

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1291

7 H.P. 986

House of Representatives, March 23, 1983

8 Referred to the Committee on Judiciary. Sent up for concurrence and
9 ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Rolde of York.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to the Establishment of
18 Clear Title to Real Estate.
19

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

22 14 MRSA §6662 is enacted to read:

23 §6662. Taxes paid on estate for 20 years; effect on
24 tenancies

25 Any person claiming an estate of freehold in any
26 land, either as a joint tenant or tenant in common
27 with any other person or persons, who has paid all
28 assessed taxes on that estate for a period of at
29 least 20 continuous years, becomes the owner of the
30 entire fee of that estate, to the exclusion of all
31 other tenants, provided that that person has
32 requested compensation from the others for taxes paid
33 and those requests have been refused, that no tenant
34 presently resides on the estate and that there is no

1 oral or written agreement concerning the payment of
2 taxes between the tenants which places the tax burden
3 entirely upon one tenant. Any person claiming such
4 an estate under this section may maintain an action
5 to quiet or establish title thereto or to remove a
6 cloud from the title thereto, as provided in this
7 subchapter.

8 STATEMENT OF FACT

9 The purpose of this bill is to provide a mecha-
10 nism for a joint tenant or tenant in common to termi-
11 nate the interest of his other, noncooperative joint
12 tenants or cotenants. This situation seems to arise
13 most often when individuals inherit property. One
14 tenant may refuse to allow the property to be sold,
15 yet also refuses to engage in any of the obligations
16 of ownership, leaving those things to the other joint
17 or cotenant. The result is that one tenant is bur-
18 dened by the noncooperativeness of the other. This
19 bill allows this situation to be ended, after a
20 period of 20 years, by providing the same mechanism
21 available for quieting title.

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