



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 340

H.P. 245

House of Representatives, February 12, 2013

**Resolve, Authorizing the Sale of Certain Property in Augusta to
Motivational Services, Inc.**

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WILSON of Augusta.
Cosponsored by Senator KATZ of Kennebec and
Representative: POULIOT of Augusta.

1 **Sec. 1. Authority to convey state property. Resolved:** That, notwithstanding
2 any other provision of law, the State, by and through the Commissioner of Administrative
3 and Financial Services, may:

4 1. Convey by sale any or a portion of the interests of the State in the state property
5 described in section 2, with the buildings and improvements, together with all
6 appurtenant rights and easements, and all personal property located on that property,
7 including vehicles, machinery, equipment and supplies, to Motivational Services, Inc., a
8 nonprofit corporation incorporated in the State;

9 2. Negotiate, draft, execute and deliver any documents necessary to settle any
10 boundary line discrepancies;

11 3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter
12 3, the power of eminent domain to quiet for all time any possible challenges to ownership
13 of the state property described in section 2;

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

17 5. Release any interests in the state property described in section 2 that, in the
18 commissioner's discretion, do not contribute to the value of the remaining state property;
19 and be it further

20 **Sec. 2. Property interests that may be conveyed. Resolved:** That the state
21 property authorized to be sold pursuant to section 1 is:

22 1. A parcel or parcels of land and buildings, or any portion of the parcel or parcels of
23 land and buildings, in the City of Augusta, formerly known as "the doctors' houses,"
24 located at 6 and 10 Arsenal Heights Drive on the east campus of the land comprising the
25 site of what is now or was formerly known as the Augusta Mental Health Institute, and
26 any associated land and parking areas determined to be necessary to be included in the
27 conveyance by the Commissioner of Administrative and Financial Services, including,
28 but not limited to, all or a portion of the properties described in deeds recorded in the
29 Kennebec County Registry of Deeds: Book 61, Page 172; Book 98, Page 345; Book 98,
30 Page 346; Book 151, Page 380; Book 462, Page 361; and Book 2380, Page 189; and be it
31 further

32 **Sec. 3. Property to be sold "as is." Resolved:** That the Commissioner of
33 Administrative and Financial Services may negotiate and execute purchase and sale
34 agreements upon terms the commissioner considers appropriate; however, the state
35 property described in section 2 must be sold "as is," with no representations or warranties.
36 Title must be transferred by quitclaim deed without covenant or release deed and
37 executed by the commissioner; and be it further

38 **Sec. 4. Exemptions. Resolved:** That any lease or conveyance pursuant to this
39 resolve is exempt from the provisions of the Maine Revised Statutes, Title 5, section 1783
40 and any statutory or regulatory requirement that the state property described in section 2

1 first be offered to the Maine State Housing Authority or another state or local agency or
2 offered through competitive bidding; and be it further

3 **Sec. 5. Proceeds. Resolved:** That any proceeds from the sale or lease of the state
4 property described in section 2 pursuant to this resolve must be deposited into the
5 Department of Administrative and Financial Services, Bureau of General Services capital
6 repair and improvement account for capital improvements.

7 **SUMMARY**

8 This resolve gives the Commissioner of Administrative and Financial Services
9 authority to sell to Motivational Services, Inc., the property now or formerly known as
10 "the doctors' houses" located at 6 and 10 Arsenal Heights Drive on the east campus of the
11 land comprising the site of what is now or was formerly known as the Augusta Mental
12 Health Institute.