

RICHARD S. DENNISON et al.

v.

VERNON K. COUTU et al.

Submitted on Briefs July 18, 2006
Decided August 3, 2006

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

MEMORANDUM OF DECISION

Vernon K. and Barbara J. Coutu appeal from a judgment entered in the Superior Court (York County, *Brennan, J.*), which declared that Richard S. and Diane S. Dennison have an implied easement over a driveway located between the Coutus' house and the Dennisons' house. Only a partial transcript of the trial has been provided, and therefore, it is impossible to assess the Coutus' contention that the court's factual findings were clearly erroneous. Because the record on appeal does not contain a complete transcript, we must assume that a full transcript would

support the court's factual findings. *See Ly v. Lafortune*, 2003 ME 119, ¶ 7, 832 A.2d 757, 759 (citing *Alley v. Alley*, 2002 ME 162, ¶ 2, 809 A.2d 1262, 1262).

Furthermore, the trial court did not err in concluding that there was unity of title when the quasi-easement was created and that the other elements of an implied easement exist. *See Frederick v. Consol. Waste Servs., Inc.*, 573 A.2d 387, 389-90 (Me. 1990); *Bowers v. Andrews*, 557 A.2d 606, 608 (Me. 1989).

The entry is:

Judgment affirmed.

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