



## Maine Right-of-Way Discovery Grant Program

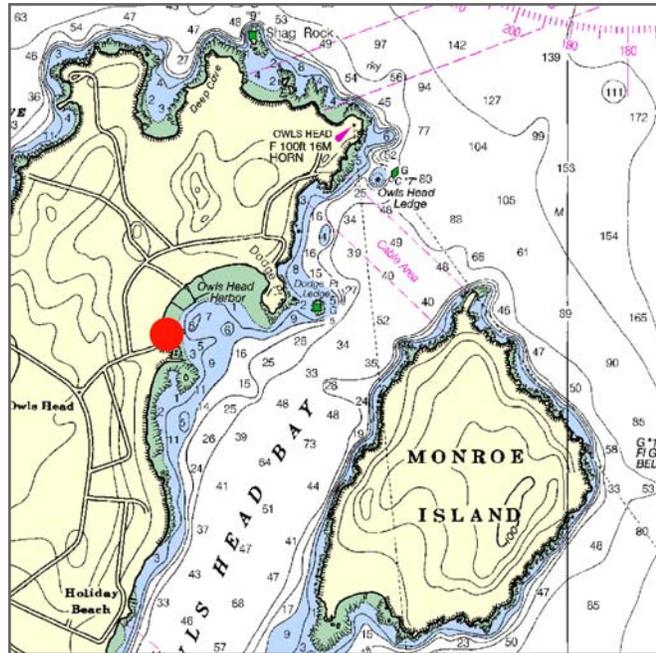
Town: **Owls Head**

Grant Years: **2006 and 2008**

With legal research supported by two Maine Right-of-Way Discovery Grants, the Town of Owls Head resolved a controversy over public use of a roadway and two shore access points, and clarified ownership of an area used as a public landing at Owls Head Harbor.

Interest in applying for a Right-of-Way Discovery Grant arose when a controversy developed over the use of roads between Route 73 and the shore, in an area known as Ingraham Hill. Although the traveled way had been maintained by the Town for many years, the rights held by the Town may not have included the entire roadway. During the road controversy, it was discovered that two potential water access points extended off these roads.

The roads and its extensions were believed to have been created during a subdivision, but research in the Registry of Deeds was needed to investigate the details of how the roads were created and the associated public access rights. Although the extensions to the shore did not have physical roads for vehicles, there was evidence that people had been using these areas for pedestrian access to the shore for many years, which could provide a basis for public access rights.



To clarify these issues, the Town of Owls Head applied for and received a Maine Right-of-Way Discovery Grant in 2006. With the grant, the Town hired an attorney specializing in land use, roads, and easements to conduct research in the registry of deeds and to investigate the past use of the road extensions for shore access. The attorney looked for all possible subdivision plans, examined abutter deeds, and reviewed past Town actions. She also interviewed people about their use of the extensions for shore access. The Town received a second Maine Right-of-Way Discovery Grant in 2008 for related research into ownership of a landing that was used for public access to Owls Head Harbor.

The grant-funded research laid the foundation to resolve the controversy over the Town's rights to the roadway and two shore access points in the Ingraham Hill area, and it clarified the Town's ownership of the Owls Head Harbor landing and rights in a nearby road. The latter enabled the Town to move ahead with plans for a new dock at Owls Head Harbor, ensuring continued public access to the harbor.