

§3032. Proposed, unaccepted ways deemed vacated**1. Deemed vacation.**

[PL 1997, c. 386, §1 (RP).]

1-A. Deemed vacation. A proposed, unaccepted way or portion of a proposed, unaccepted way laid out on a subdivision plan recorded in the registry of deeds prior to September 29, 1987 is deemed to have been subject to an order of vacation under section 3027 if, by the later of 15 years after the date of the recording of the subdivision plan laying out the way or portion of the way or September 29, 1997, both of the following conditions have been met:

A. The way or portion of the way has not been constructed or used as a way; and [PL 1997, c. 386, §2 (NEW).]

B. The way or portion of the way has not been accepted as a town, county or state way or highway or as a public, utility or recreational easement. [PL 1997, c. 386, §2 (NEW).]

A way or portion of a way considered vacated under this subsection is subject to section 3033. [PL 1997, c. 386, §2 (NEW).]

2. Extensions. The municipal officers of the affected municipality may except a proposed, unaccepted way or portion of a proposed, unaccepted way described in subsection 1-A from the operation of the time limitations of that subsection by filing, in the registry of deeds where the subdivision plan is recorded, a notice stating that the way or portion of the way is excepted from the operation of subsection 1-A for a period of 20 years from the filing of the notice. To be effective, this exception must be filed prior to the expiration of the time limitations of subsection 1-A. An extension accomplished under this subsection may be extended by the municipal officers for a subsequent 20-year period by the filing of a new notice within the preceding 20-year extension period.

[PL 1997, c. 683, Pt. B, §10 (AMD); PL 1997, c. 683, Pt. B, §11 (AFF).]

SECTION HISTORY

PL 1987, c. 385, §2 (NEW). PL 1997, c. 386, §§1,2 (AMD). PL 1997, c. 683, §B10 (AMD). PL 1997, c. 683, §B11 (AFF).

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