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Boundry Line Infromation

Maine Forest Service

Forest Policy and Management Division, forestinfo@maine.gov

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Boundary Line Information

Maine Forest Service, DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
22 State House Station, Augusta, ME 04333

Robert Frost's observation "**good fences make good neighbors**" is as true today as when he wrote it. With more expensive land and higher timber values, good boundaries are even more important today than they were in the past. The following information will help landowners avoid boundary problems:

Establishing boundaries:

1. An "established property line" means a line demarcated by monuments, signs, markings, pins, reference points or other markers that denotes a change in ownership between abutting properties. These established property line markers must have been placed upon mutual agreement of the abutting landowners, based on historical physical evidence of a preexisting boundary line or by a licensed professional surveyor.

Only a licensed surveyor can establish a property line if there are no existing blazes or monuments. Surveyors are licensed in the State of Maine under 32 MRSA § 13901 et. Seq. Copies of the law and a roster of land surveyors licensed to practice in Maine are available from the:

State Board of Licensure for
Professional Land Surveyors
35 State House Station
Augusta, ME 04333
(207) 624-8603.

2. The landowner or a licensed forester may maintain a line or reestablish one where some monuments or blazes still exist. If you cannot sight from one blaze to another, you should probably get the line surveyed by a licensed surveyor. Previously marked lines may be incorrect and will be relocated after an accurate survey.

3. Monuments are relatively permanent features like stone posts, iron bars, etc., that are established by the surveyor. Tree blazes are not monuments, they are only an approximate location of where the line

lies. A cap listing the surveyor's license number must be placed on the lots corner posts.

4. Line trees are those trees where the actual boundary intersects any part of the tree, such that part of the tree is on either side of the boundary (17 MRSA § 2511.1.D. See Tree A on the back of this sheet). Because they may be evidence of a line, blazed trees on a property line serve as witness trees and should not be cut. They generally have little value for timber since the blaze provides an avenue for bacteria and fungi to invade the tree and cause rot. These trees may also have fencing tacked to them, this will cause them to be rejected at the sawmill. **Line trees may only be cut with the permission of the abutting landowner** (17 MRSA §2511.2.B).

5. Before permanently marking the boundary by either blazing or painting, the line should be walked with the adjoining landowner to ensure its location is mutually agreeable. When there is a disagreement about a line, it should be surveyed. The landowners may agree to share the costs; however this should be agreed to or otherwise determined before proceeding with the survey.

Maintaining boundaries:

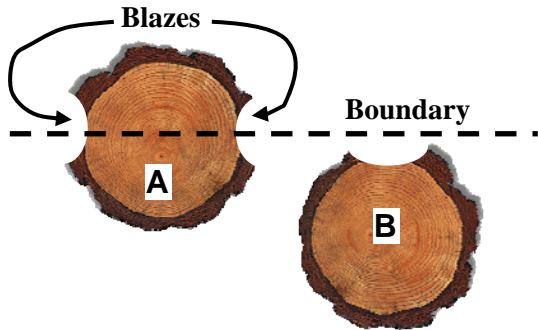
1. Boundaries should be painted with high grade, durable paint. Use a color such as red, yellow, orange or blue, these colors are easily seen and visible for long distances. Paints specifically formulated for marking boundaries are available from forestry supply companies. Paint trees only when the bark is warm and dry. Paint witness trees at the point where the boundary line intersects the tree.

2. In blazing and painting trees along the boundary line, the following rule is used:

A. If the boundary line passes through the middle of a tree, blaze and paint on both sides of that tree where the line passes through it (Tree A).

B. Where the line passes adjacent to the tree, blaze and paint one point only, immediately adjacent to the line (Tree B).

C. Be sure to blaze and paint both sides of the line so that it can be seen from either side. This will help prevent accidental trespass.



3. Avoid blazing well-formed, large or valuable trees as blazing the tree may allow the entrance of bacteria and fungi causing decay. Blazes should be about 4 to 5 inches in diameter and located about five feet above the ground. Blaze often enough so that it is possible to see the next blaze easily.

4. Boundary lines should be cleaned/brushed out for easy traveling and locating. Pruning limbs to head height and cutting small trees along the line will help. Cutting any vegetation on another's property requires permission. Check with the adjoining landowner before proceeding.

5. Corner posts should be of some permanent material, with the adjoining trees (witnesses) marked for easy locating. Wood, with the exception of cedar, makes a poor corner post as in a few years it will rot and fall to the ground. Iron pipe is long lasting, easily transported and inexpensive, and is easily driven into the ground. Where available, pile small stones around any corner post. Paint the stones and the corner post.

6. High quality paint, properly applied, should last at least ten years in the woods; axe blazes should last longer. Lines should be checked and maintained annually or periodically. Lines and corners should be shown to family members so they can locate them in the future.

Timber Harvesting and Boundaries:

Maine law is careful to protect adjoining landowners from timber trespass and damages that occur during any logging or wood harvesting operations. If you are considering harvesting timber, you should know and observe state and local timber harvesting regulations near property lines, trespass and slash disposal laws.

1. Anyone who authorizes timber harvesting, or in fact harvests timber shall **clearly mark with flagging or other temporary and visible means any established property lines within 200 feet of an area to be harvested.** The marking of property lines must be completed prior to commencing timber harvesting. Parcels less than 5 acres are exempt. (17 MRSA § 2511). Failure to clearly mark property lines may also make the person who authorized the cutting liable for double damages to an abutter if a timber trespass occurs (14 MRSA § 7552-A).

2. Slash left from any cutting operations of forest growth must be disposed of according to the following regulations: (12 MRSA § 9331-9336).

A. Along highways, slash must not be left in the right-of-way or within 50 feet of the nearer side of the right-of-way of a public highway.

B. Along railroads and utility lines (pipeline, electric, telephone, telegraph, or cable) slash must be removed from in the right-of-way or within 25 feet of the nearer side of the right-of-way.

C. Slash that might constitute a fire hazard shall not be allowed to remain on the ground within 25 feet of the property line of land belonging to another.

For more information, please contact:

**Maine Forest Service
DEPARTMENT OF AGRICULTURE,
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22 State House Station

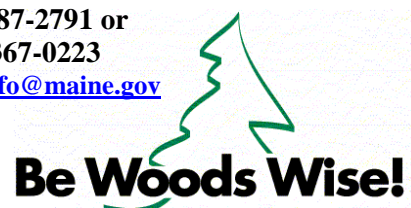
Augusta, ME

04333-0022

(207) 287-2791 or

1-800-367-0223

forestinfo@maine.gov



Practical advice for your land and trees
from the Maine Forest Service.

www.maineforestservice.gov