Portland Maine Yes. Google's good here.

Christina Stacey <cstacey@portlandmain Date: 10/07/16

Inspections Division

Boulanger survey

1 message

Jay Raitt - Little River Land Surveying <jraitt@lrls.net> Fri, Aug 19, 2016 at 9:19 AM
To: cstacey@portlandmaine.gov

Hello Ms. Stacey,

The email is to explain note 6 on my survey of the Boulanger lot which seems to have generated some concern.

First of all, there are two other surveyors who agree with the position of the lines shown on my plan. One of them produced a note similar to mine, drawing attention to this specific issue, and the other felt confident enough in his decision along the rear line that he didn't even mention it as an issue.

Second, all ambiguities resulting from the poorly drawn and dimensioned plan recorded in book 32, page 28 (attached) have been reconciled in accordance with appropriate boundary retracement methodologies. The *only* issue left is that the older legal description based on said plan *may* have left out about 86 square feet of what the 1946 subdividers, Walter and Harriet Gerry, actually owned.

This area of questionable title does not impact the development plans in any significant way. The maximum lot coverage still complies with the ordinance without the 86 square feet in question. Furthermore, the setbacks are measured from the line of certain title. Any grading that might occur in this area should effectively remediate the loose soil conditions and remove the piled detritus that may have been the result of either Ms. Boulanger's demolition or the demolition that occurred on the neighboring parcel.

This is the type of discrepancy that would likely have to be resolved with drawn out litigation against parties currently unknown (essentially all the heirs of Walter and Harriet Gerry). It likely requires an action to quiet title or something similar. The note is on the plan so the client can opt to pursue clarification if desired, but it is completely unnecessary to resolve this issue to move ahead with development. The area in question has been dealt with effectively by planning around it.

Please call me if this email has not sufficiently addressed your concerns.

Jeramiah J. Raitt
ME PLS 2376, NH LLS 957
207-841-0056

3 attachments

P-032-028.pdf
89K

01843-399.pdf
98K

16-017 SBS 20160615.pdf
490K