



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1424

H.P. 970

House of Representatives, May 19, 2015

**Resolve, Authorizing Certain Land Transactions by the Department  
of Agriculture, Conservation and Forestry, Bureau of Parks and  
Lands**

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HICKMAN of Winthrop. (GOVERNOR'S BILL)

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 Bureau of Parks and Lands within the Department of  
7           Agriculture, Conservation and Forestry may sell or exchange lands or interests in lands  
8           with the approval of the Legislature in accordance with the Maine Revised Statutes, Title  
9           5, section 6209 and Title 12, sections 1814, 1837 and 1851; now, therefore, be it

10           **Sec. 1. Director of Bureau of Parks and Lands authorized, but not**  
11           **directed, to convey certain interests in lands in Aroostook County in**  
12           **exchange for other interests or properties. Resolved:** That the Director of the  
13           Bureau of Parks and Lands within the Department of Agriculture, Conservation and  
14           Forestry may by quitclaim deed without covenant, for negotiated value, and on such other  
15           terms and conditions as the director may direct, convey or release all interests held by the  
16           bureau in the following properties to Prentiss and Carlisle Company, Inc. and Prentiss  
17           and Carlisle Management Company in exchange for conveyance of property or interests  
18           in properties or other consideration from Prentiss and Carlisle Company, Inc. and Prentiss  
19           and Carlisle Management Company.

20           1. The property interests to be conveyed by the Department of Agriculture,  
21           Conservation and Forestry, by and through the Bureau of Parks and Lands, to Prentiss  
22           and Carlisle Company, Inc. and to Prentiss and Carlisle Management Company on behalf  
23           of other minority interests are all of the State's minority common and undivided interest  
24           in forested acres without flowage easements in T.10 R.4 SE/4, which is approximately  
25           1,329 equivalent acres.

26           2. The property interests to be conveyed by Prentiss and Carlisle Company, Inc. and  
27           Prentiss and Carlisle Management Company on behalf of other minority interests to the  
28           State by and through the Department of Agriculture, Conservation and Forestry, Bureau  
29           of Parks and Lands are:

30           A. All of Prentiss and Carlisle Company, Inc.'s common and undivided interests in  
31           forested acres without flowage easements in T.10 R.4 SE/4 north of Scopan Lake and  
32           all of the remaining minority common and undivided interests in forested acres  
33           without flowage easements in T.10 R.4 SE/4 north of Scopan Lake by and through  
34           Prentiss and Carlisle Management Company, which is together approximately 16  
35           equivalent acres;

36           B. All of Prentiss and Carlisle Company, Inc.'s minority common and undivided  
37           interests in forested acres without flowage easements in T.10 R.4 NE/4 by and  
38           through Prentiss and Carlisle Management Company, which is approximately 309  
39           equivalent acres;

1 C. All of the minority common and undivided interests in T.11 R.4 E/2 by and  
2 through Prentiss and Carlisle Management Company, which is together  
3 approximately 254 equivalent acres; and

4 D. All or a portion of Prentiss and Carlisle Company, Inc.'s interests in T.13 R.5,  
5 T.13 R.13 and T.12 R.13, or other parcels or other consideration from Prentiss and  
6 Carlisle Company, Inc. as may be needed in combination with the foregoing to be of  
7 equivalent value, as determined by the director, to the conveyance of the State to  
8 Prentiss and Carlisle Company, Inc. in T.10 R.4 SE/4 as described in subsection 1;  
9 and be it further

10 **Sec. 2. Director of Bureau of Parks and Lands authorized, but not**  
11 **directed, to convey certain interests in land in Aroostook County in exchange**  
12 **for other interests or properties. Resolved:** That the Director of the Bureau of  
13 Parks and Lands within the Department of Agriculture, Conservation and Forestry may  
14 by quitclaim deed without covenant, for exchange of land or interests in land of  
15 comparable value as determined by an appraiser and on such other terms and conditions  
16 as the director may direct, convey to Smith's Farm, Inc. a certain parcel of land, situated  
17 in the Town of Westfield, on the Southern Bangor and Aroostook Rail Trail, being an  
18 average width of 119 feet and an approximate length of 2,000 feet, or about 5.47 acres;  
19 and be it further

20 **Sec. 3. Director of Bureau of Parks and Lands authorized, but not**  
21 **directed, to convey certain interests in land in Washington County in**  
22 **exchange for other interests or properties. Resolved:** That the Director of the  
23 Bureau of Parks and Lands within the Department of Agriculture, Conservation and  
24 Forestry may by quitclaim deed without covenant, for exchange of land or interests in  
25 land of comparable value as determined by an appraiser and on such other terms and  
26 conditions as the director may direct, convey to Cherryfield Foods, Inc. a certain parcel in  
27 T.24 MD BPP, being 320 acres more or less, in exchange for 320 acres more or less of  
28 land of comparable value in T.24 MD BPP; and be it further

29 **Sec. 4. Director of Bureau of Parks and Lands authorized, but not**  
30 **directed, to convey certain interests in land in Oxford County in exchange for**  
31 **other interests or properties. Resolved:** That the Director of the Bureau of Parks  
32 and Lands within the Department of Agriculture, Conservation and Forestry may by  
33 quitclaim deed without covenant, for exchange of land of comparable value and such  
34 other terms and conditions as the director may direct, convey to Six Rivers Limited  
35 Partnership a parcel of land of approximately 0.4 acre abutting Six Rivers Limited  
36 Partnership lands on Azisochos Lake in Lincoln Plantation, in exchange for  
37 approximately 3.5 acres on the South Arm Road in Township C with access to Lower  
38 Richardson Lake, presently used as a boat launch; and be it further

39 **Sec. 5. Director of Bureau of Parks and Lands authorized, but not**  
40 **directed, to convey certain interests in land in Aroostook County. Resolved:**  
41 That the Director of the Bureau of Parks and Lands within the Department of Agriculture,  
42 Conservation and Forestry may convey the bureau's minority interest to the majority  
43 owners of 2 2-acre camp lot parcels on Scopan Lake, more specifically:

1 1. To convey by quitclaim deed without covenant the bureau's 28.817% interest in a  
2 certain 2-acre parcel, for fair market value, to Robert W. Sawyer, of Ashland, acting on  
3 behalf of majority owners Robert W. Sawyer V and Sawyer Family Limited Partnership,  
4 together owners of 71.183%; and

5 2. To convey by quitclaim deed without covenant the bureau's 28.817% interest in a  
6 certain 2-acre parcel, for fair market value, to Jacque Morneau, of Mapleton, majority  
7 owner of 71.183%; and be it further

8 **Sec. 6. Director of Bureau of Parks and Lands authorized, but not**  
9 **directed, to convey Halfway Rock Island in Casco Bay, Cumberland County.**

10 **Resolved:** That the Director of the Bureau of Parks and Lands within the Department of  
11 Agriculture, Conservation and Forestry may convey, for fair market value and on such  
12 other terms and conditions as the director may direct, Halfway Rock Island in Casco Bay  
13 in the Town of Chebeague Island, being approximately 1.5 acres, to the United States  
14 General Services Administration or its assignee.

15 **SUMMARY**

16 This resolve allows the Director of the Bureau of Parks and Lands within the  
17 Department of Agriculture, Conservation and Forestry to dispose of the bureau's minority  
18 interests in lands adjacent to the bureau's Scopan Public Reserved Lands Unit in  
19 Aroostook County in exchange for interests of comparable value, including all minority  
20 interests held by others in the bureau's Scopan Public Reserved Lands Unit.

21 It allows the director to convey lands along the Southern Bangor and Aroostook Rail  
22 Trail in the Town of Westfield to an abutter, Smith's Farms, Inc. This conveyance is in  
23 exchange for a newly developed trail corridor, located on Smith's Farm property between  
24 the existing rail trail and the Prestile Stream, averaging 99 feet wide and being  
25 approximately 2,400 feet in length, or 5.47 acres.

26 It allows the director to convey an approximately 320-acre parcel in T.24 MD BPP in  
27 Washington County in exchange for a parcel of comparable size and value. Cherryfield  
28 Foods, Inc. will acquire state lands on which it formerly held a lease for blueberry  
29 production, which are surrounded by other lands owned and managed by Cherryfield  
30 Foods, Inc.; and in exchange the bureau will acquire an approximately 320-acre wooded  
31 parcel abutting Mopang Stream, with deeded access.

32 It allows the director to exchange a small parcel of land on Aziscohos Lake, a  
33 discontinued 0.4-acre leased camp lot on public reserved lands, for a 3.5-acre parcel of  
34 land with a small amount of frontage on Lower Richardson Lake, currently used as a boat  
35 launch.

36 It allows the director to convey the bureau's minority interest to the majority interest  
37 family owners of 2 2-acre lots on Scopan Lake for fair market value. These lots, which  
38 are located on the south shore of the lake, are not within the bureau's Scopan Public  
39 Reserved Lands Unit.

1           It allows the director to convey Halfway Rock Island to the United States General  
2 Services Administration or its assignee for fair market value.