



STATE OF MAINE
CUMBERLAND COUNTY

BUSINESS & CONSUMER COURT
Dkt. No. BCD-CV-2017-56

REBECCA W. BELANGER¹)
plaintiff,)
)
v.)
)
LISA M. YORKE)
defendant)

FINAL JUDGMENT
14 M.R.S. §2401

The Court hereby enters final judgment in this action based on a November 1, 2018 Combined Order on Cross-Motions for Partial Summary Judgment (“2018 Order”) and a November 18, 2021 Order Following Bench Trial (“2021 Order”).

Lisa M. Yorke owns the West Bath, Cumberland County, Maine real estate described in the June 20, 2005 deed from Bradford P. Belanger, Jr. to Lisa M. Yorke that was recorded in Book 2016R, Page 4766 of the Sagadahoc County Registry of Deeds on July 15, 2006 (“2005 Deed”). (2021 Order)

The 2005 Deed has an adequate legal description and 33 M.R.S. §480 is not an affirmative defense to Lisa’s claim of ownership. (2018 Order and 2020 ME 24)

The June 27, 2016 deed from Bradford P. Belanger, Jr. to Bradford P. Belanger, Jr. and Rebecca Williams Belanger recorded in Book 2016, Page 4333 on June 27, 2006 (“2016 Deed”) did not affect Lisa’s title to her West Bath real estate described in the 2005 Deed because: (1) the 2016 Deed was not supported by consideration and Rebecca Williams was not protected by the Maine Recording Act; (2) Rebecca Williams had

¹ Rebecca Williams Belanger is now known as Rebecca Williams.

implied actual notice of the 2005 Deed and she was not protected by the Maine Recording Act; and (3) Bradford P. Belanger, Jr. signed the 2016 Deed as a result of Rebecca Williams' undue influence and abuse of confidential relationship and it must be avoided. (2021 Order)

The Court adds the following provisions to the judgment in accordance with 14 M.R.S. §2401:

A. The names and addresses of the parties to this action and their attorneys are:

Rebecca Williams Belanger,
now known as Rebecca
Williams
11 Ash Street
Gardiner, Maine 04345

Christopher E. Pazar, Bar No. 3037
Drummond & Drummond, LLP
One Monument Way
Portland, Maine 04101

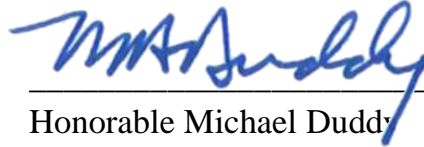
Lisa M. Yorke
22 Pine Hill Road South
Cape Neddick, Maine 03902

Chris Neagle, Bar No. 1074
Neagle Law LLC
76 Orchard Road
Cumberland, Maine 04021

- B. The case was initially filed in the Sagadahoc County Superior Court as Docket No. CV-17-15 and was transferred to the Business and Consumer Docket at Portland on November 29, 2017, Docket No. BCD-CV-2017-56.
- C. Both parties have received notice of the proceeding in accordance with applicable provisions of the Maine Rules of Civil Procedure.
- D. The real estate involved can be described as follows: certain lot or parcel of land, with all buildings and improvements on it, located in West Bath, Sagadahoc County, Maine, shown as **Lot 5** on a plan of Winnegance Shores, drawn by J. Albert Redlon, August, 1926, Section #1, recorded in the Sagadahoc County Registry of Deeds in **Plan Book 3, Page 15**.

This Final Judgment was presented to the court after the 2021 Order became final. Defendant Lisa M. Yorke shall be responsible for preparing this Final Judgment and shall be responsible for recording an attested copy of this Final Judgment in the Sagadahoc County Registry of Deeds.

12/29/2021



Honorable Michael Duddy
Judge, Business and Consumer Docket

Incorporated by reference on the docket at the specific direction of the court. Entered on the docket: 12/29/2021

Clerk's Certification

_____, 202_

The 2018 Order was entered after remand following appeal and the applicable appeal period for the 2020 Order has expired without action.

Clerk, Business and Consumer Court

type or print name