

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 809

H.P. 609

House of Representatives, February 16, 2007

### An Act To Amend the Adverse Possession Law

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Received by the Clerk of the House on February 15, 2007. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SIMPSON of Auburn.  
Cosponsored by Senator HOBBS of York.

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

2 **Sec. 1. 14 MRSA §810-A**, as enacted by PL 1993, c. 244, §1, is amended to read:

3 **§810-A. Mistake of boundary line establishes hostility**

4 If a person takes possession of land by mistake as to the location of the true boundary  
5 line and possession of the land in dispute is open and notorious, ~~under claim of right,~~  
6 hostile and continuous for the statutory period, the ~~hostile nature~~ claim of right element of  
7 the claim is established and no further evidence of the knowledge or intention of the  
8 person in possession is required.

9 **SUMMARY**

10 This bill amends the adverse possession law and makes it consistent with the original  
11 intent of the Legislature and with the holding of Dombkowski v. Ferland.