

BRETT HARDIN et al.

v.

ROBERT S. STAUDINGER et al.

Submitted on Briefs May 27, 2010
Decided June 15, 2010

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

MEMORANDUM OF DECISION

Brett and Kristie Hardin appeal from a judgment, entered after a bench trial in the Superior Court (York County, *Fritzsche, J.*), ordering a re-designation of real property boundaries in favor of Robert S. and Joyce Staudinger pursuant to the doctrine of adverse possession. Because neither party requested additional findings of fact, we “infer that the court made all findings necessary to support its conclusion” and “review the court’s express and inferred findings of fact for clear error.” *Weeks v. Krysa*, 2008 ME 120, ¶ 11, 955 A.2d 234, 237. The court’s inferred findings related to each element of adverse possession are supported by competent evidence in the record. *See id.* ¶¶ 11, 12, 955 A.2d at 237, 238. Furthermore, those facts satisfy the elements of adverse possession as a matter of law. *See id.*; 14 M.R.S. § 810-A (2008); *Dombkowski v. Ferland*, 2006 ME 24, ¶ 24, 893 A.2d 599, 605. Finally, the Hardins’ evidentiary challenges are not persuasive, and their argument that the Staudingers could not claim land by adverse possession against a municipality, *see Sandmaier v. Tahoe Dev. Grp., Inc.*, 2005 ME 126, ¶ 7, 887 A.2d 517, 518-19, necessarily fails because, before the Town of Shapleigh recorded its first tax lien against the land in dispute, the Staudingers had satisfied the elements of adverse possession and title to the land vested in them “by operation of law at the end of the adverse possession period,” *Lewis v. Me. Coast Artists*, 2001 ME 75, ¶ 24, 770 A.2d 644, 652.

The entry is:

Judgment affirmed.

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