



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1527

H.P. 1100

House of Representatives, May 9, 2013

**Resolve, Authorizing the Department of Agriculture, Conservation
and Forestry, Division of Parks and Public Lands To Convey
Certain Lands and Enter into Certain Leases with the Federal
Government**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative DILL of Old Town. (GOVERNOR'S BILL)

Cosponsored by Senator JACKSON of Aroostook and

Representatives: BLACK of Wilton, CRAY of Palmyra, MAREAN of Hollis, TIMBERLAKE of Turner.

1 **Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real
2 estate held by the State for conservation or recreation purposes may not be reduced or its
3 uses substantially altered except on the vote of 2/3 of all members elected to each House.

4 **Whereas,** certain real estate authorized for conveyance by this resolve is under the
5 designations described in the Maine Revised Statutes, Title 12, section 598-A; and

6 **Whereas,** the Director of the Division of Parks and Public Lands within the
7 Department of Agriculture, Conservation and Forestry may lease public reserved lands to
8 the Federal Government with the approval of the Legislature in accordance with the
9 Maine Revised Statutes, Title 12, section 1852, subsection 7; and

10 **Whereas,** the Director of the Division of Parks and Public Lands within the
11 Department of Agriculture, Conservation and Forestry may sell lands with the approval
12 of the Legislature in accordance with the Maine Revised Statutes, Title 5, section 6209,
13 subsection 6 and Title 12, section 1814 and section 1851, subsections 1 and 2; now,
14 therefore, be it

15 **Sec. 1. Director of Division of Parks and Public Lands authorized, but**
16 **not directed, to lease certain land within the Coburn Mountain public**
17 **reserved lands in Upper Enchanted Township, Somerset County. Resolved:**
18 That the Director of the Division of Parks and Public Lands within the Department of
19 Agriculture, Conservation and Forestry may lease, on such terms and conditions as the
20 director may direct, certain rights and lands within the Coburn Mountain public reserved
21 lands in Upper Enchanted Township, Somerset County to the United States Government
22 or the United States Customs and Border Protection. The lease is limited to the rights to
23 maintain, operate, expand, modernize and improve existing public safety communications
24 facilities located within the Coburn Mountain public reserved lands, including access
25 rights necessary to service such facilities; and be it further

26 **Sec. 2. Director of Division of Parks and Public Lands authorized, but**
27 **not directed, to convey certain land in Dover-Foxcroft, Piscataquis County.**
28 **Resolved:** That the Director of the Division of Parks and Public Lands within the
29 Department of Agriculture, Conservation and Forestry may by quitclaim deed without
30 covenant convey for appraised fair market value and other compensation and on such
31 other terms and conditions as the director may direct 2 parcels of land, one totaling
32 approximately .44 acre and one totaling approximately .018 acre, to an abutter, Dead
33 River Company. The 2 parcels to be conveyed are a portion of the state-owned Newport
34 to Dover-Foxcroft recreational rail trail corridor and associated sidings. The purpose of
35 this conveyance is to resolve a boundary issue; and be it further

36 **Sec. 3. Director of Division of Parks and Public Lands authorized, but**
37 **not directed, to convey certain land in Dover-Foxcroft, Piscataquis County.**
38 **Resolved:** That the Director of the Division of Parks and Public Lands within the
39 Department of Agriculture, Conservation and Forestry may by quitclaim deed without
40 covenant convey for appraised fair market value and other compensation and on such
41 other terms and conditions as the director may direct a parcel of land totaling

1 approximately .17 acre to an abutter, McKusick Petroleum Company. The parcel to be
2 conveyed is a .17-acre portion of the state-owned Newport to Dover-Foxcroft recreational
3 rail trail corridor and associated sidings. The purpose of this conveyance is to resolve a
4 boundary issue; and be it further

5 **Sec. 4. Director of Division of Parks and Public Lands authorized, but**
6 **not directed, to convey certain land in Adamstown Township, Oxford**
7 **County. Resolved:** That the Director of the Division of Parks and Public Lands within
8 the Department of Agriculture, Conservation and Forestry may by quitclaim deed without
9 covenant convey for appraised fair market value and on such other terms and conditions
10 as the director may direct certain lots or parcels of land, with a total of approximately 24
11 acres, to the West Richardson Pond Public Lot Association.

12 The parcels to be conveyed are located on a 24-acre lease lot subdivision portion of
13 the Richardson Lake public reserved lands. The 12 lots are on the southwestern shoreline
14 of West Richardson Pond and extend from the Lincoln Plantation and Adamstown
15 Township town line south to Route 16 and are also located between the Richardson Lake
16 public reserved lands access road and the shoreline of West Richardson Pond. The parcels
17 are currently leased to 10 camp lot lessees who are members of the West Richardson
18 Pond Public Lot Association.

19 **SUMMARY**

20 This resolve allows the Director of the Division of Parks and Public Lands within the
21 Department of Agriculture, Conservation and Forestry to lease rights and lands within the
22 Coburn Mountain public reserved lands in Upper Enchanted Township, Somerset County
23 to the United States Government or the United States Customs and Border Protection to
24 maintain, operate, expand, modernize and improve existing public safety communications
25 facilities.

26 The resolve allows the director to sell 2 parcels of land in Dover-Foxcroft,
27 Piscataquis County to an abutter, Dead River Company, to resolve a boundary issue.

28 The resolve allows the director to sell a parcel of land in Dover-Foxcroft, Piscataquis
29 County to an abutter, McKusick Petroleum Company, to resolve a boundary issue.

30 The resolve allows the director to sell parcels of land in Adamstown Township,
31 Oxford County to the West Richardson Pond Public Lot Association.