



2025

Maine Turnpike Authority

Real Property Disposition Policy

Introduction

The Maine Turnpike Authority (MTA) regularly receives requests to purchase land that is currently not in use. This policy outlines the process for disposing of real property the MTA has deemed **excess**, meaning it is “no longer used or useful for the operation of the Maine Turnpike.”

All dispositions must conform to Maine state law, including Title 23, Part 1 (State Highway Law) and Chapter 24 (Maine Turnpike). The MTA Board of Directors (the Board) must formally vote to approve any proposal and direct staff to dispose of excess real property.

This policy does not apply to the disposition of property for operational purposes. Examples of operational dispositions include:

- Trading MTA property for land needed for a project or to increase the MTA ROW width.
- Contributing property to a joint project with the Maine Department of Transportation (MaineDOT).
- Transferring property to a land trust to meet environmental permit requirements.

Requirements for Disposition of Real Property

Application and Initial Review

An interested party must submit a **\$250 non-refundable processing fee** before staff will begin a formal review. This fee will be credited toward the final purchase price. In addition to the fee, the applicant is responsible for reimbursing the MTA for all evaluation expenses it incurs, such as research, appraisals, and boundary surveys.

Informal inquiries about the potential use of vacant land can be made without initiating a formal review.

Internal Review Process

MTA staff may also proactively identify and recommend property for disposition.

In all cases, the Right of Way (ROW) staff will evaluate the property. This evaluation involves reviewing internal records, consulting with other MTA departments, examining municipal records, and discussing the property at a ROW department meeting. The MTA’s General Engineering Consultant (GEC) may also be asked to review the request. Following this process, the ROW staff will make a recommendation to the Director or Deputy Director of Engineering for presentation to the Board.



Data Acquisition and Valuation

Parcels proposed for disposition will be described using the MTA's official record plans, referencing the Turnpike baseline.

If MTA survey data is unavailable, a formal Boundary Survey, signed and sealed by a Maine Professional Land Surveyor, is required. However, the ROW staff and Director or Deputy Director of Engineering may jointly waive this requirement. The MTA may require the applicant to pay for the boundary survey and other professional services as a condition of the sale.

If, in the judgment of ROW staff, the property's value exceeds **\$25,000**, a formal appraisal must be obtained from a Maine Certified Appraiser.

Offer and Sale Process

First Right of Offer

The MTA may first notify the municipality where the property is located and MaineDOT that the land is available. If appropriate for transportation use, the property may be offered to them, at the sole discretion of the MTA. Deeds for property sold for a transportation purpose will include a restriction that the property cannot be resold or used for any commercial purpose.

Public or Abutter Sale

If the property is not needed for transportation purposes, it may be offered to another government agency or the public at fair market value. For parcels that are not buildable, MTA staff may, at their discretion, offer the property to abutting landowners for at least its fair market value. In most cases, all abutters will be contacted to determine their interest.

Public Notice for Marketable Property

For a marketable property, the MTA will provide **public notice** that the land is for sale. A "For Sale" sign will be placed on the property in clear view of the nearest local road, and a notice will be posted on the MTA's website for a minimum of two weeks.

If an initial offer is received, the MTA may accept and consider higher bids during this notice period. If an applicant paid the \$250 processing fee but the property is ultimately sold to a higher bidder, the fee will be refunded to the original applicant.

For properties with significant value or commercial potential, the MTA may hire a real estate agent to ensure the highest sale price. The ROW department will select a broker or firm to use on an as-needed basis.



Exception for Minor Boundary Adjustments

An exception to the public notice requirement may be made for an abutting landowner requesting a small parcel (smaller than a conforming lot size) to resolve issues related to mutual boundaries. The Board must still review and approve these requests, but the public notice process will be waived if staff deems the request reasonable.

Closing

Once the Board officially declares a parcel excess and votes to approve its disposition, a statutory quitclaim deed with covenants will be prepared or reviewed by staff. The deed must be executed by the Chairman of the Authority or the Executive Director to finalize the transfer.

Approved:


Andre Briere, Executive Director

10/17/25
Date

Approved as to Form:


Jonathan Arey, Staff Attorney

10/16/25
Date

Note: Approved by MTA Board September 4th, 2025