

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

S.P. 47 - L.D. 114

Resolve, Authorizing the Bureau of General Services To Offer Certain Property to Kennebec County for 6 Months Prior to Listing the Property with Private Real Estate Brokers

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

1. Convey by sale any or a portion of the interests of the State in the state property described in section 2, with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including 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 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 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 Augusta, now or formerly known as "the Augusta District Court," located at 145 State Street, and any associated land and parking areas determined to be necessary by 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 Kennebec County Registry of Deeds, Book 1480, Page 752; and be it further

Sec. 3. Property to be offered to Kennebec County for 6 months.

Resolved: That for 6 months following the effective date of this resolve the Commissioner of Administrative and Financial Services may negotiate with Kennebec County for the sale of the state property described in section 2 and may execute a purchase and sale agreement with Kennebec County upon terms the commissioner considers appropriate, except that the property must be sold "as is," with no representations or warranties and a requirement that Kennebec County use the property to house the Registry of Deeds and other county offices. The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner. Kennebec County shall notify the commissioner in writing if the county determines prior to the end of the 6-month period that it does not want to purchase the property described in section 2. During this 6-month period, the commissioner may not negotiate or execute a purchase and sale agreement with any other party for the sale of the state property described in section 2 unless Kennebec County notifies the commissioner in writing that the county does not want to purchase the property; and be it further

Sec. 4. Property may be listed for sale or lease with private real estate brokers.

Resolved: That if Kennebec County does not execute a purchase and sale agreement with the Commissioner of Administrative and Financial Services for the sale of the state property described in section 2 within 6 months following the effective date of this resolve, or if the county notifies the commissioner in writing prior to the end of the 6-month period that the county does not want to purchase the state property, as provided in section 3, the commissioner may list the property for sale or lease with private real estate brokers and may negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants for the sale of the property. The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner; and be it further

Sec. 5. Exemptions. Resolved: That any 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 or offered through competitive bidding; and be it further

Sec. 6. Appraisal. Resolved: That the Commissioner of Administrative and Financial Services shall have the current market value of the state property described in section 2 determined by an independent appraiser; and be it further

Sec. 7. Proceeds. Resolved: That any proceeds from a sale pursuant to this resolve must be deposited in the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the Commissioner of Administrative and Financial Services; and be it further

Sec. 8. Repeal. Resolved: That this resolve is repealed 4 years from its effective date.