

Margaret Cardoza
Portland
LD 994

Dear chairs and members of the Judiciary Committee:

I am in favor of LD 994 BUT only if it states that discontinued roads are not included with private roads for this bill. Discontinued roads is completely different from private roads.

The reason the original law was established was because Maine Realtor and Banking associations could not sell/fund to potential owners properties on a private roads with less than 3 owners. VA and other banks could not provide mortgages to potential owners because there was no assurance that the owners would maintain the road for fire and safety services. Whereas, roads with 4 or more owners under Privateways title 23:3101 with Public Easement could establish maintenance for these roads as an association. By establishing Title 23:3121 allowed people to own property and assure mortgage companies that the road is maintained for fire and safety services.

I am in favor of the amendments presented provide more clarity to owners their due process rights to maintain their private road.

I plead to this committee to amend this bill to state that discontinued roads are not a private road in Title 23:3121. Thank you.