

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 401

H. P. 301

House of Representatives, January 27, 1971

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Dow of West Gardiner.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**RESOLVE, Reimbursing Donald F. Bartlett for Damage due to
Highway Maintenance.**

Donald F. Bartlett; reimbursed. Resolved: That there is appropriated from the General Highway Fund to Donald F. Bartlett of Hallowell the sum of \$341.60 for damage to his driveway due to highway maintenance.

STATEMENT OF FACT

Periodically since 1964, large amounts of water from Middle Street in the City of Hallowell have drained across Mr. Bartlett's property washing out his driveway to the point of it becoming impassable and seeks reimbursement of \$341.60 for damage. In July 1969 this area was inspected by a State Highway engineer who agreed these losses were due to negligence on the part of the State Highway Commission for improper maintenance. Middle Street sloped directly toward Mr. Bartlett's property and some of the culverts beneath the roadway had collapsed and were inoperable. Both the road and the culverts have since been repaired and the water drainage has completely stopped.

The State Highway Commission denies responsibility for this claim.