

STATE OF MAINE
YORK, ss.

SUPERIOR COURT
Civil Action
Docket No. RE-02-084

ANCHORAGE REALTY TRUST,)
)
 Plaintiff)
)
 v.)

J U D G M E N T

BRENDAN R. DONOVAN and)
MARION L. DONOVAN,)
)
 Defendants)

DONALD L. GARSRECHT
LAW LIBRARY

SEP 8 2003

This matter came before the Court on the Plaintiff's Motion for Summary Judgment. After consideration of the pleadings, and argument of counsel, the Court hereby finds that the white picket fence line located along the northeasterly sideline of the Plaintiff's property and the corresponding southwesterly sideline of the Defendants' property represents the legal boundary line of the parties' property. The Court finds that the Plaintiff has established all the necessary elements of a boundary by acquiescence in accordance with the criteria set forth in the case of Marja Corporation v. Allain, 622 A.2d 1182, 1184 (Me. 1993). JUDGMENT is hereby entered for the Plaintiff on Counts

amended
I and III of its Complaint. The Plaintiff is award costs of suit. *Count IV of the amended Complaint is voluntarily dismissed. Count II of the amended Complaint remains for jury trial. The parties shall advise the Clerk of the Court of a dismissal of Count V as moot.*
Dated: September 4, 2003
Paul A. Shepard
Justice, York County Superior Court

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