

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

(4) Filing of a statement of claim under subsection 3.

2. Claim. A person claiming an estate in a mineral interest may maintain an action, as provided in sections 6651 to 6654 or sections 6655 to 6657, without the necessity of showing 4 years of possession next prior to filing of that complaint, provided that the person is the fee simple owner of the land which is subject to that interest.

3. Assertion of claim. An owner, assignee or lessee of a mineral interest may file a statement of claim with the registrar of deeds of the county in which the land subject to the mineral interest is located. The claim shall contain his name and address, a description of the land that is subject to that interest and a legal description of the mineral interest.

4. Court; finding. The court, in an action brought under subsection 2, shall find that the mineral interest is extinguished and shall order that title to the mineral interest is in the complainant if:

A. The owner, assignee or lessee of the mineral interest has failed to make use of the mineral interest during a period of 50 consecutive years next prior to the filing of the complaint; and

B. Two years have passed since notice of the complaint under subsection 2 was served and the owner, assignee or lessee of the mineral interest has not filed a statement of claim under subsection 3 during that period.

Effective September 23, 1983.

CHAPTER 190

H.P. 603 - L.D. 751

AN ACT to Exempt Clustered Single
Family Subdivisions from the Maine
Condominium Act.

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

33 M.R.S.A. §1601-103, ¶(7), as enacted by PL 1981, c. 699, is amended to read:

(7) "Condominium" means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions under a declaration, or an amendment to a declaration, duly recorded pursuant to this Act. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners; Any real estate development consisting exclusively of clustered, detached, single family residences is not a condominium, unless so designated in the declaration;

Effective September 23, 1983.

CHAPTER 191

H.P. 700 - L.D. 889

AN ACT to Amend the Procedure for Assessing Surveying Costs in Court Cases.

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

14 MRSA §6852, as amended by PL 1977, c. 72, is further amended to read:

§6852. Fees of surveyor; determination of amount paid by parties

The amount of the fees and necessary expenses of such the surveyor shall be fixed and determined by the court upon the acceptance of the report, and shall be paid as follows: if the court is of the opinion that such fees and expenses, or some portion of the same, ought to be paid by the county, then the amount thereof to be paid by the county, whether the whole or a part, shall, after notice and hearing to the county, be fixed and determined by the court and the amount so fixed and determined shall be paid by the county on presentation of the proper certificate of the clerk of courts for that county. After notice to all parties and a hearing held thereon, if the court is of the opinion that the whole or any part or portion of such fees and expenses should be paid by the parties to the action, or by either of such parties, then the court may fix and determine the amount to be paid by such the parties to the action, or by either of such the parties, and the amount determined to be due from such the parties, or by either of such the parties, shall have the force and effect of a