

KNOX, SS

Located at Rockland

DOCKET NO.: ROCSC-RE-17-

Nathan S. Russell and
Jody Fish Russell, PlaintiffsORDER FOR SERVICE BY
ALTERNATE MEANS
(M.R. Civ. P. 4(g))

v.

Nancy P. Ames, aka Nancy P.
Conant, et al, Defendants

THIS MATTER having been brought before the Court by Plaintiffs, Nathan S. Russell and Jody Fish Russell, on Plaintiffs' Motion for Service by Alternate Means and the Affidavit of Frederick M. Newcomb, III, attorney for the Plaintiffs, for service by publication on Defendants Nancy P. Ames, aka Nancy P. Conant, Oliver J. Conant, Helen L. Conant, Etta O. Clark, Annie Conant, Frederick C. Clark, Pearle Clark and Janet Conant (collectively referred to as the named Defendants), or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants. The facts recited in the Motion and affidavit and the complaint are incorporated here by reference. This matter concerns title to (ownership of) the parcel of land (hereafter the premises) located at the corner of Temple Street and Willow Street in Rockland, Knox County, Maine. The premises is described as PARCEL TWO in the deed from Edward B. Miller to the Plaintiffs dated March 26, 2012 and recorded in the Knox County Registry of Deeds in Book 4495, Page 106 and is more particularly described as follows: BEGINNING at the intersection of the northerly side of Willow Street and the easterly side of Temple Street; Thence North 12 deg. 48 min. East, coincident with said Temple Street, a distance of 65.0 feet to a point at land described in deed to Edward B. Miller recorded in the Knox County Registry of Deeds, Book 3718, Page 304. Said point being North 3 deg. 47 min. East, a distance of 4.3 feet from a 1 inch iron bolt; Thence South 71 deg. 47 min. East, coincident with land formerly of said Miller, now of the Plaintiffs, a distance of 6.1 feet; Thence South 67 deg. 44 min. East, still coincident with land of said Plaintiffs, a distance of 66.2 feet to a 1/2 inch reinforcing rod capped #2005; Thence South 18 deg. 13 min. West, still coincident with land of said Plaintiffs, a distance of 60.0 feet to said Willow Street; Thence North 71 deg. 47 min. West, coincident with said Willow Street to the point of beginning. Containing 0.10 acres, more or less. In this action it may be declared that the named Defendants, or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants, must bring an action to try their title to the land, and if they fail to do so they will have no right, title or interest in the said land and the Plaintiffs will have clear title to the land free from any claims of the named Defendants, or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants.

THIS COURT being satisfied that Plaintiffs, are unable to locate the named Defendants having conducted research in attempt to perfect service upon defendants, have satisfied the requirements of M. R. Civ. P. 4(g)(I)(A)-(C) for Service by Alternate Means;

IT IS HEREBY ORDERED that the defendants the named Defendants, or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants be summonsed as follows:

The Plaintiffs, Nathan S. Russell and Jody Fish Russell, have begun a lawsuit against defendants Nancy P. Ames, aka Nancy P. Conant, Oliver J. Conant, Helen L. Conant, Etta O. Clark, Annie Conant, Frederick C. Clark, Pearle Clark and Janet Conant, or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants in the Superior Court, which holds sessions at 62 Union Street, Rockland, Knox County, Maine. If defendants Nancy P. Ames, aka Nancy P. Conant, Oliver J. Conant, Helen L. Conant, Etta O. Clark, Annie Conant, Frederick C. Clark, Pearle Clark and Janet Conant, or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants wish to oppose this lawsuit, they or their attorney MUST PREPARE AND SERVE A WRITTEN ANSWER and BRING AN ACTION TO TRY THEIR TITLE TO THE LAND to the Plaintiffs' Complaint WITHIN 21 DAYS from the date of the last publication of this Order. Defendants Nancy P. Ames, aka Nancy P. Conant, Oliver J. Conant, Helen L. Conant, Etta O. Clark, Annie Conant, Frederick C. Clark, Pearle Clark and Janet Conant, or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants, or their attorneys must serve their Answer and Action, by delivering a copy of it in person or by mail to either of the Plaintiff's attorney, whose name and addresses appear below:

Frederick M. Newcomb, III, NEWCOMB & HARRELL, P.A., P.O. Box 1115, Rockland, ME 04841-1115.

Defendants Nancy P. Ames, aka Nancy P. Conant, Oliver J. Conant, Helen L. Conant, Etta O. Clark, Annie Conant, Frederick C. Clark, Pearle Clark and Janet Conant, or persons who are unascertained, not in being, or unknown who are heirs or legal representatives of the named Defendants, or persons claiming under the named Defendants, or their attorneys must also file the original of their Answer and Action with the court by mailing it to the following address: Clerk of Superior/District Court, 62 Union Street, Rockland, Maine 04841.

IMPORTANT WARNING

IF YOU FAIL TO SERVE AN ANSWER AND ACTION WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU IN YOUR ABSENCE FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR EMPLOYER MAY BE ORDERED TO PAY PART OF YOUR WAGES TO THE PLAINTIFF OR YOUR PERSONAL PROPERTY, INCLUDING BANK ACCOUNTS AND YOUR REAL ESTATE MAY BE TAKEN TO SATISFY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS LAWSUIT, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you believe the plaintiff is not entitled to all or part of the claim set forth in the Complaint or if you believe you have a claim of your own against the Plaintiffs, you should talk to a lawyer. If you feel you cannot afford to pay a fee to a lawyer, you may ask the clerk of court for information as to places where you may seek legal assist.

IT IS HEREBY ORDERED that a copy of this order be published for three (3) consecutive weeks in the Courier-Gazette newspaper, the newspaper of general circulation in Knox County, Maine and specifically the City of Rockland in said Knox County, the municipality of last known residence of defendants Nancy P. Ames, aka Nancy P. Conant, Oliver J. Conant, and location of the land.

IT IS FURTHER ORDERED that said publication take place no later than twenty (20) days following the date of this order.

Signed and dated this

25th day of May, 2017.

/S/ B.C. Mallonee

Justice of the Superior Court