

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

appropriate rights of access, including access by pedestrians, vehicles and utilities.

The state property may be sold in whole or in part at the discretion of the commissioner, subject to such permits or approvals as may be required by law; and be it further

Sec. 4. Property to be sold as is. Resolved: That the commissioner may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property must be sold as is, without any representations or warranties.

Title must be transferred by quitclaim deed without covenant and executed by the commissioner; and be it further

Sec. 5. Exemptions. Resolved: That any lease or conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

Sec. 6. Authorization to apply. Resolved: That following the conveyance of the land and buildings, the district is authorized to apply for a state subsidy to renovate and redevelop the property for use as an elementary school as a school construction project under the Maine Revised Statutes, Title 20-A, section 15901, subsection 4, paragraph E; a permanent space lease-purchase project under Title 20-A, section 15901, subsection 4-B; a school revolving renovation fund project under Title 30-A, section 6006-F; or a combination of those programs; and be it further

Sec. 7. Option agreement. Resolved: That the commissioner is authorized to enter into an option agreement with the board directors of the district for a term of up to 2 years to convey to the district at no cost the property described in section 3 of this resolve. The commissioner may, at the commissioner's discretion, extend the option period for up to one year beyond the original option term.

During the option period, the district must be permitted to conduct inspections, tests and environmental scans of the property with prior notification to the State. Any inspections, tests or environmental scans conducted by the district may not be conducted so as to interfere with the State's printing operation or the State's use of the property in general. The board of directors of the district is authorized to exercise the option and to acquire property on behalf of the district at any time during the option period; and be it further

Sec. 8. Debt authorized. Resolved: That subject to approval by the voters of the district, the district is authorized to issue bonds, notes and other

evidence of indebtedness of the district for the purpose of redeveloping and renovating the property for use as an elementary school; and be it further

Sec. 9. Appraisal. Resolved: That, upon the expiration of the option period specified in section 7 of this resolve or of the extended option period if granted, the commissioner shall have the current market value of the property described in section 3 of this resolve determined by an independent appraiser. The commissioner may list the property for sale or lease with private real estate brokers at its appraised value and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers; and be it further

Sec. 10. Repeal. Resolved: That this resolve is repealed 5 years after its effective date.

See title page for effective date.

CHAPTER 14

S.P. 65 - L.D. 236

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in 6 Parcels of Land, One with a Building, Held by the Department of Education and Located in the Unorganized Territories

Sec. 1. Definitions. Resolved: That as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.
2. "State property" means the real and personal property described in section 3; and be it further

Sec. 2. Authority to convey property. Resolved: That the State, by and through the commissioner, may:

1. Lease or sell, including by public auction, the interests of the State in the state property;
2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interest; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

Sec. 3. Property interests that may be conveyed. Resolved: That the state property authorized to be sold, leased or purchased is the following:

1. A parcel of land held by the Department of Education and known as the Songo School, located along Crocker Pond Road in Albany Township, Oxford County and depicted on Unorganized Territory Tax Map OX016, Plan 1 as Lot 57, approximately .6 acre, and described in Oxford County Registry of Deeds B123, P218; B262, P543; and B377, P381;

2. A parcel of land held by the Department of Education and known as the Dresser School, located in Albany Township, Oxford County and depicted on Unorganized Territory Tax Map OX016, Plan 2 as Lot 208, approximately .25 acre, and described in Oxford Eastern Division County Registry of Deeds, B310, P227;

3. A parcel of land held by the Department of Education and known as the Clark School, located in Albany Township, Oxford County and depicted on Unorganized Territory Tax Map OX016, Plan 2 as Lot 110, approximately .19 acre, and described in Oxford County Registry of Deeds B78, P173 and B330, P474;

4. The State's interest in a parcel of land held by the Department of Education located in Lambert Lake Township, Washington County and depicted on Unorganized Territory Tax Map WA020, Plan 2 as Lot 6, approximately .25 acre, and described in Washington County Registry of Deeds B325, P127;

5. A parcel of land held by the Department of Education and known as the Caswell School, located in T17 R4 Township, Sinclair, Aroostook County and depicted on Unorganized Territory Tax Map AR021, Plan 5 as Lot 12, approximately one acre, and described in Northern Aroostook County Registry of Deeds B93, P183; and

6. A parcel of land with a building located on the land, held by the Department of Education, known as the Blaine School, located in Rockwood Strip Township, Somerset County and depicted on Unorganized Territory Tax Map SO033, Plan 8 as Lot 47, approximately one acre with building, and described in Somerset County Registry of Deeds B355, P107.

The state property may be sold in whole or in part, at the discretion of the commissioner, subject to such permits or approvals as may be required by law; and be it further

Sec. 4. Property to be sold as is. Resolved: That the commissioner may negotiate and execute leases and purchase and sale agreements upon those terms the commissioner considers appropriate; however, the state property must be sold as is, without any representations or warranties.

Title must be transferred by quitclaim deed without covenant and executed by the commissioner; and be it further

Sec. 5. Exemptions. Resolved: That any lease or conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

Sec. 6. Purchase price. Resolved: That the commissioner shall have the current market value of the state property determined by an independent appraiser. The commissioner may list the property for sale or lease with private real estate brokers at its appraised value and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers.

The commissioner shall establish the rent or purchase price and the terms of lease or sale.

If the commissioner elects to solicit bids, the commissioner shall publish notices of sale sufficient to advertise the property. The commissioner may reject any bids; and be it further

Sec. 7. Proceeds. Resolved: That any net proceeds, purchase price less closing and disposition costs incurred by the Department of Administrative and Financial Services, from the sale of the property must be deposited in the Unorganized Territory Education and Services Fund. These funds must be carried forward until expended; and be it further

Sec. 8. Repeal. Resolved: That this resolve is repealed 3 years from its effective date.

See title page for effective date.

