the state, if it is found by said board that it 5 can be purchased at what in their judgment is a fair valua-

6 tion, from the owners thereof, certain land in the county
7 of York, in the town of Wells, in the Ogunquit village
8 corporation, and lying between the thread of the Ogunquit
9 river on the west, and the Atlantic ocean at low water mark
10 on the east, and the boundary line of said Ogunquit village
11 corporation on the north, and the boundary line of land
12 of Walter M. Perkins on the south, together with a road
13 forty feet in width and extending from the land described
14 to the county road, according to the lines of a private way
15 now known as Ocean avenue as presently located. Also
16 the land lying between the thread of the Ogunquit river
17 on the west, and the Atlantic ocean at low water mark on
18 the east, and the county road on the north, comprising the
19 beach and dunes at Ogunquit, for the preservation of said
20 land in its natural state for its scenic beauty and for the
21 full and free use of the public.

Sect. 3. And said board is authorized and directed to
2 accept deed of said lands, in the name of the state of Maine,
3 after title to same has been investigated by the attorney
4 general of Maine, but it is hereby provided that the aggre-
5 gate price paid for such lands shall not exceed the amount
6 appropriated by the legislature, or given, for the purposes
7 of this act.

Sect. 4. In case the owner or owners of any land or lands
2 herein described decline to sell the same for a price deemed
3 reasonable by said board, said board is hereby authorized,
4 directed and empowered to take and appropriate the afore-

5 said land or any portion thereof in the name of the state
6 and for the uses herein set forth and for this purpose the
7 said board shall cause the said described land or any
8 portion thereof to be surveyed, located and so described,
9 that the same may be identified, and a plan of said described
10 land or portion thereof, together with a copy of the pro-
11 ceedings of said board in the taking and appropriation
12 under this act shall be filed and recorded by said board
13 in the office of the register of deeds for the county of York
14 and also in the office of the secretary of state, whereupon
15 title to the aforesaid lands, or portion thereof, shall vest
16 in the state of Maine.

Sect. 5. The owner or owners of any lands taken as
2 provided under the terms of this act shall have a just
3 compensation therefor, the same to be ascertained and
4 determined in the same manner and by proceedings similar
5 to those provided in chapter twenty-four of the revised
6 statutes for ascertaining damages in the location of high-
7 ways, providing that application for the determination of
8 said damages shall be made within three years after the
9 said lands are taken under the provisions of this act, and
10 either the said state or the owner or owners of said lands,
11 so taken, may make the application herein provided for,
12 for the determination of said damages.

Sect. 6. The members of the board created under this
2 act shall receive no compensation for their services, but
3 shall be paid all expenses actually incurred in carrying out

4 the provisions of this act; said expenses to be paid on
5 approval of the governor and council.

Sect. 7. Said board is hereby authorized to employ agents
2 and such other persons as the said board may deem neces-
3 sary to carry out the provisions of this act and all expenses
4 thus incurred shall be paid upon the approval of the
5 governor and council as provided in section six of this act.

Sect. 8. The said board is hereby authorized to receive in
2 behalf of said state gifts of any portion of said land
3 described by deed of trust, or any sum or sums of money
4 for the purposes of this act, and all money so received shall
5 be used for the purposes of this act, and in all particulars
6 as though the same had been appropriated by the legisla-
7 ture for the purposes herein specified and set forth.