

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1056

H. P. 856

House of Representatives, March 5, 1979

On Motion of Mr. Carroll of Limerick, referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Sprowl of Hope.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide Owners of Certain Property Abutting a Discontinued or Abandoned Town Way Access to Public Roads and Highways.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 23 MRSA § 3026, 2nd ¶, as last amended by PL 1977, c. 301, § 1, is further amended by adding after the first sentence the following:

All abutting property owners shall retain a private right of access along a way discontinued or abandoned on or after January 1, 1976 from its connection with the nearest town way or highway up to and along the boundary line of the property adjacent to the discontinued or abandoned way.

Sec. 2. Retroactivity. This Act is retroactive to January 1, 1976.

STATEMENT OF FACT

This bill amends the statutes concerning the abandonment of a town way. It provides that any owner whose property abuts a town way which is discontinued or abandoned on or after January 1, 1976 retains an easement along that way to its connection with the nearest town way or highway.

This statutory change will prevent a property owner from being cut off from a public road because a town way has been discontinued or abandoned.