

Table of Contents

CHAPTER 1. DEEDS IN GENERAL

- § 1:4 Statutory warranty deed
- § 1:6 Meaning of “warranty covenants”
- § 1:7 Quit-claim deeds
- § 1:16 Probate deeds and other short forms
- § 1:21 Deed of conservator—Form[Ⓢ]
- § 1:23 Words of inheritance
- § 1:25 Seals and consideration
- § 1:26 Homestead exemption

CHAPTER 2. GRANTORS AND GRANTEES

- § 2:1 Grantor and grantee defined
- § 2:3 Assumed name
- § 2:5 Single persons
- § 2:6 Transfers between husband and wife
- § 2:7 Minors
- § 2:8 Mental incapacity *[Retitled]*
- § 2:9 Spendthrifts
- § 2:10 Fiduciaries
- § 2:11 Two or more persons
- § 2:12 Transfers to self and others
- § 2:13 Partnership
- § 2:14 Domestic corporations
- § 2:15 Disposition of corporate assets
- § 2:21 Prior to incorporation
- § 2:23 Foreign corporations
- § 2:25 Sheriff’s deeds and other methods
- § 2:26 Municipal corporations
- § 2:27 Federal Deposit Insurance Corporation *[Retitled]*
- § 2:28 Receivers—Maine appointment and powers
- § 2:29 Limited liability company

CHAPTER 4. ESTATES CREATED

- § 4:2 Defeasible fee
- § 4:5 Tenancy in common
- § 4:6 Joint tenancy
- § 4:9 Tenancy by the entirety
- § 4:10 Incidents of tenancy in partnership *[Retitled]*
- § 4:16 Declaration of condominium—Form[Ⓢ]
- § 4:18 Condominium association by-laws—Form[Ⓢ]

CHAPTER 5. TRUSTS

- § 5:2 Trusts in general

- § 5:3 Express trusts
- § 5:4 Business trusts
- § 5:6 Spendthrift trusts
- § 5:8 Foreign trustees
- § 5:9 Trusts and the rule against perpetuities
- § 5:12 Municipalities
- § 5:13 Liabilities of trustees
- § 5:14 Revocation of trusts

CHAPTER 6. COVENANTS OF TITLE

- § 6:3 Liability on covenants
- § 6:8 Covenant against encumbrances in warranty deed

CHAPTER 7. DESCRIPTIONS

- § 7:2 Conflict within the description
- § 7:5 Reference to other instruments
- § 7:8 Boundaries in general
- § 7:10 Streets and ways as boundaries
- § 7:11 Water as a boundary
- § 7:14 Timber harvesting

CHAPTER 8. EASEMENTS

- § 8:1 Easements in general
- § 8:3 Easements in gross
- § 8:4 Easements created—Grant, reservation or covenant
- § 8:6 Easements created by prescription
- § 8:10 Extent of easement created—Grant
- § 8:12 Extent of easement created—Implication
- § 8:14 Termination of easements
- § 8:15 Private ways
- § 8:16 Public ways
- § 8:17 Public or private ways
- § 8:20 Easement of light or air
- § 8:24 Submerged and intertidal lands

CHAPTER 9. RESTRICTIONS ON LAND USE

- § 9:3 Enforceability of restrictions
- § 9:8 Illegal restrictions
- § 9:10 Covenant not to compete
- § 9:11 Indefinite reference to restrictions
- § 9:12 Restrictions on railroad locations
- § 9:13 Conservation easements and preservation interests
- § 9:16 Agricultural land
- § 9:17 Floods and shorelands
- § 9:18 Shorelands, lakes and great ponds
- § 9:19 Coastal wetlands, sand dunes and wetlands in general
- § 9:21 Groundwater
- § 9:22 Maine environmental policy
- § 9:24 Maine's rivers and streams
- § 9:25 Recreational land, farms, woodlands

TABLE OF CONTENTS

- § 9:27 Hazardous substances and super lien
- § 9:29 Overboard effluent discharges
- § 9:34 Hazardous materials—Form[®]
- § 9:35 Energy efficiency performance standards in subsidized housing
[Retitled]
- § 9:36 Safety requirements

CHAPTER 10. FORMALITIES OF EXECUTION

- § 10:1 Defective execution in general
- § 10:4 Release of dower and curtesy
- § 10:5 Release of homestead
- § 10:7 Recital of sealing
- § 10:10 Power of attorney
- § 10:12 Seller's limited power of attorney—Form[®]

CHAPTER 11. DELIVERY AND RECORDING OF DEEDS

- § 11:7 Acceptance
- § 11:8 Recording statute
- § 11:12 Unrecorded instruments

CHAPTER 12. MORTGAGES

- § 12:9 Open end mortgage provisions
- § 12:11 Savings and loan associations
- § 12:13 Land installment contracts
- § 12:15 Settlement statement—HUD-1[®]
- § 12:17 Mortgage loan authorization—Savings banks
- § 12:18 Consumer mortgage regulations
- § 12:19 Usury

CHAPTER 13. TRANSACTIONS AFFECTING MORTGAGES

- § 13:1 Transactions affecting mortgages in general
- § 13:4 Rights of assignee of mortgage
- § 13:5 Liabilities of assignee of mortgage
- § 13:7 Partial release from mortgage
- § 13:10 Discharge of mortgage
- § 13:15 Foreclosures in general
- § 13:31 Report of public sale and disbursement of funds—Form[®]
- § 13:32 Mortgage guaranty
- § 13:33 Notice to cure default

CHAPTER 14. TAX LIENS AND OTHER ENCUMBRANCES

- § 14:3 Maine tax liens
- § 14:9 Mechanics' and materials liens
- § 14:11 Fixtures and financing statements

CHAPTER 15. LEASES

- § 15:3 Parties to a lease
- § 15:15 Discrimination in housing
- § 15:20 Termination and forfeiture of leases
- § 15:38 Commercial and shopping center leases—Checklist

CHAPTER 16. EMINENT DOMAIN

- § 16:1 Eminent domain in general
- § 16:4 Necessity for a public purpose

CHAPTER 17. ADVERSE POSSESSION

- § 17:1 Adverse possession in general
- § 17:5 Easements by prescription

CHAPTER 18. PROBATE PROCEEDINGS

- § 18:1 Probate proceedings in general
- § 18:2 Intestate succession
- § 18:3 Effect of a will
- § 18:4 Probate and administration
- § 18:5 Persons under incapacity *[Retitled]*
- § 18:6 Estates of absentees
- § 18:7 Lack of administration

CHAPTER 19. DIVORCE

- § 19:1 Effect of divorce on real estate ownership
- § 19:2 Brief summary of prior distribution procedures

CHAPTER 20. ZONING AND SUBDIVISION CONTROLS

- § 20:1 Zoning regulations in general
- § 20:2 Zoning violations
- § 20:4 Shoreland zoning
- § 20:5 Allagash Wilderness Waterway
- § 20:8 Land subdivision in general
- § 20:9 Site location of development
- § 20:11 Subdivision details and rulings
- § 20:12 Variances
- § 20:14 Scope of validity
- § 20:15 Community living arrangements
- § 20:16 Manufactured Housing
- § 20:18 Recording subdivision plats and plans
- § 20:19 Conditional and contract zoning
- § 20:20 Zoning definitions
- § 20:21 Endangered species

CHAPTER 21. PURCHASE AND SALE CONTRACTS GENERALLY

- § 21:3 Performance of contract

TABLE OF CONTENTS

- § 21:4 Parties to the agreement
- § 21:6 Buildings and fixtures included in sale
- § 21:10 Environmental considerations
- § 21:14 Option to purchase

**CHAPTER 23. REAL ESTATE SETTLEMENT
PROCEDURES**

- § 23:2 Purpose of RESPA
- § 23:6 Uniform Settlement Statement
- § 23:11 Real estate reporting regulations

**CHAPTER 24. TITLE EXAMINATION
PROCEDURES**

- § 24:1 Procedures for title examination
- § 24:2 Registry of deeds
- § 24:3 Registry of probate
- § 24:5 Running the grantor index
- § 24:6 Two or more grantees
- § 24:8 Joint tenancy
- § 24:10 Trusts
- § 24:11 Partnerships
- § 24:13 Corporations
- § 24:20 Power of attorney to convey
- § 24:24 Foreclosure of mortgages
- § 24:28 Maine estate tax lien
- § 24:29 Municipal liens
- § 24:30 Abstract of record
- § 24:34 Fixtures and financing statements
- § 24:35 Probate proceedings
- § 24:36 Guardians and conservators
- § 24:37 Descent of real estate
- § 24:38 Subdivisions and land use laws

**CHAPTER 26. REAL ESTATE APPRAISAL
LICENSING AND CERTIFICATION**

- § 26:1 Appraisal licensing procedures

CHAPTER 27. WASTE MANAGEMENT

- § 27:1 Waste management generally

Table of Laws and Rules

Table of Cases

Index