

ROBERT J. COVINO et al.

v.

ALLEN R. GOODRICH

Submitted on Briefs November 21, 2019
Decided December 5, 2019

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

MEMORANDUM OF DECISION

In this property boundary dispute, Robert J. and Janet M. Covino, as trustees of the Robert J. Covino and Janet M. Covino Irrevocable Trust dated September 21, 2011, appeal from a judgment entered by the Superior Court (Sagadahoc County, *Billings, J.*) after a bench trial. In its judgment, the court found that the Covinos had acquired title to a portion of the disputed land by adverse possession and, alternatively, that the Covinos had acquired a prescriptive easement to use the driveway on the disputed land. The court found, however, that the Covinos had failed to prove, by a preponderance of the evidence, the record location of the common boundary between their property and Allen R. Goodrich's property.

Only the finding of failure to prove the record location of the common boundary is challenged on appeal. Contrary to the Covinos' arguments, the evidence presented at trial did not compel the court to find the testimony of their professional land surveyor persuasive or adopt their surveyor's opinion as to the location of the boundary. *See Grondin v. Hanscom*, 2014 ME 148, ¶ 8, 106 A.3d 1150; *Baptist Youth Camp v. Robinson*, 1998 ME 175, ¶ 7, 714 A.2d 809; *Markley v. Semle*, 1998 ME 145, ¶ 5, 713 A.2d 945.

The entry is:

Judgment affirmed.

Aaron K. Baltes, Esq., Norman, Hanson & DeTroy, LLC, Portland, for appellants Robert Covino and Janet Covino, as Trustees of the Robert J. Covino & Janet M. Covino Irrevocable Trust Dated September 21, 2011

Allen R. Goodrich did not file a brief

Sagadahoc County Superior Court docket number RE-2014-22
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