

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND THIRTEEN

H.P. 668 - L.D. 955

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Bangor, Boothbay Harbor and Hallowell

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

1. Enter into a lease or leases or convey by sale any or a portion of the interests of the State in the state property, with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies;
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, subchapter 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 interests; 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. 2. Property interests that may be conveyed. Resolved: That the state property authorized to be sold or leased is:

1. A parcel or parcels of land and buildings, or any portion of the parcel or parcels of land and buildings, in the City of Bangor, comprising the site now or formerly known as the Bangor Mental Health Institute, occupied currently in part by the Dorothea Dix Psychiatric Center, and any associated land and parking areas as may be necessary in the determination of the Commissioner of Administrative and Financial Services, including,

but not limited to, all or a portion of the properties described in deeds recorded in the Penobscot County Registry of Deeds: Book 601, Page 24; Book 601, Page 26; Book 601, Page 27; Book 11592, Page 296; and Book 11592, Page 302; and

2. A parcel or parcels of land and buildings, or any portion of the parcel or parcels of land and buildings, in the Town of Boothbay Harbor, now or formerly occupied by the Bigelow Laboratory for Ocean Sciences, and any associated land and parking areas as may be necessary in the determination of the Commissioner of Administrative and Financial Services, including, but not limited to, all or a portion of the properties described on the Town of Boothbay Harbor Tax Map 9, Lots 9 and 31; and be it further

Sec. 3. Property to be sold as is; list property. Resolved: That the Commissioner of Administrative and Financial Services may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property described in section 2 must be sold "as is," with no representations or warranties.

The commissioner may list the state property for sale or lease with private real estate brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers.

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

Sec. 4. Exemptions. Resolved: That any lease or conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the state property described in section 2 first be offered to the Maine State Housing Authority or another state or local agency; and be it further

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

Sec. 6. Resolve 2011, c. 70, Pt. B, §7, amended. Resolved: That Resolve 2011, c. 70, Pt. B, §7, is amended to read:

Sec. B-7. Proceeds. Resolved: That any proceeds from sales pursuant to this Part must be deposited in the ~~Maine State Housing Authority's Housing Opportunities for Maine Fund, established in the Maine Revised Statutes, Title 30 A, section 4853~~ Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the commissioner; and be it further

; and be it further

Sec. 7. Repeal. Resolved: That sections 1 to 5 of this resolve are repealed 5 years from the effective date of this resolve.