AGENDA ITEM SUMMARY

1. **NAME OF ITEM:** Land Acquisition by Gift, UMM

2. **INITIATED BY:** James H. Page, Chancellor

3. **BOARD INFORMATION:**
   - **BOARD ACTION:** X

4. **BACKGROUND:**

   The University of Maine at Machias requests the Board of Trustees pursuant to Board Policy 801 accept approximately 200 acres of undeveloped land abutting the campus as a gift from the estate of Elizabeth DeShon Tibbetts, Washington State Normal School Class of 1937.

   Elizabeth DeShon Tibbetts died Dec. 9, 2012. She was born April 3, 1917, in Machias. In addition to her connection with UMM, more information about her life is available in the published obituary, which is attached for reference.

   The last will and testament of Mrs. Tibbetts states this gift is in honor of her parents, H. Clifford DeShon and Kathleen M. DeShon, who were closely associated with the Washington State Normal School, now UMM. The Will stipulates a plaque including their names and referencing the gift be placed in a suitable location.

   Trustee Policy 801 states, in part, “that the University of Maine System may acquire the use of real property through purchase, gift, bequest or lease. The Board of Trustees realizes the importance of voluntary charitable support of the University of Maine System and its programs, and recognizes that gifts of real property are an important form of giving….All acquisition of real property with a cost exceeding $50,000 must be approved by the Board of Trustees prior to transfer of title.”

   UMM currently operates from approximately 44 largely-developed acres. The gift is undeveloped forested land and blueberry barrens. Initially, UMM intends to use the new property for academic field work, such as recreation management and plant biology.
In the longer term, expansion of campus facilities, such as athletic fields, could be a possibility.

An appraisal and Phase One environmental assessment are in progress. The requested acceptance of this gift by Trustees is contingent on completion of a satisfactory appraisal and Phase 1 environmental site assessment as well as review and approval of all necessary documents by the Treasurer and University Counsel.

The sale or other conveyance of the property by UMM is prohibited in the will, which also states the property shall pass to the municipality of Machias should any such conveyance by UMM occur.

5. TEXT OF PROPOSED RESOLUTION:

That the Board of Trustees authorize the acceptance of 200+/- acres from the estate of Elizabeth DeShon Tibbetts, identified as lots 53 and 54 on Property Tax Map 5 of the Municipality of Machias, contingent upon completion of a satisfactory appraisal and Phase 1 environmental site assessment as determined by the Treasurer and upon review and approval of all necessary documents by the Treasurer and University Counsel.
Elizabeth DeShon Tibbetts
Obituary

BREWER AND MACHIAS - Elizabeth DeShon Tibbetts, wife of the late Dorrance B. Tibbetts, died Dec. 9, 2012. She was born April 3, 1917, in Machias, daughter of the late H. Clifford DeShon and Kathleen (McFadden) DeShon.

Elizabeth graduated from Machias High School and Washington State Normal School, Machias. She received a Bachelor of Science degree in elementary education from Gorham Normal School and a master’s degree in education from Boston University. Elizabeth taught in Hancock, Ellsworth, Eastern State Normal School -Training School, Castine, Orono and Lexington, Mass. She served as elementary school supervisor in Orono, Old Town and Brewer from 1946 to 1951. In 1978, Elizabeth retired from Bangor School Department, where she served as elementary school supervisor for 27 years. She was a member of Alpha Chapter, Delta Kappa Gamma Society, local, state and national retired teacher organizations, UMM Alumni, Brewer Garden and Bird Club, Maine Herb Society, Bangor Historical Society, Friends of the Bangor Public Library, Friends of the Ellsworth Public Library, Friends of Acadia, and Hannah Weston Chapter, Daughter of the American Revolution, Machias.

Elizabeth was predeceased by her parents, husband; and brother, Howard C. DeShon. She is survived by several cousins and many cherished friends.

At Elizabeth's request, there will be no visiting hours. A graveside service will be held at Longfellow Cemetery, Machias, at a later date. In lieu of flowers, memorial donations may be made to the charity of your choice. Arrangements by Bragdon-Kelley Funeral Homes, 220 Court St., Machias.

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LAST WILL AND TESTAMENT

BE IT REMEMBERED that I, ELIZABETH DeSHON TIBBETTS, of Brewer, Penobscot County, Maine, being of lawful age and of sound and disposing mind and memory, but mindful of the uncertainty of life, do make, publish, and declare this my LAST WILL AND TESTAMENT, hereby revoking all former Wills made by me.

After the payment of my just debts, funeral charges, and expenses of administration as provided in the THIRD and FOURTH Clauses herein, I dispose of my estate as follows:

FIRST. In accordance with the wishes of my beloved late brother, HOWARD C. DeSHON, and my own wishes, and as a result of conversations we have had about these matters, I give and devise my real estate in Machias, Maine, together with my personal effects and household furnishings located in Machias, and all funds deposited in my accounts with Machias Savings Bank, as follows:

A. I give and devise to the UNIVERSITY OF MAINE AT MACHIAS the woodland and former blueberry fields adjacent to said University which are shown on the Town of Machias tax maps as Map 5, Lot 53 and Map 5, Lot 54, consisting of approximately two hundred (200) acres. This gift is made in memory of my beloved parents, H. CLIFFORD DeSHON and KATHLEEN M. DeSHON, who were closely associated with the then named Washington State Normal School for many years. A commemorative plaque relating to this bequest and bearing the names of my parents shall be displayed in a suitable location.

Following the death of our parents, the property described above was owned jointly by my brother and me.

This devise is made on the condition that the said property shall not be sold or otherwise voluntarily conveyed by the University of Maine at Machias, or its successor or successors. In the event that the land is sold or otherwise voluntarily conveyed, then said sale or conveyance shall be void and title to the property shall automatically pass to the Town of Machias.

For further information concerning the description of the real estate which is the subject of this devise, reference may be had to the following deeds:


Deed of Hattie E. Roberts to Clifford H. DeShon and Kathleen DeShon dated March 28, 1942 and recorded in the Washington County Registry of Deeds Book 446, Page 244.

Deed of James Francis Flannery to Clifford H. DeShon dated December 1, 1961 and recorded in the Washington County Registry of Deeds Book 584, Page 176.


It should be noted that the Clifford H. DeShon named in the first three deeds was one and the same person as H. Clifford DeShon, my father.

B. I give, bequeath and devise to the PORTER MEMORIAL LIBRARY ASSOCIATION in Machias, my house and house lot in Machias, Maine, as described in a deed from Cora F. Flynn to Kathleen B. DeShon dated March 13, 1919 and recorded in the Washington County Registry of Deeds Book 335, Page 564, together with my personal effects and household furnishings located in Machias, to be used or disposed of at the discretion of the

Lyman L. Holmes – Attorney at Law – P.O. Box 123, Machias, Maine 04654