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Resolve
123rd Legislature
Second Regular Session

Chapter 148
H.P. 1442 - L.D. 2058

Resolve, Authorizing the President of the Maine Community College System To Sell 2 Parcels of Real Property in South Portland

Sec. 1 Definitions. Resolved: That, as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. "Board" means the Board of Trustees of the Maine Community College System.
2. "President" means the President of the Maine Community College System.
3. "Property" means the real estate described in section 3 with any buildings and improvements, together with all appurtenant rights and easements and all personal property located on that property, if any; and be it further

Sec. 2 Authority to convey property. Resolved: That the president, pursuant to a duly authorized vote of the board, is authorized to:

1. Convey by sale the interests of the Maine Community College System in the property;
2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
3. Exercise the power of eminent domain to quiet for all time any possible challenges to ownership of the property;
4. Negotiate, draft, execute and deliver any easements or other rights that, in the president's discretion, may contribute to the value of the proposed sale; and
5. Release any interests in the property that, in the president's discretion, do not contribute to the value of the remaining property; and be it further

Sec. 3 Property interests authorized to be conveyed. Resolved: That the property authorized to be sold is a certain lot or parcel of land with buildings thereon situated at the intersection of Broadway Street and Preble Street, more commonly known as 161 Preble Street, and identified on the South Portland Tax Assessor's Map C-13 as Lot 5, Block 171; and a certain lot or parcel of land with buildings thereon situated on Grand Street and Preble Street, more commonly known as 163 Preble Street and identified on the South Portland Tax Assessor's Map C-13 as Lot 5, Block 170; both being the same lands and premises conveyed by Hillside Health Center, Inc., formerly known as Gorham Health Center,

Inc. doing business as Gorham Manor to the Maine Technical College System, now known as the Maine Community College System by warranty deed dated August 9, 1990 and recorded in the Cumberland County Registry of Deeds on August 9, 1990 in Book 9274, Page 0016; and be it further

Sec. 4 Property to be sold as is. Resolved: That the property must be sold as is with no representations or warranties and title must be transferred by quitclaim deed without covenant and executed by the president; and be it further

Sec. 5 Exemptions. Resolved: That a conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

Sec. 6 Appraisal. Resolved: That the president shall have an independent appraiser determine the current market value of the property. The property may be listed for sale with a private real estate broker, auctioned or sold directly to a purchaser. The president may negotiate the terms of sale, including the purchase price. The president may reject any offers. If the president elects to solicit bids, notices of sale must be advertised; and be it further

Sec. 7 Proceeds. Resolved: That any proceeds from sales pursuant to this resolve must be deposited in an account and used to further the mission of Southern Maine Community College; and be it further

Sec. 8 Repeal. Resolved: That this resolve is repealed 3 years from its effective date.

Effective June 30, 2008