

From: **Mario & Margaret Cardoza** <mmcardoza@gmail.com>
Date: Thu, Oct 14, 2021 at 3:36 PM
Subject: Subcommittee for LD 1513
To: <SLG@legislature.maine.gov>, <Will.Tuell@legislature.maine.gov>

Dear Distinguished subcommittee members of the State and Local Government:

Thank you for your service to help address LD 1513 on Discontinued Roads.

It has been a difficult road to travel on this subject. The definition for myself has been very confusing to distinguish the different types of roadways and who maintains them. There are so many types of roads: What's a private way (with public easements) or a private road, a paper road, or a discontinued road? To the general public, when being told they are on a discontinued road, would that not be clear enough that it means that the road does not exist? Unfortunately, when defining it as a public easement, which gives the public unfettered rights to travel on it, it creates a great burden on the owners residing on such a road to maintain.

Over 40 years ago, I had a really bad, and fearful experience. There were no cell phones or no GPS devices, just the old paper atlases. I saw a road in the atlas from Enfield to Cherryfield. When I took the road, I was lost in the woods. My car barely got me through, with massive ruts and the width of what may have been a logging road was not a road. It must have been either an abandoned or discontinued road. I wish they never published that road.

The next problem is: Landlocked property due to its inaccessibility. Obtaining a loan or mortgage for the property can be difficult since banks may not finance a landlocked property. The lack of access to the property for public services, such as medical and fire personnel, can make banks and prospective buyers pass on dealing with a landlocked property. An easement which grants the right to cross over neighboring land, is used to provide such access. There are various types of easements, some easier to acquire than others. If easements are not an option, landowners have the option of voluntarily granting each other private access, legislature approved this amendment to the discontinuance law a few years ago,

My personal opinion would be to remove the public easement. Let the road be discontinued and not allow the public to drive on it. ATV's would have to receive permission by any of the owners with the Fish and Game Dept. The owners could chain off (using a breakable chain for emergency vehicles) from the public. Remove it from any road GPS web sites. If any resident is on such a road that it be reported to 911 for access to fire, police or ambulance ONLY and treated confidentially as private information not for the public to access.

I appreciate your time on such a long-needed subject to address, thus helping our Maine citizens have a clear understanding of the type of road they live on and to help assist our tourists to find a way that they can get around in our State.

Sincerely,
Margaret Cardoza, Portland and a camp in Windham, Maine