

GEORGE E. IRELAND

v.

MICHAEL J. CARPENTER et al.

Submitted on Briefs July 18, 2006
Decided August 2, 2006

Panel: SAUFLEY, C.J., and ALEXANDER, CALKINS, LEVY, and SILVER, JJ.

MEMORANDUM OF DECISION

Michael J. Carpenter and Dominik Loyen appeal from a judgment entered in the Superior Court (York County, *Fritzsche, J.*) establishing the nature, scope, and location of an easement to benefit George E. Ireland upon property ostensibly owned by Carpenter and Loyen. Because a default judgment was previously entered against Carpenter and Loyen and our prior judgment in this matter affirmed the existence of an easement in favor of Ireland, the court did not err or exceed its jurisdiction by establishing the nature, scope, and location of said easement. *See Ireland v. Carpenter*, 2005 ME 98, ¶ 18, 879 A.2d 35, 40; *Macomber v. MacQuinn-Tweedie*, 2003 ME 121, ¶ 22, 834 A.2d 131, 138-39.

Furthermore, the court's findings are supported by the evidence, and are sufficient, as a matter of law, to support the judgment. *See Stickney v. City of Saco*, 2001 ME 69, ¶¶ 53-54, 770 A.2d 592, 610. We do note, however, that our holding is limited to the controversy on this record, namely the existence, nature, scope, and location of an easement upon the property of Carpenter and Loyer. We do not address whether Ireland has an easement upon property owned by eXtreme Air, LLC, as that issue is not before us.

The entry is:

Judgment affirmed.

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