

MAINE STATE LEGISLATURE

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STATE OF MAINE

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N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 1139

S. P. 406

In Senate, March 6, 1957

Referred to the Committee on Business Legislation, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Pike of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Mortgage Loans by Savings Banks.

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

R. S., c. 59, § 19-H, sub-§ I, ¶ F, amended. Paragraph F of subsection I of section 19-H of chapter 59 of the Revised Statutes, as enacted by section 1 of chapter 380 of the public laws of 1955, is hereby amended to read as follows:

'F. Any interest in real property which may now be mortgaged to a savings bank under the provisions of paragraphs A to E, inclusive, ~~of this subsection~~ may be mortgaged to secure existing debts or obligations, to secure debts or obligations created simultaneously with the execution of the mortgage, to secure future advances necessary to protect the security and to secure future advances to be made at the option of the parties ~~up to a total amount stated in the mortgage~~, and all such debts, obligations and future advances shall, from the time the mortgage is filed for record as provided by law, be secured by such mortgage equally with, and have the same priority over the rights of all persons who subsequent to the recording of such mortgage acquire any rights in or liens upon the mortgaged real estate, as the debts and obligations secured thereby at the time of the filing of the mortgage for record ~~to the extent that the aggregate amount outstanding at any one time when added to the balance due on the original indebtedness shall not exceed the amount stated in the mortgage as such aggregate amount~~; except that: The provisions of this paragraph shall apply to all banks and trust companies.

1. The mortgagor or his successor in title is hereby authorized to file for record, and the same shall be recorded in the same recording office as

the original mortgage, notice limiting the amount of optional future advances secured by such mortgage to not less than the amount actually advanced at the time of such filing, provided a copy of such filing is also filed with the mortgagee, and

2. If any optional future advance shall be made by the mortgagee to the mortgagor or his successor in title after written notice is received by the mortgagee of any mortgage, lien or claim against such real property which is junior to such mortgage, then the amount of such advance shall be junior to such mortgage, lien or claim of which such written notice was given.'