

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located at 17 School Street in Benedicta, Aroostook County

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. Enter into a lease or leases or convey by sale 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 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 of land in Benedicta Township occupied by the Benedicta Elementary School consisting of approximately 8.34 acres conveyed to the Town of Benedicta School District in May 1975 and recorded in the Aroostook County Southern Registry of Deeds, Volume 1180, Page 171; and be it further

Sec. 3 Property to be sold as is. 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.

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 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. The commissioner may list the state property for sale or lease with private real

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estate brokers at the state property's appraised value 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; and be it further

Sec. 6 Proceeds. Resolved: That any proceeds from the sale or lease of unorganized territory property pursuant to this resolve must be deposited into the Unorganized Territory Education and Services Fund, as designated by the Commissioner of Administrative and Financial Services; and be it further

Sec. 7 Repeal. Resolved: That this resolve is repealed 5 years from its effective date.