

LITTLE OSS�PEE RIVER DEVELOPMENT, LLC

v.

WHITE BROS., INC.

Submitted on Briefs October 20, 2006
Decided November 14, 2006

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

MEMORANDUM OF DECISION

Little Ossipee River Development, LLC, appeals from a judgment entered in Superior Court (Cumberland County, *Warren, J.*) that determined the location of a disputed boundary, Maple Run Road. Contrary to Little Ossipee's contentions, the court did not clearly err in determining the road's location because it based its decision on the competent evidence of White Bros.' expert.

The court also did not clearly err in determining that Little Ossipee failed to satisfy its claims for boundary by agreement and boundary by practical location because of the court's factual finding that there was no evidence of an agreement

between the parties or their predecessors. *See Advanced Constr. Corp. v. Pilecki*, 2006 ME 84, ¶ 14, 901 A.2d 189, 195.

Likewise, the court's determination that Little Ossipee did not satisfy its claim of boundary by acquiescence was supported by competent evidence. *Id.*

The entry is:

Judgment affirmed.

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