

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN

S.P. 113 - L.D. 280

Resolve, Concerning Rights-of-way over Eastern Road in Scarborough

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate conveyances ratified by this resolve are located within areas designated under the Maine Revised Statutes, Title 12, section 598-A as designated lands; now, therefore, be it

Sec. 1. Easements for access to Eastern Road in the Town of Scarborough. Resolved: That the grants of certain rights-of-way over portions of Eastern Road, a former railroad right-of-way in the Town of Scarborough owned by the State and recited in section 2, made by the Department of Inland Fisheries and Wildlife, referred to in this resolve as "the department," are hereby ratified. These nonexclusive easements have been determined by the department or the United States Department of the Interior, United States Fish and Wildlife Service not to significantly or unreasonably interfere with the department's use of Eastern Road or the goals and management of the Scarborough Marsh Wildlife Management Area and over a period of years were given in exchange for other lands, rights in land or the release of development rights, all benefiting the Scarborough Marsh Wildlife Management Area; and be it further

Sec. 2. Conveyances described. Resolved: That the deeds, recorded in the Cumberland County Registry of Deeds, conveying easements that are ratified as described under section 1 are as follows:

1. State of Maine to Scarborough Sanitary District, Book 5098, Page 273, August 9, 1982;
2. State of Maine to Rachel H. Demers and Donald J. Clark, Book 6596, Page 269, September 6, 1984;
3. State of Maine to Evergreen Farms Association, Book 8517, Page 175, October 7, 1988;

4. State of Maine to Town of Scarborough, Book 12870, Page 18, December 2, 1996;

5. State of Maine to Richard J. Sullivan, Book 17599, Page 105, April 29, 2002; and

6. State of Maine to Ballantyne Development LLC, Book 23060, Page 296, August 18, 2005.