

HELEN R. ROSE

v.

WILLIAM PARSONS JR. et al.

Argued June 13, 2018

Decided June 28, 2018

Panel: SAUFLEY, C.J., and ALEXANDER, MEAD, GORMAN, JABAR, HJELM, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

Helen R. Rose appeals and William Parsons Jr. and other neighbors (the Neighbors) and Mary E. Fluke cross appeal from a judgment of the Superior Court (York County, *Douglas, J.*) that determined the existence, location, and scope of two right-of-way easements, identified as Roads A and H, in Kennebunk. Contrary to the Neighbors' and Fluke's contentions, the court did not err by determining that Rose has the right to use the Road A and H easements as appurtenant to her property. *See Dupuis v. Ellingwood*, 2017 ME 132, ¶¶ 9, 14, 166 A.3d 112; *Dority v. Dunning*, 78 Me. 381, 387, 6 A. 6 (1886). Also contrary to Rose's contentions, the court did not err in its determination of either the location and extent of the Road A easement or the purpose and scope of the two easements. *See Norton v. Town of Long Island*, 2005 ME 109, ¶ 23, 883 A.2d 889; *Guild v. Hinman*, 1997 ME 120, ¶¶ 6-7, 695 A.2d 1190.

The entry is:

Judgment affirmed.

Alan E. Shepard, Esq. (orally), Shepard & Reed, Kennebunk, for appellant Helen R. Rose

Richard A. Hull, III, Esq., Hull Law Office, LLC, Biddeford, for cross-appellant Mary E. Fluke

Kelly W. McDonald, Esq. (orally), and Peter S. Plumb, Esq., Murray, Plumb & Murray, Portland, for cross-appellants William Parsons Jr. et al.

York County Superior Court docket number RE-2011-56
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