

KENNETH P. ALTSHULER

v.

WILLIAM GOWEN et al.

Submitted on Briefs October 23, 2001
Decided October 24, 2001

Panel: CLIFFORD, RUDMAN, DANA, SAUFLEY, ALEXANDER, and CALKINS,
JJ.

MEMORANDUM OF DECISION

Kenneth P. Altshuler appeals from a judgment of the Superior Court (Cumberland County, *Warren, J.*) finding that the fence constructed by William Gowen does not interfere with Altshuler's property rights. Contrary to Altshuler's contention, the court did not err in concluding that the nonexclusive easement description in the deeds is unambiguous and that extrinsic evidence was therefore inadmissible. *See Wallingford v. Kennedy*, 2000 ME 112, ¶ 15, 753 A.2d 493, 497. The court made no factual error regarding the location of the boundaries on the face of the earth. *See id.* Additionally, the court did not err in concluding that Altshuler's claim of easement by implication fails. *See O'Connell v. Larkin*, 532 A.2d 1039, 1043 (Me. 1987).

The entry is:

Judgment affirmed.

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