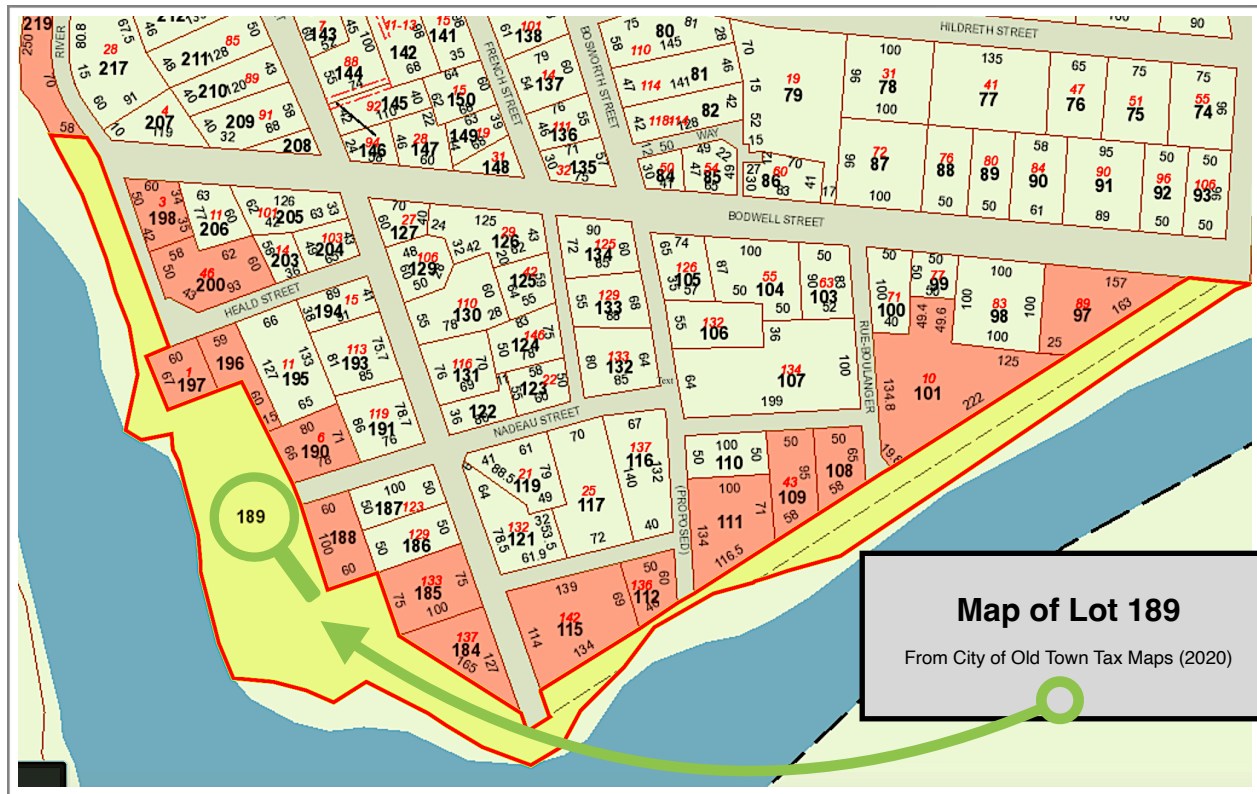


A Short History of Lot 189

South French Island, Old Town, Maine

February 2nd, 2024



Why Lot 189?

Lot 189 is a plot of land that stretches around the southern side of French Island (aka Treat and Webster Island). The Secretary of State reports that the last deeded owner of the property, Union Land Company, was incorporated in 1898. The last annual report filed by the Union Land Company was in 1930.

Over time, the City of Old Town operated under the assumption that the City of Old Town owned the land. In reality it was an abandoned property. In 2019, under pressure of a suit from a landowner adjacent to Lot 189, the city admitted that they did not have a legal deed for this land.

This strip of land prevents landowners on the southern end of the island from claiming land **to the river**, as do other French Island riverside property landowners.

Improvements Made to Lot 189

Since the 1950's, various abutting property owners have made improvements to parts of Lot 189. In today's dollars, improvements made by abutting private landowners are over \$150,000.

By far, the greatest money spent on Lot 189 has been the City of Old Town. The City states that over a million dollars was budgeted for the improved pumping station built on Lot 189, at a time when the City did not have proper title to that land.

Like us, the City can gain proper title to this land by extending the existing southern lot line of Lot 196 (to which the City does have a clear title) **to the river**.

A detailed list of past improvements can be found at www.frenchisland.me.

A Brief History of Lot 189



Above: Map Of French Island by E. M. Woodford, 80 Walnut St. Philadelphia, PA. 1865. On display in Town Office, Second Floor.

To the left is French Island from a map published in 1855. The land that currently makes up Lot 189 is land south of what is today Bodwell Street. The land passed in title to Union Land Company in November, 1898.

When the Union Land Company purchased that land in 1898 in a deal that in today's dollars was over 1.5 million dollars, this area was split into lots that are relatively unchanged since then.

There was a small sliver of land left over from this subdivision. That is the land that is now called Lot 189. See the map on the first page of this document, or go to www.frenchisland.me for a full

listing of maps, deeds, and titles that relate to this part of French Island.

City of Old Town Sewer System

Concerned about the sewer pump station that was built in the 1970's and upgraded in 2018, the city wanted to gain ownership of that part of Lot 189 on which the pump station was built. In August 2019, City Council decided that they would condemn the entire Lot 189 and seize all of it by using eminent domain. A member of the legal team advising the city stated at the time that this condemnation without prior public notice, even as much as a letter mailed to parties who had expressed prior interest in the land, was appropriate in order to safeguard operation of the sewer system.

City Council Seizes Land



No one wants to place the sewage system in jeopardy. We all agree that the city has a clear case for ownership of the land used for the pump station. But this is only 3.5% of the total area of Lot 189. Seizing by eminent domain the other 96.5% of the lot is a precipitous action on part of the city. Unfortunately, it was also an action taken by a Subcommittee that did not follow the procedures outlined by the State of Maine.

Landowner Concerns

Landowners who abut Lot 189 have a valid claim to the portion of Lot 189 that is a natural extension of their property lines **to the river**.

What is important is that landowners who have improved portions of Lot 189 should be recognized by the City. We ask the city to not attempt to take this land without entering into good faith negotiation regarding our rights as abutting land owners.

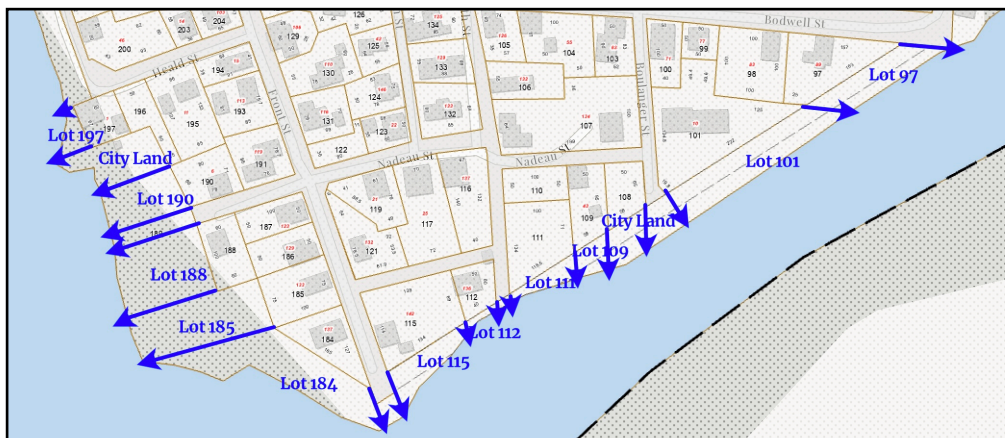
We are not interested in receiving compensation for this land. We want the City to acknowledge that our claims to portions of the land we have maintained and improved for the last sixty years are as valid as the city's claims.

Citizen Concerns

There are twelve property owners (including the City of Old Town) who have lots that abut Lot 189. If all of their property lines were extended **to the river**, the real estate value of their lots would increase, as they would now have waterfront property. How much the increase in value depends on decisions made in the Assessor's office, but this action will increase private property values approximately \$170,000.

The conversion of unused property into taxable income for the city is a goal of our Economic Development plan. This extension of property lines **to the river** is a good example of that. It would roughly generate \$5,300 in property taxes. In these times of economic belt tightening, this small amount is still significant.

Extension of Property Lines



All other residential lots on French Island have property lines extending **to the river**. A survey of land from 1832 labels the eastern river side as a "A passageway reserved for the benefit of ... others to the upper mill dam as per Deed." The same survey from 1832 labels the western river side land as "Reserved for the fish privilege extending to the rock." This land has a long history of public access and any agreement made by the parties needs to recognize this.

Plan of Action for French Island

The complexity of this redistribution requires that the City recognize all the legitimate claims citizens have on Lot 189. Hopefully we can come together and make simple and sensible solutions. The City Manager has expressed a willingness to redo the condemnation proceedings in order to do them correctly. This will require more than \$12,000 in legal costs. We commend his willingness to correct the wrongs of the past.

We believe common sense and a desire for compromise will convince the City to stop legal maneuvers that are costly and not in the best interest of all citizens of Old Town.