

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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RESOLVES  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
**FIRST REGULAR SESSION**

of the  
**ONE HUNDRED AND EIGHTH LEGISLATURE**

1977

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## CHAPTER 32

### RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with Brown Company.

Director of Bureau of Public Lands; authorized to consummate exchange of public reserved lands. Resolved: That the Director of the Bureau of Public Lands is authorized to consummate the exchange of lands contemplated by the agreement dated February 9, 1977, between the State of Maine and Brown Company, a copy of which is attached to this resolve and is incorporated herein for all purposes. Any and all lands received by the State pursuant to said exchange shall be, for all purposes, public reserved land of the State of Maine and shall be held in trust by the State under the same terms and conditions as apply to other public reserved lands.

THIS AGREEMENT dated February 9, 1977 between BROWN COMPANY, a Delaware corporation duly authorized to do business in Maine and having a place of business at 650 Main Street, Berlin, New Hampshire (herein called "Brown Company"), and the State of Maine (acting through its Commissioner of Conservation and its Director of the Bureau of Public Lands, herein called "State of Maine"), is witness to the following:

1. Brown Company agrees to convey to the State of Maine by quitclaim deed all of its right, title and interest in the real estate described in Exhibit A attached.

2. The State of Maine agrees to convey to Brown Company by quitclaim deed, all of its right, title and interest in the real estate described in Exhibit B attached.

3. In the deed referred to in the foregoing paragraph 1, Brown Company shall further grant to the State of Maine, for access to lands granted in said deed, the non-exclusive right to cross its lands with men and equipment, insofar as it owns that right, as follows:

- (a) Those lands owned by Brown Company and lying adjacent to the Grafton and Riley parcels,
- (b) Those lands owned by Brown Company and lying adjacent to the Richardson (T4, R1, W.B.K.P.) parcel,
- (c) Those lands owned by Brown Company in Township Letter "D" W.B.K.P. lying adjacent to the Long Pond parcel, and
- (d) Those lands owned by Brown Company and lying adjacent to the 25-acre Lynchtown (T5, R4, W.B.K.P.) parcel reserved by the State of Maine.

4. The right to cross with men and equipment shall include the right to construct, repair, maintain and use roads, bridges and other facilities for forest operations and other land management purposes, by the parties hereto and their respective agents, employees, contractors, and by the lessees of the parties and the lessees' guests, but the right shall not include access by the general public, and the right shall be exercised in a way which does not unreasonably interfere with the owner's use of such lands.

5. With respect to rights of crossing which are provided for herein, the parties agree that they shall use existing roads where practicable and that any new roads shall be located in a mutually agreeable place which is reasonably convenient for access. In the event of a disagreement as to location, the parties shall promptly submit to a binding arbitration of the precise location.

6. In the deed referred to in paragraph 1, Brown Company shall further grant to the State of Maine, for the benefit of the general public, a right of way for access by foot along the Speck Pond Trail, Shelter Brook Trail and Carol Col Trail, as presently laid out on the ground, or as subsequently re-located, from the Success Pond Road, so called, in Coos County, New Hampshire, to the parcels in Grafton and Riley and along the Appalachian Trail, as presently laid out on the ground, or as subsequently re-located, from Route 17 in Letter "D", W.B.K.P. to the Long Pond parcel.

7. With respect to the leases listed in Exhibit C attached, the parties agree that as of the date of the exchange of closing documents hereunder, the respective grantee of the leased properties shall, as of that date, assume all obligations and benefits of the lessor under said leases; and the respective grantor shall hold the respective grantee harmless from any claims accruing prior to the date of exchange of the closing documents hereunder, and the State of Maine shall hold the Brown Company harmless from any claims and obligations arising subsequent to the date of exchange of the closing documents hereunder.

8. The parties to this Agreement are aware that legislative approval is a prerequisite to the performance of the terms of this Agreement and that it is therefore contingent upon the granting of such authority. Documents required to accomplish the terms of this Agreement shall be exchanged promptly following legislative approval. This Agreement may be cancelled by written notice by either party to the other at any time prior to the exchange of said documents.

9. This Agreement shall be binding upon, and shall inure to the benefit of, the successors and assigns of the parties hereto.

BROWN COMPANY

STATE OF MAINE

By: JOHN H. BORK  
GENERAL MANAGER  
WOODLANDS

By: LEE M. SCHEPPS, DIRECTOR  
BUREAU OF PUBLIC LANDS

APPROVED: RICHARD E. BARRINGER, COMMISSIONER  
DEPARTMENT OF CONSERVATION

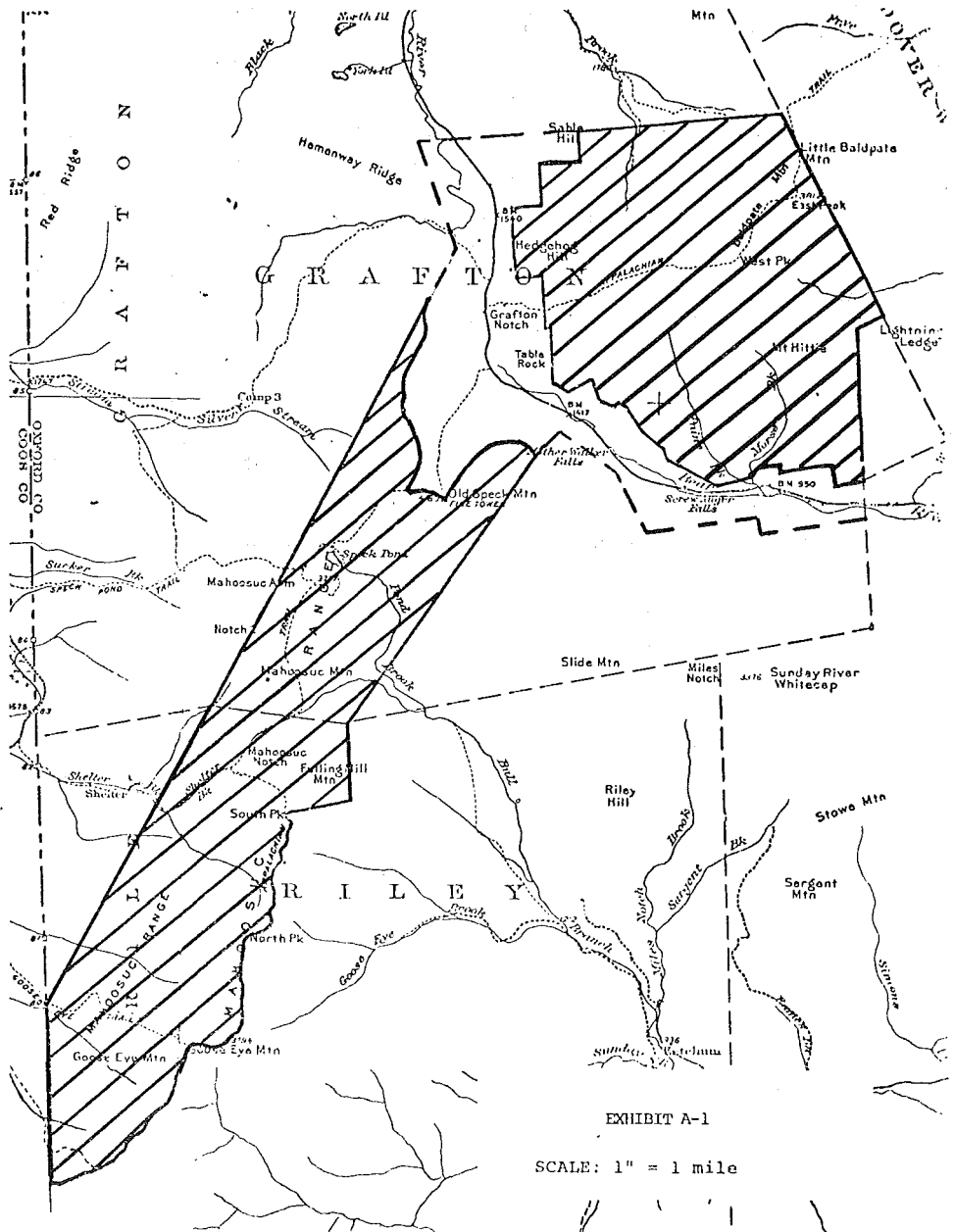
EXHIBIT A  
BROWN COMPANY LANDS TO STATE

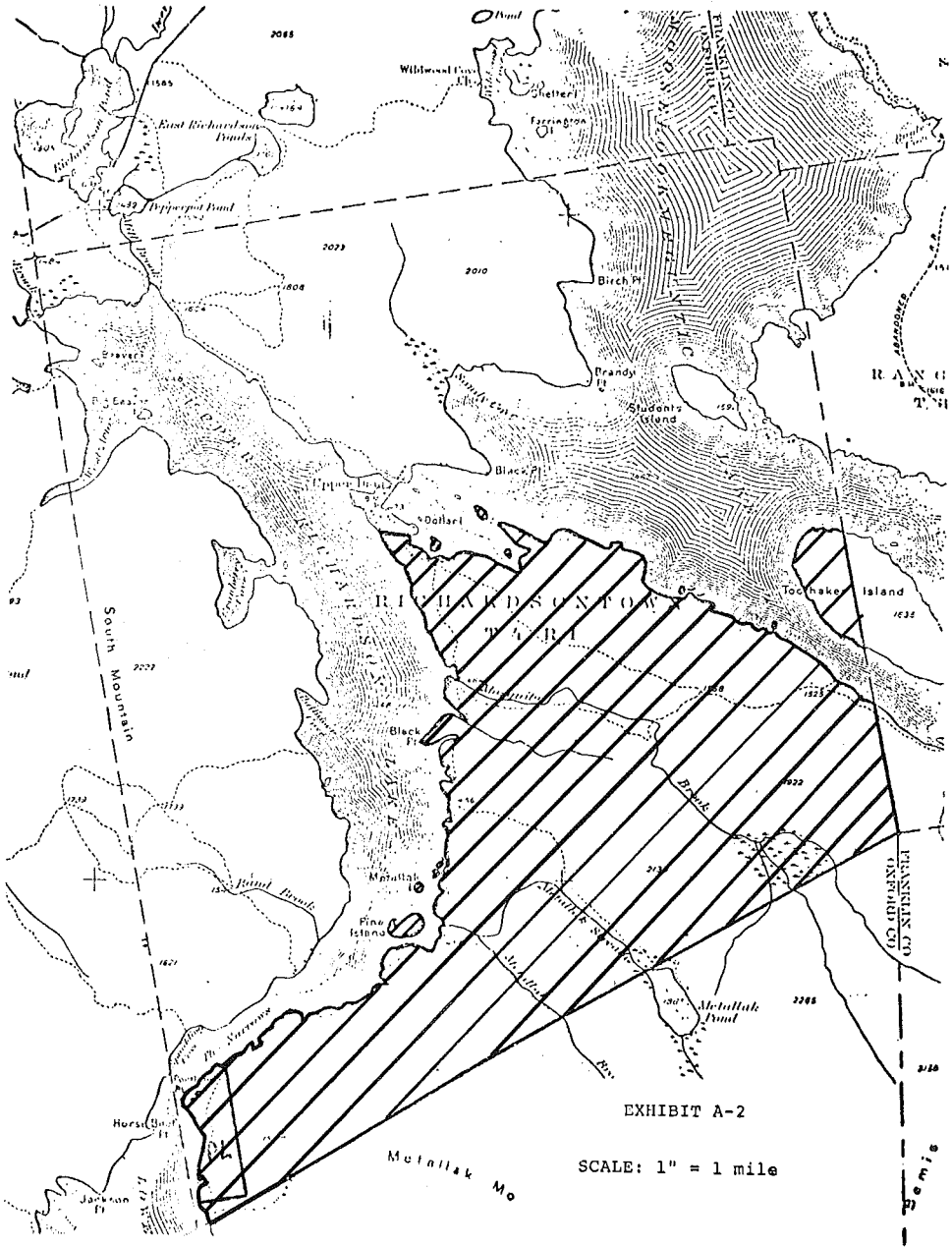
Township	Acreeage
T. A, 1 (Riley)	3,662
T. A, 2 (Grafton)	7,318
T.4, R.1, WBKP (Richardsontown)*	3,187
T.2, R.6, WBKP (Chain of Ponds)*	1,041
T.D.	150
TOTAL ACREAGE	15,358

All approximately as shown on the maps attached hereto as Exhibits A-1, A-2, A-3 and A-4.

Brown Company shall convey its interest in and the State shall retain timber and grass rights on public lots in T.4, R.1, WBKP (83 acres) and T.5, R.4, WBKP (25 acres).

\*Brown Company shall convey to the State of Maine these parcels together with all of Brown Company's right, title and interest to any submerged lands adjacent thereto, extending to the natural water mark.





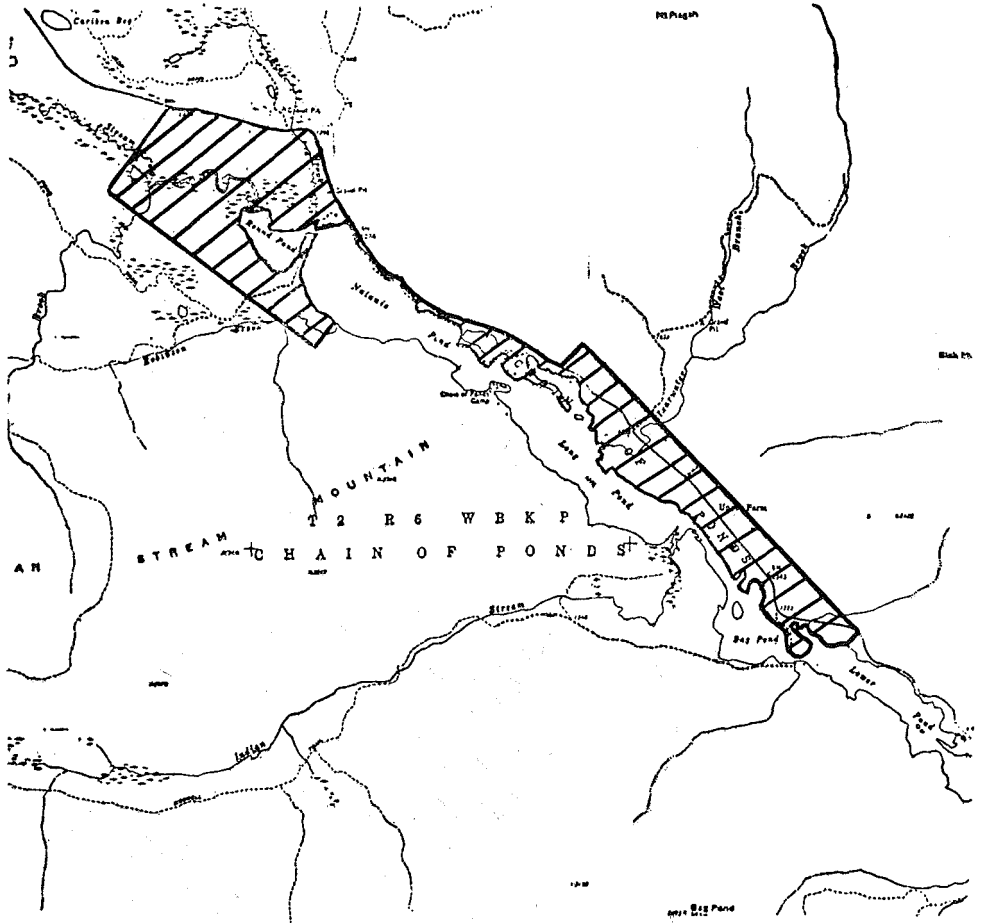


EXHIBIT A-3

SCALE: 1" = .6 miles



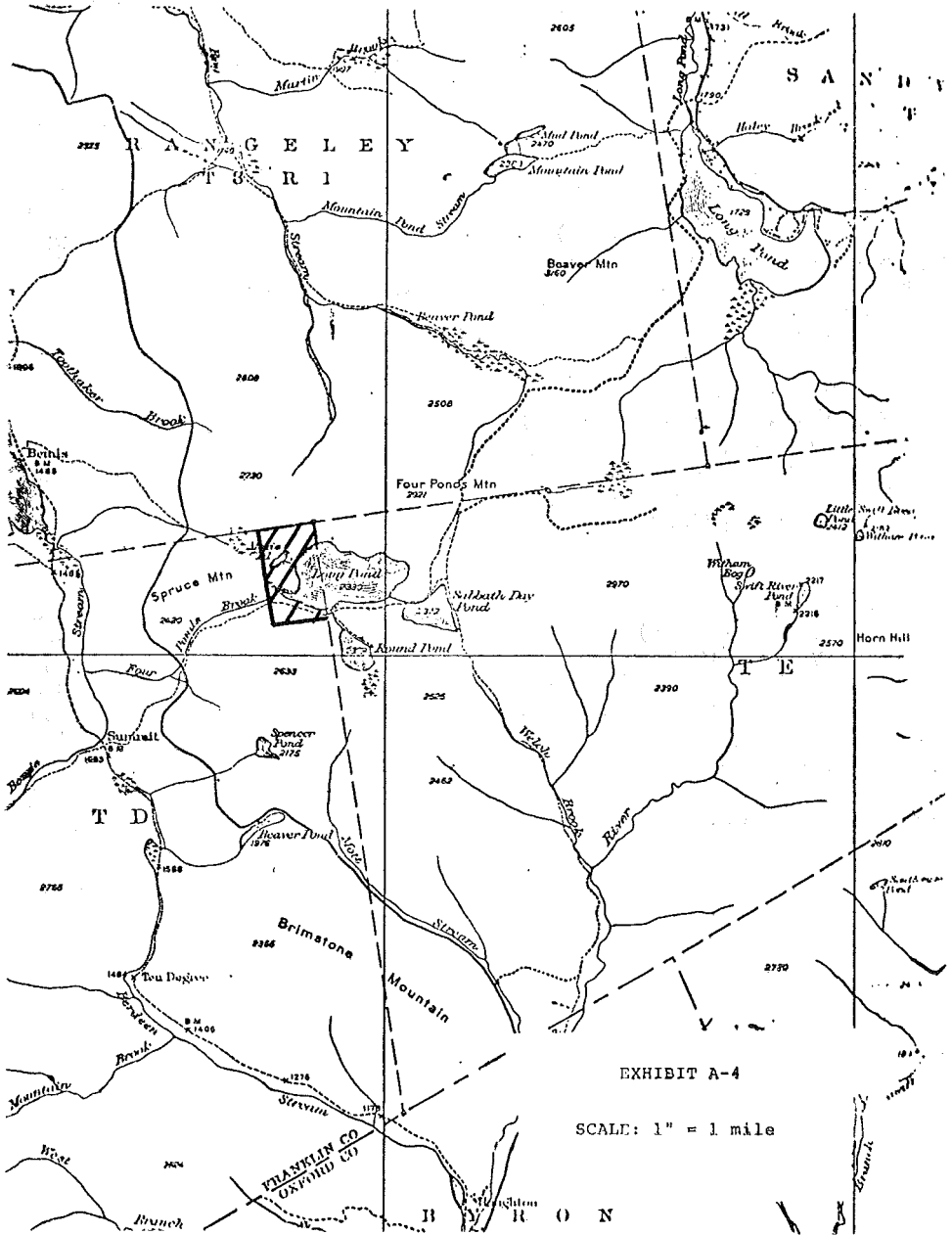


EXHIBIT B

STATE LANDS TO BROWN COMPANY

Township	Acreage
T.2, R.5, WBKP (Alder Stream)	1,000
T.5, R.5, WBKP (Parmachenee)	480
T.3, R.4, WBKP (Stetsontown)	959
T.5, R.4, WBKP (Lynchtown)	935
(Reserving to the State 25 acres approximately as shown on the map attached hereto as Exhibit B-1)	
T.5, R.3, WBKP (Parkertown)	960
T.4, R.2, WBKP (Adamstown)	320
T.6, North of Weld	320
T.2, R.6, WBKP (Chain of Ponds)	1,000
T.3, R.6, WBKP (Mass Gore)	392
T.3, R.5, WBKP (Seven Ponds)	1,000
T.5, R.5, WBKP (Parmachenee)	164
T.2, R.4, WBKP (Tim Pond)	980
T.D.	960
T.C.	320
T.C. Surplus	213
T.3, R.3, WBKP (Davis)	320
T.4, R.1, WBKP (Richardsontown)	237
T.4, R.3, WBKP (Lower Cupsuptic)	320
T.4, R.4, WBKP (Upper Cupsuptic)	320
T.4, R.5, WBKP (Oxbow)	157
T.6, North of Weld	320
<b>TOTAL ACREAGE</b>	<b>11,677</b>

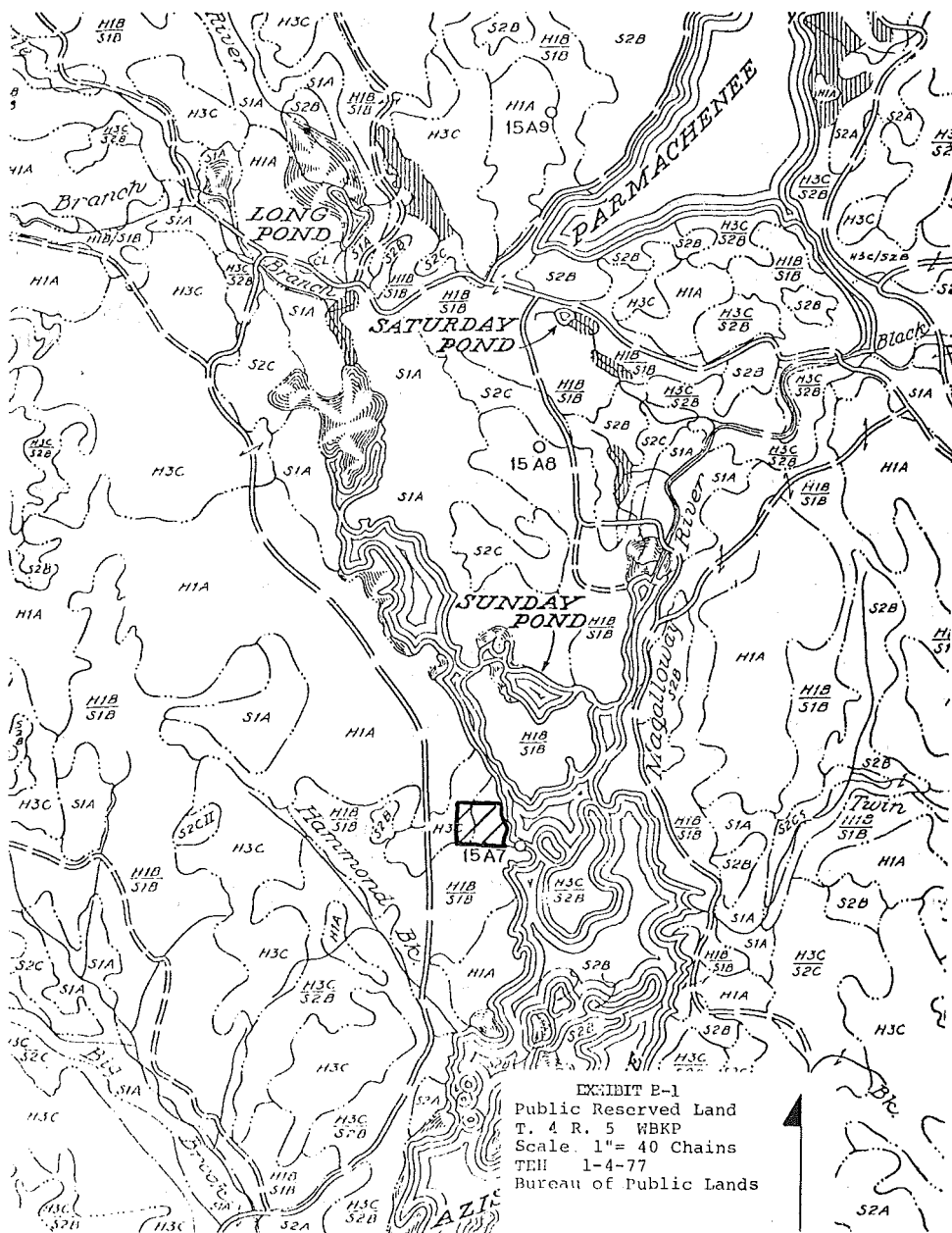


EXHIBIT E-1  
Public Reserved Land  
T. 4 R. 5 WBKP  
Scale 1"= 40 Chains  
TEH 1-4-77  
Bureau of Public Lands

EXHIBIT C

I. Leases currently on Public Lots

Lessee	Lease No.	Township
Brown Company	17809-R.O.W.-I	T.4, R.3, W.B.K.P.
Brown Company	17819-R.O.W.-I	T.4, R.4, W.B.K.P.
New England Telephone Company	17866-1-00U	T.3, R.3, W.B.K.P.

Lessee	Lease No.	Township
Kennebago Lake Camps	07806.L.182	T.3, R.3, W.B.K.P.
Linnell, Claude C.	17810.L.2	T.5, R.4, W.B.K.P.
Mason, Priscilla	07823.L.4	T.3, R.4, W.B.K.P.
Watson, Hildegard	07823.L.2	T.3, R.4, W.B.K.P.
Gray Logging Company, Inc.	17815.L.1	T.5, R.5, W.B.K.P.
Kennebago Lake Camps	07806.L.181A	T.3, R.3, W.B.K.P.
Kennett, Ervil & Doris	17818.L.1	T.4, R.1, W.B.K.P.
Morton, Donald C.	17809.L.3	T.4, R.3, W.B.K.P.
Turner, James L.	17809.L.2	T.4, R.3, W.B.K.P.
Trudel, Ronica	17809.L.4	T.4, R.3, W.B.K.P.

2. Leases currently on Brown Company ownership

Lessee	Lease Date	Township	Brown Co. Interest
Charron, Felix	8/1/73	T.2, R.6, W.B.K.P.	100%
Chase, Richard & Joan	3/1/73	"	"
Davidson, Durward & Lloyd	6/1/71	"	"
Hanson, Norman & Ruth	9/1/73	"	"
Lidstone, Dr. F. B.	6/1/73	"	"
McKee, Ivan N.	3/1/73	"	"
Martin, Curtis & Roland	8/1/73	"	"
Moorgate, Inc.	3/1/73	"	"
Richards, William	6/1/73	"	"
Titcomb, Raymond	9/1/73	"	"
Trundy, Rudolph C.	9/1/73	"	"
Gamache, Aurel, Laurent & Arthur	5/1/76	"D" Township	"
Downs, Eliason & Robert	11/1/74	T.4, R.1, W.B.K.P.	1/3
Lincoln, Carlisle & Patty	6/10/75	T.4, R.1, W.B.K.P.	1/3
McCormick, Fred	6/30/76	T.4, R.1, W.B.K.P.	1/3

Effective October 24, 1977

## CHAPTER 33

**RESOLVE, Authorizing the Department of Mental Health and Corrections to Convey by Sale the Interest of the State in Certain Lands and Buildings of the Maine Correctional Center at Skowhegan.**

**Mental Health and Corrections authorized to convey land by sale. Resolved:**

1. **Authorization to convey.** That the Department of Mental Health and Corrections is authorized to convey by sale the interest of the State in lands and structures as noted below to be made to the highest bidder; provided

A. That notice of the sale is published 3 times, once each week for 3 consecutive weeks, in a newspaper of general circulation in the State;