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Resolve, Authorizing the Reconveyance of Land and Authorizing the Sinclair Sanitary District To Lease Land for Telecommunications Purposes

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

Sec. 1 Reconveyance of land. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall reconvey to the Sinclair Sanitary District the portion of public lot T. 17, together with necessary access rights, that was previously conveyed to the district by the Director of the Bureau of Public Lands pursuant to Resolve 1991, chapter 75, as recorded in Book 0954, Page 107, Aroostook County Registry of Deeds (Northern Division). The deed conveying the property must expressly authorize the Sinclair Sanitary District to lease a portion of the conveyed land for the purpose of constructing, operating, maintaining and replacing a commercial telecommunications tower; and be it further

Sec. 2 Lease. Resolved: That the Sinclair Sanitary District may lease a portion of the land conveyed pursuant to section 1 to Bay Communications II, LLC, its successors or assigns, for the purposes of constructing, operating, maintaining and replacing a commercial telecommunications tower and for the purpose, among other things, of improving local wireless communications service and emergency telecommunications service in the region. The authority granted pursuant to this section is subject to the following conditions.

1. The total area to be leased may not exceed 1.2 acres, which must include all safety or so-called fall zones that may be required by the applicable permitting authority for construction of the tower.

2. The land must be leased by the Sinclair Sanitary District at its fair market lease value. All revenues derived by the district from leasing the land must be applied by the district to reducing the cost of providing wastewater disposal services to the district's ratepayers and customers.

SUMMARY

This resolve directs the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to reconvey to the Sinclair Sanitary District land that was previously conveyed to the district pursuant to Resolve 1991, chapter 75. This resolve also authorizes the Sinclair Sanitary District to lease a portion of that land to Bay Communications II, LLC to build a commercial telecommunications tower.