

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 391

S.P. 133

In Senate, February 5, 2009

### An Act To Amend the Law Concerning Adverse Possession

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HOBBS of York.  
Cosponsored by Senator: HASTINGS of Oxford.

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**

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, and~~  
6 ~~continuous for the statutory period, the hostile nature of the claim is established and no~~  
7 ~~further evidence of the knowledge or intention of the person in possession is required, the~~  
8 possessor's mistaken belief does not defeat a claim of adverse possession.

9 **SUMMARY**

10 The purpose of this bill is to remove ambiguity in the laws governing adverse  
11 possession. The bill specifies that, if a person takes possession of land by mistake with  
12 respect to the location of the true boundary line, the mistaken belief does not defeat a  
13 claim of adverse possession.