

SURVEYOR'S REPORT
REGARDING THE STATUS OF
BEAVER RIDGE ROAD (AKA BEAVER HILL ROAD)
FREEDOM, MAINE

JAMES A. DORSKY, PLS
AUGUST 14, 2026

August 14, 2026

Freedom Select Board
Town of Freedom
71 Pleasant Street
Freedom, ME 04941

Dear Select Board Members,

The following is a report of my findings regarding the record legal status of Beaver Ridge Road. This report and my conclusions are based on research I conducted in the spring and summer of 2026.

After the select board meeting I attended on July 13, 2026, where I presented my findings based on the research I had performed to that date, I received information through the town attorney, Bill Kelly, that was provided by both Patrick Terry and Kyle Price who have both done a lot of research regarding Beaver Ridge Road. After receiving that information, I reviewed it all and performed additional research to verify what was provided and to search for additional information related to it.

References to Book and Page numbers in this report are at the Waldo County Registry of Deeds (WCRD) unless otherwise noted.

The following report is a result of the above-described research.

ACCEPTANCE AS A TOWN WAY

Beaver Ridge Road (AKA Beaver Hill Road) was one of the earliest roads created in what is now the town of Freedom (formerly Beaver Hill Plantation and before that Smithton Plantation). It is shown on the town map dated November 1818 prepared by surveyors Charles Hayden and Joseph Norris (see Appendix A-1).

EARLY TOWN RECORDS

In the 1812 – 1843 Town Records Book found in the Freedom town office, there are a series of road layouts written into the book just after a January 21, 1828 entry on page 337. I believe that the roads that are described beginning on page 338 were roads that had been laid out and accepted before 1828 and whose records were not in a single organized location, and that the town decided to copy those descriptions into the town record books in 1828.

This series of road layouts beginning on page 338 is titled “*Record of Roads*” and the first road begins with “*Leading from Unity South line to Palermo...*”. It contains directions and distances

that match the alignment of Beaver Ridge Road. There is a gap of a few blank lines on the page within this layout which is a section of the road that is not described in that layout (see Figure 1).

Figure 1

338
Record of Roads
 Leading from Unity South line to Palermo
 S 33° W 68 rods S 4½° W 62 rods S 5° E 33° S 16½° W
 96 rods S 27° W 92 rods S 13° W 38 rods S 5° W 36 rods
 S 3½° E 32 rods S 16° E 62 rods S 1½° E 33 rods S 1½° E 33½
 rods S 6° W 119 rods S 13° W 52 rods S W 100 rods S 27° W
 90 rods S 23° W 52 rods S 44° W 112 rods S 55° W 83
 rods S 45° W 100 rods

 S 43½° W 40 rods S 7½° W 20 rods S 85° W 51 rods N 78½° W
 40 rods S 72° W 47 rods S 33° W 60 rods S 33° 4' 6 rods S 27½°
 W 40 rods S 27½° W 10 rods S 48½° W 100 rods to the North
 line of Palermo Road beginning 60 rods N of Benjamin
 Comings to Pariah N 24½° E 68 rods N 44° E 173 rods

The layout that basically fills that gap can be found on page 347 beginning almost a third of the way down the page with “Road leading from Gideon Robinson to Palermo” (see Figure 2).

Figure 2

Began at Henry Kanlets on Unity road running N 15° W
 W 167 rods to Unity line. — — — — —
 Began at Benjamin Bastons dwelling house running from
 that road S 77° deg. W 79 rods. Thence S 60° deg. W 40 rods.
 Thence S 59° deg. W 122 rods. Thence S 40° deg. W 30 rods.
 to the top of the hill in John Maddochs cleared land.
 Thence S 66° deg. W 126 rods to the road across the corner
 of Humphry Whittem's land S of the School-house. — — —
 Road leading from Gideon Robinson to Palermo.
 Began on the top of the hill at the S corner of the said
 Robinsons pasture running S 51° deg. W 62 rods. Thence
 S 60° deg. W 79 rods. Thence West 10° deg. S 24 rods. Thence S 77° deg. W 36 rods. Thence
 S 55° deg. W 70 rods to Joseph Silvesters dwelling house.

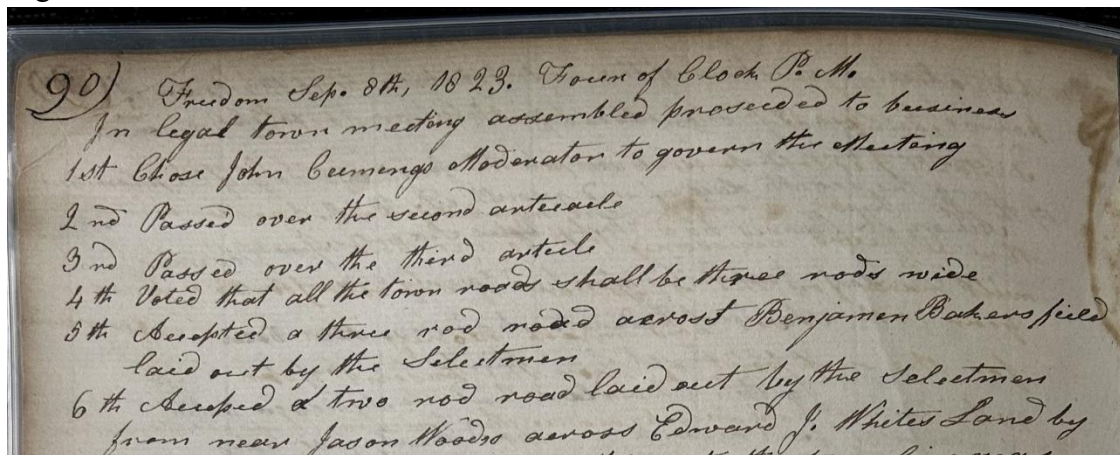
Appendix A-2 of this report shows an overlay of some of these layouts plotted on the 1859 Waldo County Atlas where the road numbers, i.e. “ROAD 8”, indicate which road is shown based on the sequence in the series of layouts referred to above, with Road 1 being the first road on page 338.

Beaver Hill Plantation was incorporated as the Town of Freedom on June 11, 1813. The Beaver Hill Plantation “town meeting” held on April 5, 1813 at Gideon Robinson’s house included article 10 on the warrant *“To see if the Plantation will Accept the road from Gideon Robinsons to John Robinson’s House”*. I believe this is the third road described on page 347 as it aligns with Beaver Ridge Road and Davis Road between lots 32 and 93 on the 1818 Hayden/Norris plan and I found recorded deeds for land owned by Gideon and John for at least portions of lots 32 and 93 respectively. The beginning of the gap in the first layout on page 338 is on lot 32 and also near a house shown on the 1859 Waldo County Atlas labeled “Mrs Keen”. I found a deed recorded in Book 13, Page 275 (WCRD) dated February 5, 1827 from Gideon Robinson to Reuben Keene for the southwesterly half of lot 32.

At the June 22, 1813 town meeting, article 2nd read *“To see if the plantation will accept the roads as they were surveyed last fawl [sic] and all others that shall be thought proper”*. The action on this article was *“Voted to accept all the roads that Bradstreet Wiggin and the Committee Surveyed them last year accept the road from Palermo to Unity through town”*. Beaver Ridge Road was often referred to as the road from Palermo to Unity or Unity to Palermo in old deeds and other road layouts. I believe these town meeting minutes show the acceptance of Beaver Ridge Road as a town way in 1813.

On page 90 of the 1812 – 1843 Town Records Book there is a record of the September 8, 1823 town meeting which includes article 4th *“Voted that all the town roads shall be three rods wide”* (see Figure 3).

Figure 3

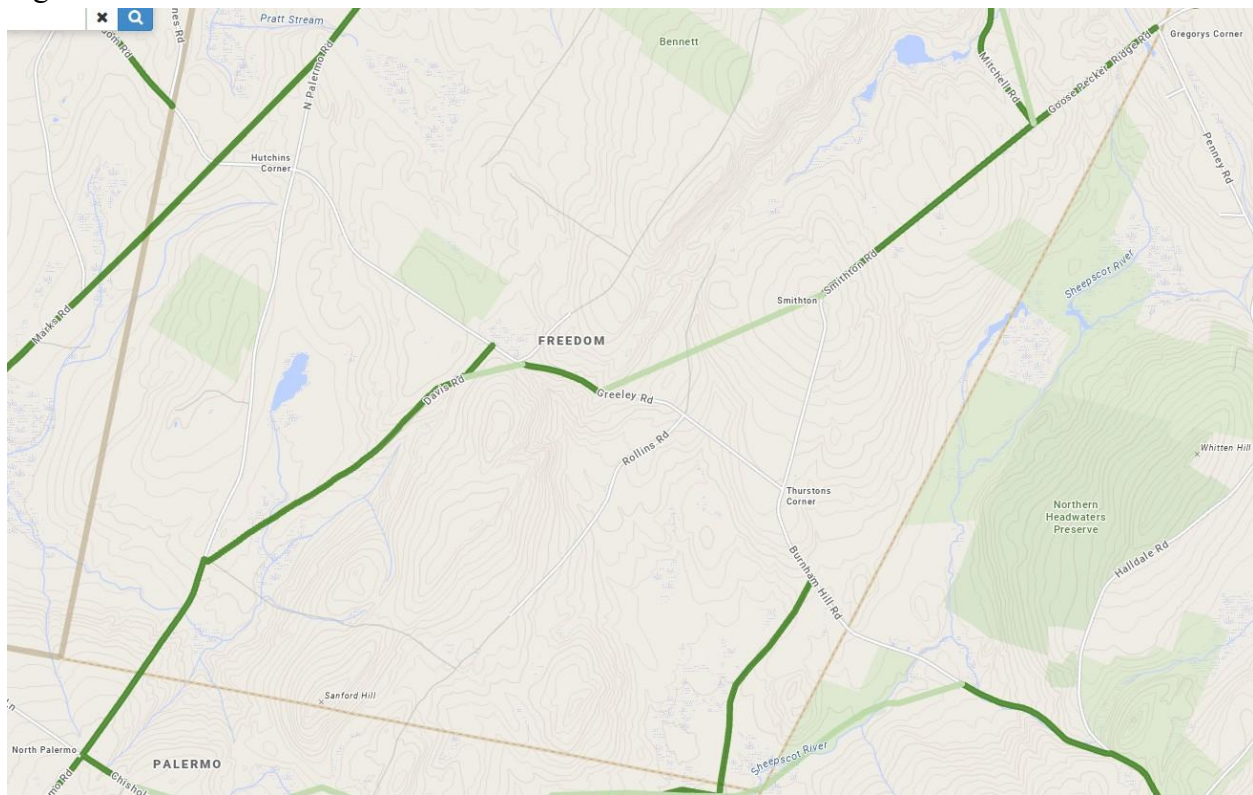


This would have made the right-of-way of Beaver Ridge Road 3 rods (49.5 feet) wide.

1823 KENNEBEC COUNTY COMMISSIONERS' RECORDS

In Volume 5 of the Kennebec County Commissioners Records beginning on Page 120 there is a description of a road laid out and accepted in 1823 that some people in town believed was Beaver Ridge Road. I plotted that layout in AutoCAD, overlaid it on various maps, and came to the same conclusion as to its location that the Maine Department of Transportation (MDOT) did (see Appendix A-2 where the 1823 layout is represented by the lines with shorter dashes). See Figure 4 below for a screenshot from the MDOT map viewer. The green lines represent county layouts. When you click on the green lines in the map viewer, it provides information about the plotted layout such as the county volume and page, the width, and the year it was accepted. The green line that runs from the Palermo town line over North Palermo Road, Davis Road, Greeley Road, a discontinued section of road shown on the 1859 county atlas to Smithton Road, and then along Smithton Road to the Montville town line represents the 1823 Kennebec County layout referred to above. It is not Beaver Ridge Road.

Figure 4



The 1823 record begins with a petition from the Freedom Selectmen to the County Commissioners asking them “to establish the above Road as a County Road and discontinue the one located through this town by Solomon Adams and others in December A.D. 1818...”. The record shows that the county accepted the new road petitioned for as a “public highway” but there is no statement by the commissioners regarding the discontinuance of the 1818 road. I did not determine the location of the 1818 road referred to.

1919 DISCONTINUANCE

The town record of the March 3rd, 1919 town meeting includes Article 25th *“To see if the Town will vote to Discontinue the road leading from the Dean Corner over Beaver Hill to William Arno place”* (see Appendix A-3). The vote on that article was recorded as *“Voted to Discontinue the Road leading from the Deane Corner over Beaver Hill to Wm. Arno Place”* (see Appendix A-4). I believe this vote represents the discontinuance by the town of the disputed section of Beaver Ridge Road in 1919.

WILLIAM ARNO PLACE

William E. Arno was conveyed a 22 acre parcel of land on the northwest side of Beaver Ridge Road by his wife, Josie Arno, in 1924 (see Book 357, Page 325 WCRD). William and Josie were married in 1892. That 22 acre parcel is what is now shown as Lot 29 on Freedom Tax Map 3 (see Appendix A-5 for a map combining portions of tax maps 3, 4, and 6). I traced the ownership of that land forward from William Arno through a series of conveyances to David and Jane Pottle (see Book 4627, Page 245). David and Jane Pottle are listed as the owners of Lot 29 in the Freedom tax commitment. I could not find a deed conveying the lot to Josie Arno but believe she may have acquired it from her father, Charles Trask, who had been conveyed the lot by A. M. Plummer in 1882 (see Book 201, Page 287).

DEAN CORNER aka DEANE CORNER

John H. Dean owned a farm at the corner of Beaver Ridge Road and Sibley Road from 1865 until his death in 1903. Shortly after his death, in the same year, several parcels of land were described in a deed from John's heirs to John's son John W. Deane (see Book 271, Page 30) with reference made to three earlier deeds to John H. Dean as the source of title. John W. Deane conveyed the 80 acre homestead portion of the farm to John R. Nutter on June 7, 1919 (see Book 337, Page 286).

I was provided with a document from Kyle Price through Freedom Town Attorney, Bill Kelly, which Kyle said is a part of the record of a Freedom Town Meeting in 1975. Article 38 read *“To see if the town will vote, to discontinue a road from Peter Greenwoods drive to Deans Corner. (For Maintenance Only)”*. The vote on the article was *“Motion made to accept article as reads. Hand vote called. It was so voted.”* I traced the ownership of Lot 14 on Freedom Tax Map 6, which is on the south side of Deer Hill Road, back to Peter and Elaine Greenwood (see Book 759, Page 505). This deed to the Greenwoods was dated 1978. I did not find a deed into the Greenwoods earlier than 1978 but did find a tax lien against Peter for unpaid 1974 taxes for land described as being bounded on all sides by John Allan (see Book 722, Page 462). The property in the 1978 deed was conveyed to them by John and Toby Allan and was described as being bounded by Allan on the southeast and southwest sides and by Blumstein on the northwest. Article 43 read *“To see if the Town will vote to discontinue a road from Deans Corner to Dean Barn so-called. (For Maintenance only)”*. The vote on the article was *“Motion made to accept*

article as reads. Hand vote called. It was so voted.” This discontinuance was mentioned at the July 13th select board meeting. After the meeting, Steve Bennett told me he knew where Dean’s barn was because he had taken it down. He pointed to a location on one of the maps I had brought to indicate where it had been. The location he pointed to was on the south side of Sibley Road on what is now Lot 1-5 on Tax Map 6. He said that Sibley Road had been discontinued from that barn to Beaver Ridge Road.

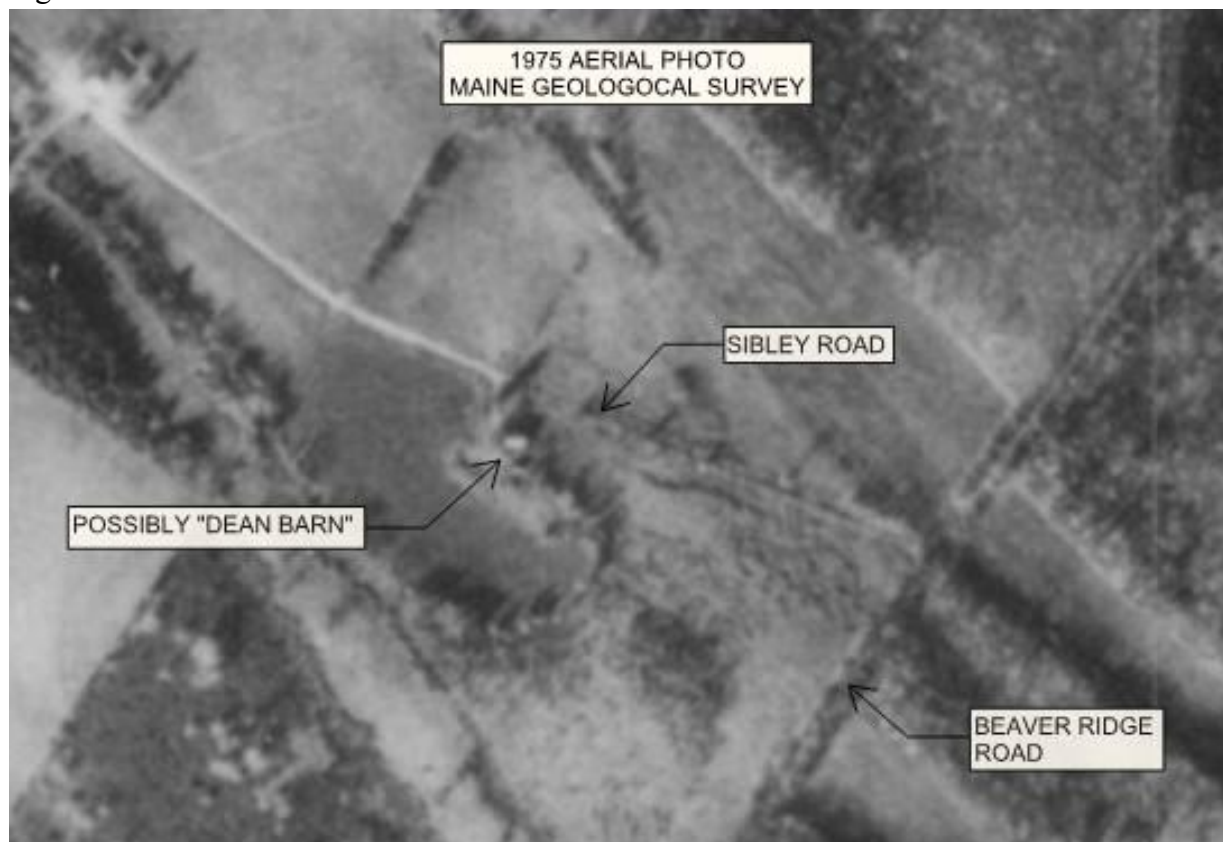
Figure 5 is a 1939 aerial photo showing the area around the intersection of Sibley Road and Beaver Ridge Road. The 1939 photo shows several buildings that I believe were the John H. Dean homestead. It also shows that Sibley Road was being maintained similarly all the way to Beaver Ridge Road in 1939.

Figure 5



Figure 6 is a 1975 aerial photo showing what appears to be only one building remaining, likely Dean’s barn, and Sibley Road from that building to Beaver Ridge Road appears to be unmaintained. The road running northerly from the intersection of Sibley Road and Beaver Ridge Road and northeasterly along what is now Deer Hill Road appears to also change to a less maintained state between 1939 and 1975. Beaver Ridge Road itself appears to already be unmaintained in 1939. (See Appendices A-6 and A-7 for the rest of Beaver Ridge Road in the 1939 aerial photo)

Figure 6



This information makes clear that the intersection of Sibley Road and Beaver Ridge Road was referred to as Deans Corner in 1975. It should also be noted that in the 1919 warrant article it was spelled Dean Corner and in the vote on that article it was spelled Deane Corner.

SURVEYS AND DEEDS REFERRING TO BEAVER RIDGE ROAD AS DISCONTINUED

There is a 1987 survey by Rowe and Wendell (see Plan Book 13, Page 223) along a northerly section of Beaver Ridge Road on which the road is labeled “discontinued road, current status of road unknown”. 1990 surveys by Sackett & Brake (see Plan Book 15, Page 163 - Plan Book 15, Page 181 – and Plan Book 15, Page 224) of land along Beaver Ridge Road between the 1987 survey on the north and “Road 8” and Lot 29 on Tax Map 3 to the south labeled Beaver Ridge Road “Discontinued Town Road” and “Road Over Beaver Hill (so-called) (Discontinued). There are deeds recorded in the Waldo County Registry of Deeds conveying land along the disputed section of Beaver Ridge Road that referred to the road as being discontinued as early as 1935.

The land on the southeasterly side of Beaver Ridge Road that is now designated as Lots 1, 1-1, 1-3, and 1-6 on Tax Map 6 was conveyed to Mark Pitcher in 1969 (see Book 677, Page 434). In that deed the land is described in part as “*Beginning at a cement post on the easterly side of the road leading from McDonald’s Corner, so called, to the top of Beaver Hill, at the junction of*

land now or formerly of Daniel McDonald and the premises hereby conveyed; thence southerly by said road and by an old discontinued road extending in the same direction, fourteen hundred forty-four (1444) yards, more or less, to a stone wall; thence easterly by said stone wall...”.

1,444 yards equals 0.82 miles. This land is depicted on a 1987 subdivision plan recorded in Plan Book 13, Page 223 at the WCRD. The first road referred to in the above cited description appears to be the section of road northerly of Sibley Road that was later discontinued by the above referenced article 38 at the 1975 town meeting. The “old discontinued road” being referred to is Beaver Ridge Road southerly of Dean Corner. This description, with reference to Beaver Ridge Road as an old discontinued road, is the same in every deed conveying that land going back to and including the 1951 conveyance from Antoine Rossignol to Norman R. Elliott (see Book 480, Page 491).

The land on the northwesterly side of Beaver Ridge Road that includes approximately 2,300 feet of road frontage that is comprised of what is now Lots 7-2 and 7-3 of Tax Map 5 was conveyed by Lendel V. Penney to William M. Clark in 1943 (see Book 436, Page 36). The land was described in that deed in part as “*on the east by Beaver Hill Road (discontinued); ...*”. The land had been conveyed to Lendell Penney by Frank W. Penney in 1935 (see Book 393, Page 408) with the same description and reference to Beaver Hill Road having been discontinued. This was 16 years after the 1919 discontinuance.

POSSIBILITY OF ANOTHER DEAN(E) CORNER

I was provided with a significant amount of information from Patrick Terry through Freedom Town Attorney, Bill Kelly, primarily in the form of deeds and surveys as well as a surveyor’s report regarding Sibley Road prepared by Lane Gray in 2007 for C. Ronald Price. Mr. Terry also provided a brief narrative in an email to the Town Clerk addressed to Mr. Kelly and me. Mr. Terry believes that there was at least one other Dean(e) Corner, other than the one at the intersection of Beaver Ridge Road and Sibley Road. Based on all my research and the information provided by Mr. Terry and Mr. Price, I do not believe there was another Dean(e) corner.

Mr. Terry believes that there was a road that ran northwesterly from Beaver Ridge Road along the lot line on the 1818 map between Lot 32 and Lots 33 and 31 which continued northwesterly to Puddledock in Albion. This lot line is the current property line between lots 27 and 29 on Freedom Tax Map 3. It is also directly across Beaver Ridge Road from the northwesterly end of what I designated “Road 8” on Appendix A-2 of this report. Road 8 meets the southeasterly side of Beaver Ridge Road at the property line between Lots 1 and 19-2 on Tax Map 4. The description of Road 8 on page 339 of the 1812 – 1843 Town Records Book begins “*Road from Amos Silvester to Gideon Robinson...*”. Mr. Terry believes that this road that ran from the Silvester farm northwesterly to Beaver Ridge Road, continued on the northwesterly side of Beaver Ridge Road along the Lot 32/33 then 32/31 lot lines and then northwesterly to

Puddledock in Albion, and that it intersected another road running southwesterly from Sibley Road as an extension of what is now known as Bennett Lane (with a jog at another old road near the southwesterly edge of Bennett's fields). He believes that John W. Deane owned property at a road intersection in that location that is more likely the Dean(e) corner referred to in the 1919 discontinuance.

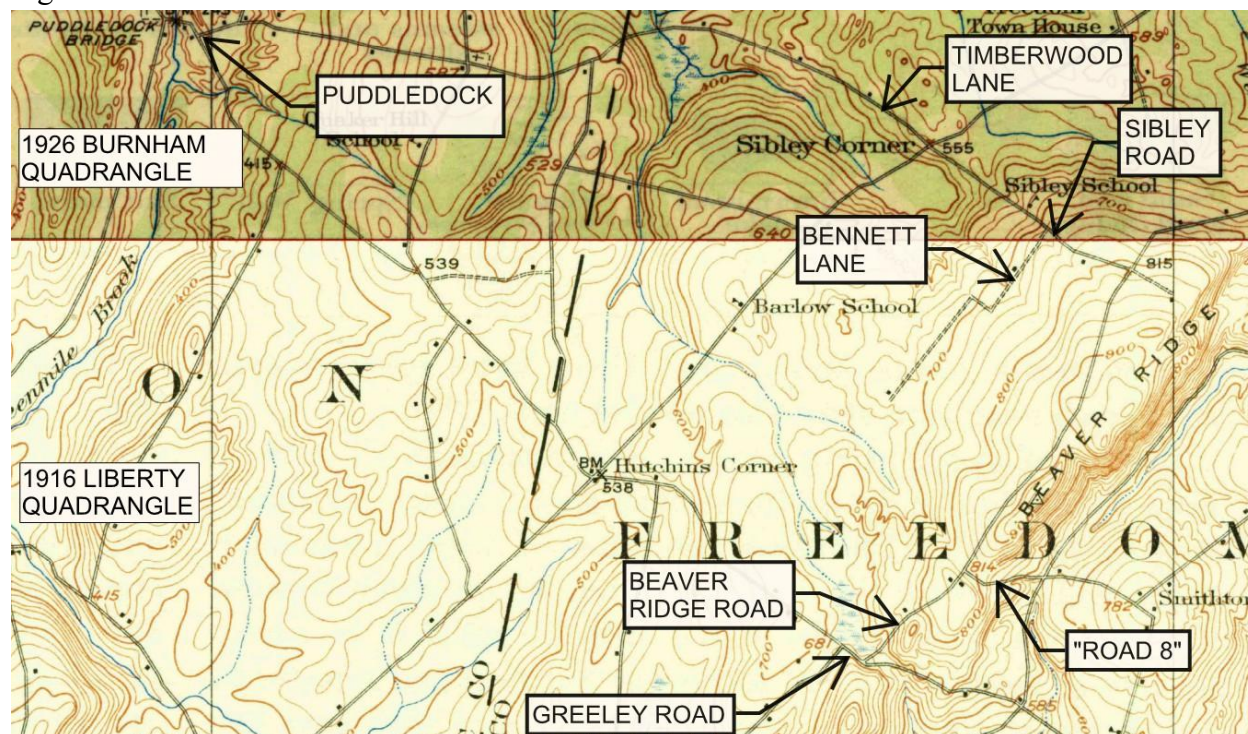
One piece of evidence Mr. Terry points to as to the existence of a road running along the Lot 32/33 then 32/31 lot lines is recent maps showing a road in that vicinity called Spring Lane. He showed that to me on the Maine Atlas and Gazetteer after the select board meeting on 7/13/26. Spring Lane is also shown on the 2011 USGS Liberty quadrangle although it is not shown on subsequent quadrangles in 2014, 2018, 2021, and 2024. 2011 was the only version it ever appeared on. There was also never a road shown there, or in that vicinity running to Puddledock, on any other map I reviewed, which includes the 1818 Hayden/Norris map, the 1856 Kennebec County Atlas, the 1859 Waldo County Atlas, prior USGS quadrangles dated 1916, 1927, 1935, 1939, 1942, 1961, 1971, 1974, and 1983. I also did not see a road there on aerial photos I reviewed dated 1939, 1956, 1965, 1966, 1975, 1977, and 1980. Google Earth has aerial images showing a driveway on Lot 29 of Tax Map 3 running from Beaver Ridge Road back onto Lot 28. That driveway matches the length and shape of Spring Lane as depicted on the 2011 USGS Quadrangle with a slight northerly turn at the northwest end. The historical imagery on Google Earth has images going back to 2006 that show this driveway. The next image available going back in time is from 1996 and the driveway is not there and there is no indication of any other road or driveway in that area in 1996. Based on the above, I believe Spring Lane depicted on the 2011 Quadrangle and Maine Atlas and Gazetteer is the driveway on Lot 29, and that it was constructed sometime after 1996 to access a new building that was constructed on Lot 28 at the northwest end of the driveway that runs over Lot 29. Both Lot 29 and Lot 28 are owned by David and Jane Pottle.

I made a visual inspection of this area on August 13, 2026 and found a four wheeler/"Jeep trail" still in use where Road 8 had been, the centerline of which is approximately one and a half rods northeast of a stone wall as shown on a 1990 Sackett & Brake survey recorded in Plan Book 15, Page 163 (WCRD). Road 8 was discontinued by a vote on Article 24 at the same March 3rd, 1919 town meeting (see Appendices A-3 and A-4) where the road from Dean(e) Corner to the William Arno place had been discontinued. On the northwest, or opposite side of Beaver Ridge Road from Road 8, I found a stone wall running northwesterly in line with the centerline of Road 8, parallel with and approximately one and a half rods northeasterly of the stone wall on the southeast side of Beaver Ridge Road. This appears to show that the last section of Road 8 laid out where it met the southeast side of Beaver Ridge Road, was laid out centered on the Lot 32/Lot 33 lot line of the 1818 Hayden Norris map as a 3 rod wide road, and that the stone wall on the northwest side of Beaver Ridge Road is on the lot line. There is no indication today of a road on either side of that northwesterly running stone wall and I found no calls for a road in that

location in the deeds in the chains of title for the properties on either side of that line (Lots 27 and 29 on Tax Map 3).

The road running southwesterly from Sibley Road where Bennett Lane is now located, was shown on USGS Quadrangles, and also the 1859 Waldo County Atlas, but was shown only running southwesterly to a house which would be in the middle of Lot 31 on Tax Map 3, stopping short, by a little over 4 tenths of a mile from where it would intersect the line between Lot 32 and Lots 33 and 31 on the 1818 map. Beginning on the 1942 quadrangle it is shown running farther to the southwest and past where it would have intersected the Lot line, but it is shown there as a single dashed line, which in the then current edition (1918) of the “*Topographic Instructions of the United States Geological Survey*” meant it was considered a “Trail or Path”. Subsequent versions of the Liberty Quadrangle show it as a single dashed line labeled “Jeep Trail” until the 2011 version, which also shows Spring Lane, where it is shown with double solid lines and labeled “Bennett Lane”. 2014 and later Quadrangles do not show it at all southwesterly of the jog in the road closer to Sibley Road. Figure 7 shows an overview of this area from portions of the USGS 1916 Liberty and 1926 Burnham Quadrangles.

Figure 7



Another piece of evidence that Mr. Terry claims supports his conclusion that there was a road running to Puddledock opposite Road 8, is a deed from Gertrude Davis to Mitchell F. Michaud in 1934 (see Book 386, Page 365) conveying what is now Lot 27 on Tax Map 3. This land is a northwesterly part of Lot 32 on the 1818 Hayden/Norris map. In that deed, the land was described as “North by the Bradstreet Wiggin lot, so-called; Easterly by the Beaver Hill Road;

Southerly by said Road; and Westerly by land now or formerly of J. W. Deane and Land now or formerly of H. G. Barlow, containing seventy-five (75) acres, more or less". This lot had been willed to Gertrude Davis by her late husband, Almond G. Davis, who had been deeded the lot by Edward K. Davis in 1908 (see Book 298, Page 77). The 1908 deed had a very similar description calling for Beaver Hill Road on the East and South with no other abutting call to the south other than "said Road".

I did not find a deed into Edward K. Davis but I did find an assignment of a mortgage for this property from Asa Trask to Edward K. Davis in 1875 (see Book 174, Page 355) which described the property as "*on the south by land occupied by me and the Beaver Hill Road, on the west by land owned or occupied by Dean and Barlow, northerly on the Bradstreet Wiggin lot so-called, easterly by road first named, and southerly by land of Melvin Trask*". This description is ambiguous as it has 2 different descriptions of what the land is bounded by on the south. This poorly written description may have influenced the later description leading to no abutting call to the south other than "said road". The call to the south of "said road" or "*Beaver Hill Road*" in itself doesn't make sense because if there had been another road running to the west, it would not have been considered the same road, it would have been referred to as a different road because Beaver Hill Road continued southerly toward Palermo. Also of note is that the south line of the described parcel, which is the line between lots 27 and 25 on the tax map, is not opposite "Road 8" nor on the Lot 32/Lot 33 lot line.

Edward K. Davis may have been related to and acquired the land from Daniel Davis who was conveyed 178 acres of land from D.B. Fuller on June 20, 1866 (see Book 153, Page 58) in which the land was described as being part of the Reuben Keen farm, which did include this 75 acre lot. This deed from Fuller also said it was bounded "*westerly by fifty acres I sold George Barlow*" (see Book 135, Page 214 dated 2/21/1866). The deed to Barlow was described in part as "*fifty acres off the westerly end of said Keen Farm. Eighty rods by one hundred.*" John H. Dean was deeded a 40 rod by 100 rod parcel from George Barlow in 1875 (see Book 171, Page 195). This was one of the parcels conveyed by John H. Dean's heirs John W. Deane in 1903 as discussed above.

So, John H. Dean and then his son John W. Deane did own a 40 by 100 rod (660' x 1,650' = 25 acres) lot that was located within what are now shown as Lots 26 and 28-1 on Tax Map 3. I found deeds from John W. Deane conveying the other lots he was deeded by his father's heirs, but not this 25 acre lot. I found a 1941 deed from the Town of Freedom to Wilfred C. Bryant conveying their interest in this lot "*by virtue of unpaid taxes*" (see Book 422, Page 403). None of the deeds I found conveying this lot ever mentioned a road, or even a right-of-way. The only evidence I found of there having been a road in the vicinity of the 25 acre Dean(e) lot was the southwesterly extension of Bennett lane which, based on the information described above, appeared to happen sometime in the 1920s or 1930s (after the 1919 discontinuance) and was

never more than a “Jeep trail”. I found no evidence of a road running from the 25 acre Dean(e) lot to Beaver Ridge Road.

Mr. Terry referred to the 25 acre Dean(e) lot as the “George Barlow Homestead”. I believe it was more likely a wood lot. In the deed from John H. Dean’s heirs, the first described 80 acre parcel at Sibley Road was described in part “*with all buildings thereon and being the homestead of John H. Dean...*”. The description in that same deed of the 25 acre lot began simply as “*a certain other piece of land...*”.

The most compelling piece of evidence refuting the idea that the Dean(e) corner referred to in the 1919 discontinuance was near the 25 acre lot described above, is the fact that there is no road or even a “Trail or Path” shown there on the 1916 USGS Liberty Quadrangle. If there had been a town road there running to Beaver Ridge Road that was being discontinued by the town in 1919, some indication of that road would have been shown on the 1916 quadrangle.

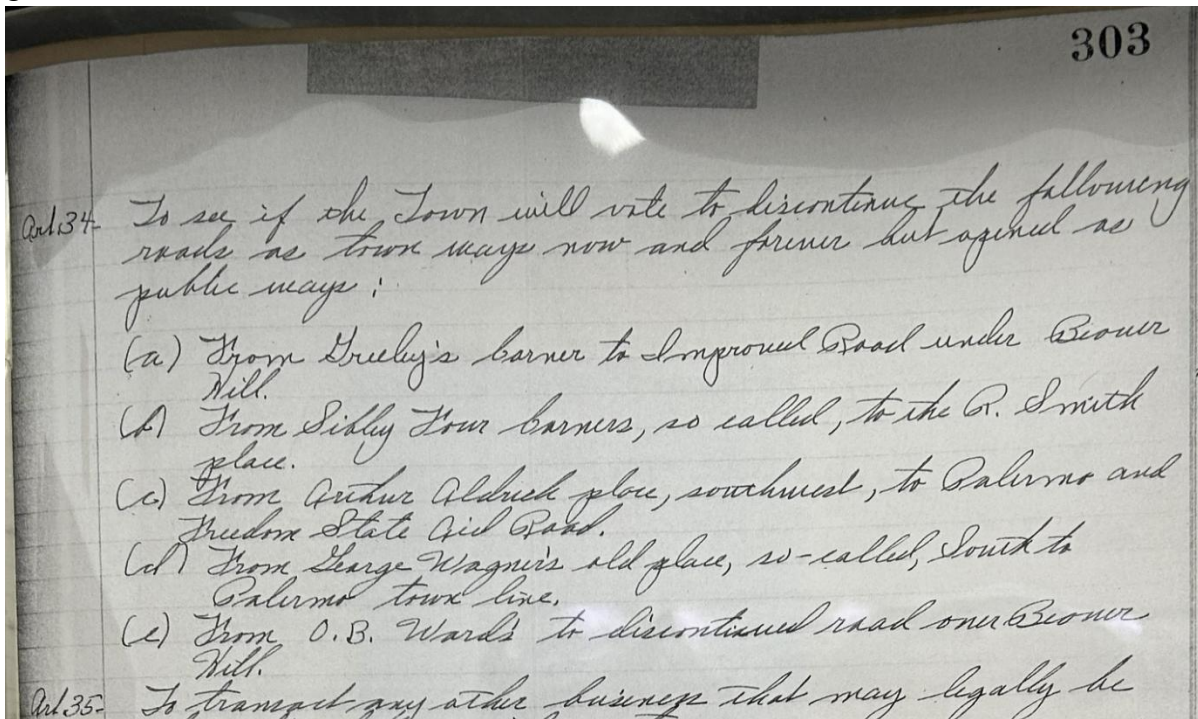
Also of note is a deed provided by Mr. Terry conveying several parcels from William T. Haines to George O. Danforth in 1902 (see Book 274, Page 413) in which two of the parcels were described in part as “*on the road leading from Beaver Hill, so-called, to Puddledock...*”. George O. Danforth conveyed one of these parcels as the second parcel in a deed to Ben C. Helmick in 1923 (see Book 351, Page 281) with a slightly different description which read in part “*on the north by road leading from Sibley Four Corners to South Albion*”. In Book 351, Page 281 it says this second parcel is the first lot in a mortgage recorded in Book 183, Page 382 and acquired by George Danforth in a foreclosure recorded in Book 244, Page 244. Both the mortgage and foreclosure deeds referenced, described the road as the “*road leading from Beaver Hill so called to Puddledock*”. According to an article in the Town Line newspaper on June 10, 2020 titled “Up and down the Kennebec Valley: Albion” there were historically three different areas in Albion referred to as South Albion and one of them was Puddledock.

Therefore, the parcels described in the 1902 deed to George Danforth were likely on what is now known as Timberwood Lane, as that is the road that ran from Sibley Corner to Puddledock, and the road considered to lead “*from Beaver Hill, so-called, to Puddledock*” may also have included Sibley Road since you would have to travel from Timberwood Lane through Sibley Corner and along Sibley Road to reach Beaver Hill. (see Figure 7)

1956 DISCONTINUANCE

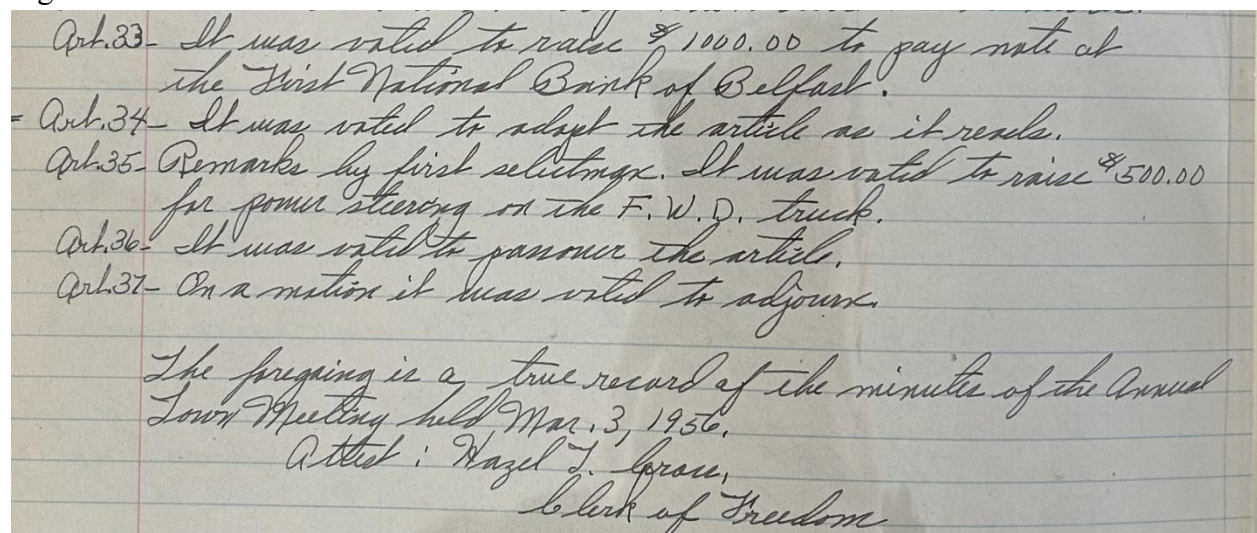
At the 1956 Freedom annual town meeting, article 34 began "To see if the Town will vote to discontinue the following roads as town ways now and forever but opened as public ways:". It then described 4 roads proposed to be discontinued. The fourth was described as "From O.B. Wards to discontinued road over Beaver Hill.". (see Figure 8)

Figure 8



The vote on article 34 read "It was voted to adopt the article as it reads.". (see Figure 9)

Figure 9



There is no disagreement as to what was meant by “O.B. Wards”. Oley B. Ward lived on what is now Lot 25 on Freedom Tax Map 3. He acquired the land in a deed from Eunice F. Ward in 1916 (see Book 321, Page 472). Beaver Hill Road is paved from Greeley Road to the driveway that serves the house on this property, which is the southern end, or beginning, of what was being discontinued in 1956. The northerly end of the section of road being discontinued in 1956 was at what had previously been discontinued in 1919 and was therefore described as “*to discontinued road over Beaver Hill*”. As discussed above, this location was at the former “*William Arno place*”, now Lot 29 on Tax Map 3, where on the tax map the sidelines of Beaver Ridge Road change from solid continuous lines leading from Greeley Road to dashed lines.

CONCLUSION/CURRENT STATUS

Prior to 1977, when a town in Maine accepted a road at town meeting, it typically acquired easement rights only. The underlying fee ownership of the strip of land did not change because of the acceptance. So, it is very unlikely that the town of Freedom ever owned the fee interest in any of the land within the Beaver Ridge Road right-of-way.

The two types of easements that Maine towns typically hold for roadways are town ways and public easements. Public easements were previously referred to as private ways. The main difference between town ways and public easements is that the town has a responsibility to keep town ways safe and passable by motor vehicles, but in the case of public easements/private ways, the town is not obligated to maintain or repair them.

On or after September 3, 1965, due to the enactment of 23 M.R.S.A. § 3004, a discontinuance of a town road ended the town’s maintenance obligation but automatically retained a public easement, unless the language in the discontinuance explicitly stated that no public easement was to be retained. Prior to September 3, 1965, a discontinuance of a road left the town with no public easement, unless the language in the discontinuance explicitly retained one.

Based on my research and analysis regarding Beaver Ridge Road, I believe that the section of Beaver Ridge Road from its intersection with Sibley Road southerly to Lot 29 on Freedom Tax Map 3 was discontinued by a vote on article 25 at the annual town meeting held on March 3, 1919 (see Appendix A-3 and A-4). Since this discontinuance occurred prior to 1965 and there was no mention of retaining a private way/public easement, the town gave up all its rights in that section at that time.

The 1956 discontinuance discussed above discontinued the section of Beaver Ridge Road from O.B. Ward’s, which is the northerly end of the currently paved section of Beaver Ridge Road, to the section that been discontinued in 1919. Even though this discontinuance happened before 1965, because it read in part “*To see if the Town will vote to discontinue the following roads as*

town ways now and forever but opened as public ways:”, it appears the town intended to keep a public easement/private way in this section of Beaver Ridge Road.

Summary of Beaver Ridge Road Current Record Legal Status:

- From Greeley Road northerly to driveway on Lot 25 – Town Way
- From driveway on Lot 25 to Lot 29 – Likely a Public Easement (see below)
- From Lot 29 to Sibley Road – Discontinued with no Public Easement

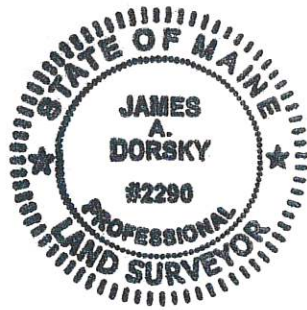
As discussed above, the language in the 1956 discontinuance “*but opened as public ways*” is a little unusual. Because of this, you should obtain an opinion from the town attorney about whether or not this means a public easement was retained in that section of road.

Whether or not the public, or anyone else, may have any prescriptive rights in the section of Beaver Ridge Road that was discontinued in 1919 based on their use, is something else you should discuss with the town attorney.

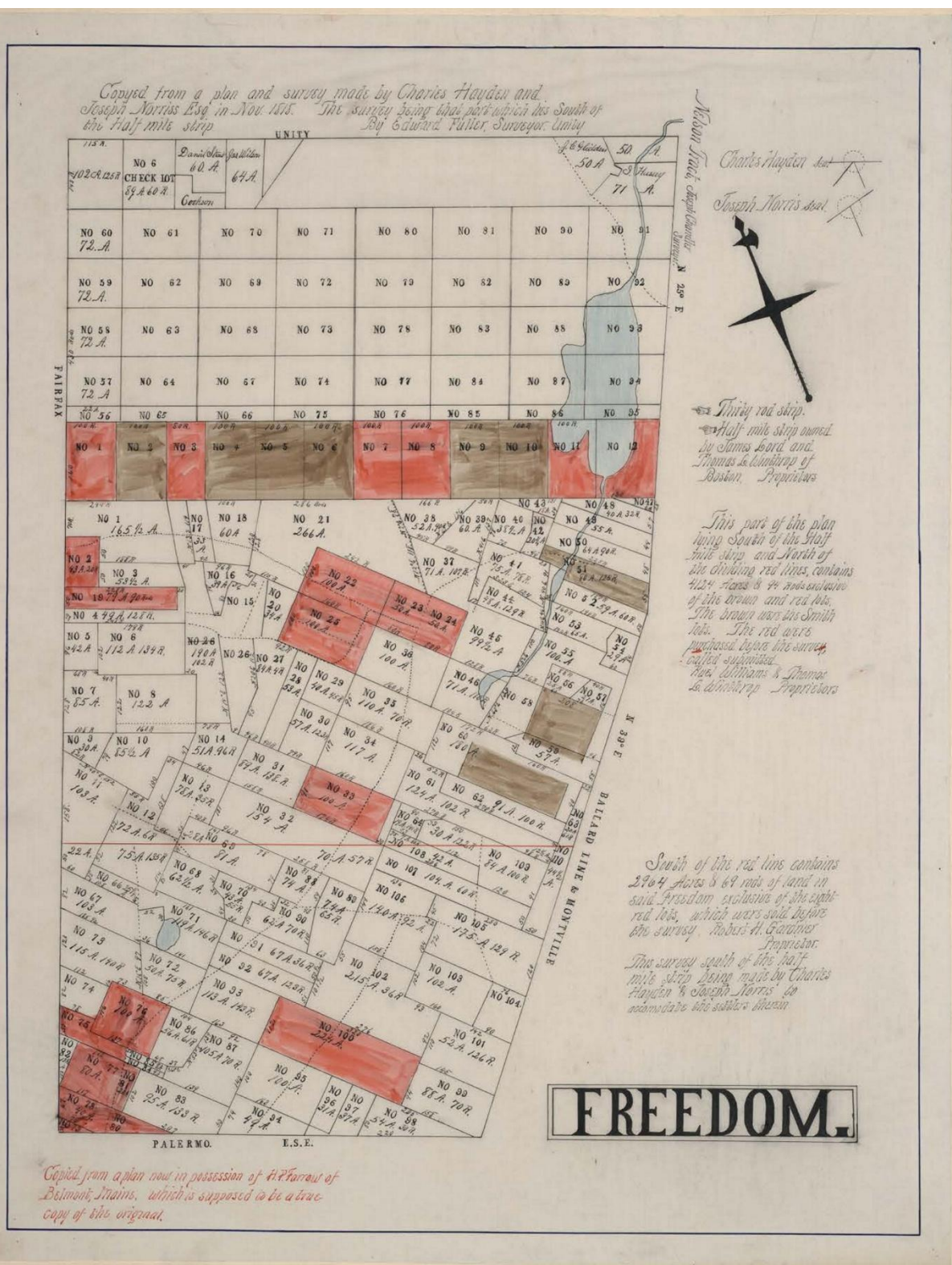
Please feel free to contact me if you have any questions regarding this report or any other questions about the record legal status of Beaver Ridge Road.

Sincerely,


James Dorsky
Maine Professional Land Surveyor 2290



APPENDIX A-1



APPENDIX A-2



(March 3rd 1919 warrant continued)

- Art 15th To see if the Town will appropriate & raise the sum of \$33.00 for the improvement of the section of State and road as outlined in the report of the State highway commission in addition to the amounts regularly raised for the care of ways, highways & bridges. The above amount being the maximum amount which the town is allowed to raise, under the provisions of section 18 Chapter 25 of the revised Statutes of 1916.
- Art 16th To see if the Town will authorize the School Committee to contract with, & pay to the trustees of Freedom Academy Association for tuition of pupils in Secondary School standing for the year 1919.
- Art 17th To elect a constable for the ensuing year.
- Art 18th To see if the Town will vote to allow the school board a salary for their services.
- Art 19th To see what action the Town will take in regard to allowing L. O. Danforth pay for keeping Thomas Rustus.
- Art 20th To see if the Town will vote to instruct the Town Treasurer to hire such sums of money as is necessary to pay urgent bills until taxes are available.
- Art 21st To see if the Town will vote to abate the tax of Mrs. Etta Adams for the year 1918.
- Art 22nd To see if the Town will vote to abate the tax of Mrs. D. P. Thompson for the year 1918.
- Art 23rd To see if the Town will vote to Discontinue the Road leading from the main road to the old Taylor place.
- Art 24th To see if the Town will vote to Discontinue the Road leading from corner near Webber Downer place up over precipice to the corner near William Arns.
- Art 25th To see if the Town will vote to Discontinue the road leading from the Dean Corner over Beaver Hill to William Arns place.
- Art 26th To see if the Town will vote to shorten the bridge in Village near R. L. Thurstons Mill & raise money for same.
- Art 27th To transact any other business that may legally come before said meeting.
- The Select Men hereby give notice that they will be in session at the Town house in said Town at nine o'clock in the forenoon on the day of said meeting for the purpose of revising & correcting the list of voters.
- Given under our hands this 2nd day of February A.D. 1919
- H. W. Johnson }
 C. W. Bangs } Selectmen
 H. K. Bradstreet } of Freedom.
- A True Copy Attest
 Frank D. Filye, Town Clerk.

Record of March 3rd 1919. Continued

Art 8th It was voted to raise the following sum of money

Free High School	\$250.00
Common School	1000.00
Support of Poor	500.00
Highways & Bridges	1500.00
Snow Bills	100.00
Town Officers Bills	1000.00
Text Books (Voted to pass article)	0.00
Repair of School houses	100.00
Discount on taxes for 1918	199.43
Miscellaneous Bills & Defunct ^{last year} Town charges	200.00

Art 9th Percy Bessy Chosen Town Treasurer. Sworn by Moderator

Art 10th Voted to make the town treasurer a collector of taxes.

Art 11th { Percy Bessy Chosen Collector of taxes. Sworn by Moderator
Voted the compensation for treasurer & collector \$150.00

Art 12th Voted to have two Road Commissioners.

Art 13th Voted to accept Article 13 as it reads.

Art 14th Voted Yes on Article 14.

Art 15th Voted to raise \$533.00 as per Article 15.

Art 16th Voted to adopt Article 16 as it reads.

Art 17th J.A. Belloy Chosen Constable for ensuing year. Sworn by Moderator

Art 18th Voted to allow the School board \$5.00 each. Salary per year

Art 19th Voted to leave the Matter of Article 19th to the best judgment of the select men.

Art 20th Voted to accept Article 20th as it reads.

Art 21st Voted to abate the Taxes of Mrs. Etta C. Adams for 1918.

Art 22nd Voted not to abate the Taxes of Mrs. D.F. Thompson.

Art 23 Voted to Discontinue the Road leading from the Main Road to the old Taylor Place.

Art 24 Voted to Discontinue the Road leading from corner near

Art 25 Voted to Discontinue the Road leading from the corner near Wm. Arno.

own Beaver Hill to Wm. Arno Place.

Art 26th Voted to instruct the selectmen to shorten the bridge in the Village near F.L. Thurston Mill. And Voted to Raise \$100.00 for same.

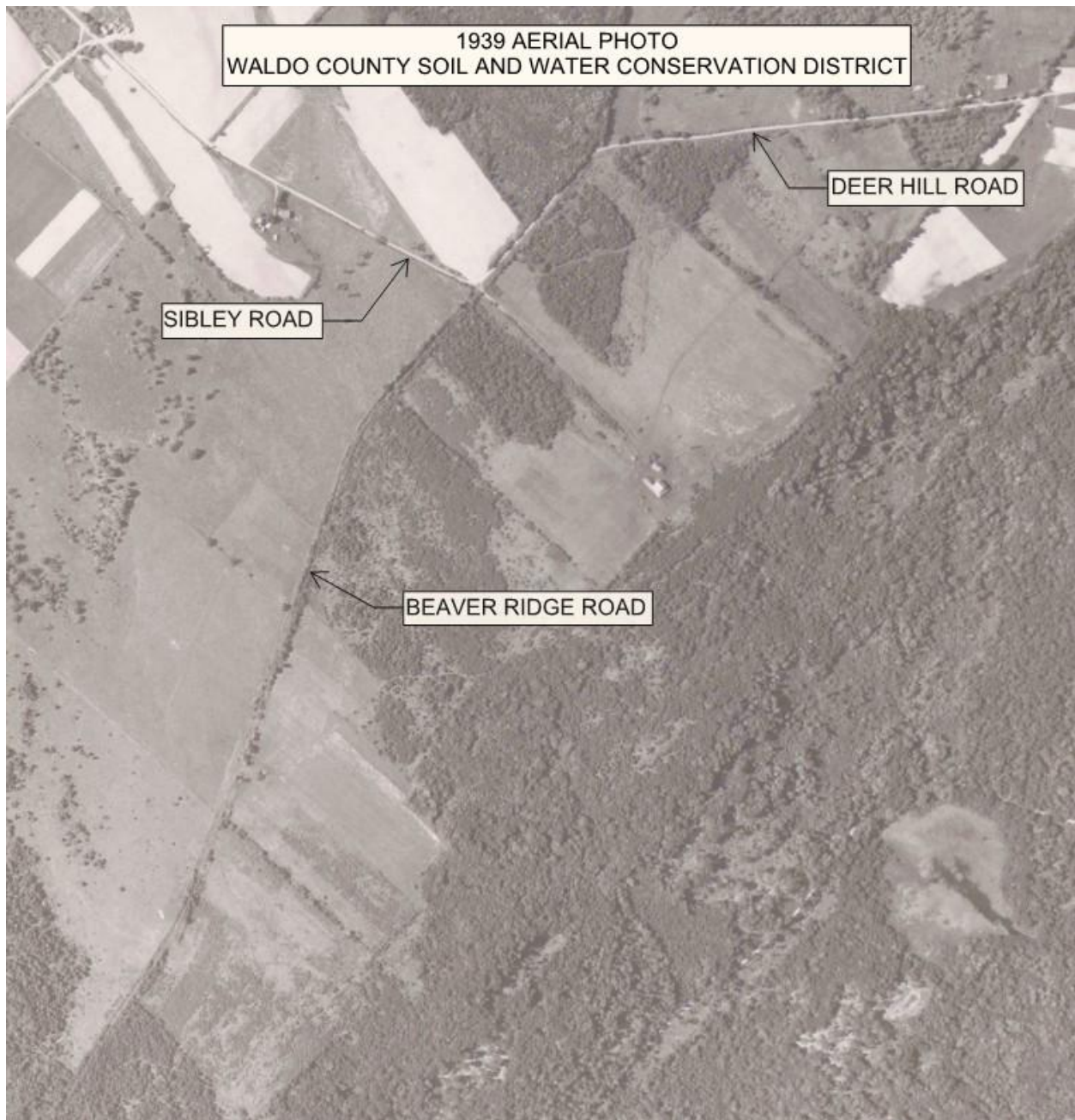
Voted to Adjourn

A True Copy Attest. Frank D. Ryer (Town Clerk)

APPENDIX A-5



APPENDIX A-6



APPENDIX A-7

