



Dear Stewart Partners,

With the weather finally warming and the throngs of tourists beginning to arrive in the New England states, this week's Mid-Week Update covers the issue of public easements, or the absence thereof, following the discontinuation of roads in Maine, and an immediate and urgent press release from the New Hampshire Department of Justice warning consumers to be diligent amidst an increase in deed fraud across the Granite State. Although published by the New Hampshire Department of Justice, the risk of deed fraud is a nationwide problem, and every New England state and the precautions recommended in this publication is good advice for all property owners, particularly those that own second homes and vacant land.

Also, we wanted to share with you that Stewart is proud to once again be a sponsor of REBA's Women's Networking Group fundraiser for the Women's Lunch Place in Boston, Massachusetts. Our Massachusetts agency and underwriting team will be at the event and hope to see you there. If you haven't yet purchased a ticket, there are a limited number of tickets left. For information about the Women's Lunch Place or to purchase a ticket, follow the link below. Lastly, for any of you that may be stockowners of Stewart, the Board of Directors recently announced an upcoming dividend for stockholders.



Beware of the pre-September 3, 1965 Discontinued Road in Maine By: Zachary I. Greenfield, Esq., Maine State Counsel

In Maine, discontinued roads and public easements present a complex intersection of property rights, municipal responsibility, and public access. For title insurance purposes, because standard title insurance policies normally insure the legal right of access, and enhanced policies normally insure actual access, it is of paramount importance to understand what rights the public retains, if any, following road discontinuance. Key to this analysis is the date and language of the order of discontinuance.

Road discontinuance in Maine is governed primarily by Title 23 of the Maine Revised Statutes. The process, as laid out in Section 3026, requires that (1) the road be held by the government either in fee or easement for road purpose; (2) the government give notice of its intent to extinguish some or all of the public rights in the road; and (3) the government issue an order of discontinuance specifying the location of the discontinued portion of the road, the names of the abutting owners, and the amount of damages, if any, to be paid to said abutters.

For all road discontinuations effective on or after certain September 3, 1965 amendments to the statute, unless the order of discontinuance expressly states that no public easement remains, the public automatically retains an easement to use the road. As such, the result of most post-September 3, 1965 discontinuations is that the government is relieved of its maintenance obligations and no abutting landowners are landlocked. However, for discontinuation effective prior to September 3, 1965, unless the order of discontinuation expressly reserves a public easement, no public easement remains. Anyone who has handled real estate transactions in Maine knows that this may result in properties being landlocked.

If a road serving as the sole access to a property was discontinued before September 3, 1965 without express reservation of a public easement, the property owner may still have certain arguments in favor of continued access rights. Depending on the situation, this can include prescriptive easements, adverse possession, and estoppel arguments. However, without a final judgment establishing the validity of such claims, these are just theories upon which access rights might be claimed. For this reason, whenever presented with a pre-September 3, 1965 road discontinuance without an express reservation of a public easement, be sure to contact your Stewart underwriter to discuss whether title insurance is available. Given the volume of access-related title claims in Maine, particularly in more rural communities, the importance of involving your Stewart underwriter cannot be overstated.



**Consumer Alert-Attorney General Warns Public to be Diligent
Amidst Reports of Quitclaim Deed Fraud** By: Michelle Radie-Coffin,
Esq., New Hampshire State Counsel

The NH Department of Justice issued a press release on June, 1 2025, which can be found here: [DOJ Press Release](#). According to the FBI Boston, between 2019 and 2023, 239 homeowners in New Hampshire fell victim to deed fraud, losing a total of \$4,144,467. The FBI indicated that these losses are likely much higher than the actual losses reported citing reasons such as victims not knowing where to report the loss of their land and that some victims have not realized their land has been stolen.

Most of the cases in NH involve vacant land with out-of-state owners. In one recent case, the scammers impersonated an elderly couple who lived out of state. According to Senior Assistant Attorney General Brandon H. Garod, "the transaction was conducted entirely online and by mail, and unfortunately, the scammers were not identified." The elderly couple's land was sold without their knowledge.

The FBI has set forth common fraudulent scenarios with which we have become familiar, but it is worth repeating given the stakes:

- Scammers comb through public records to find vacant parcels of land and properties that don't have a mortgage or other lien and then impersonate the landowner, asking a real estate agent to list the property. Homeowners whose properties have been listed for sale don't know it until they're alerted, sometimes after the sales have gone through.
- Family members, often the elderly, are targeted by their own relatives or close associates who convince them to transfer the property into their name for their own

financial gain.

The NH AG's Office recommends homeowners should, at a minimum, take the following actions:

- Regularly monitor your property records online. Each county has its own register of deeds website allowing you to search for property records using the name of the property owner. These websites can be found at <https://www.nhdeeds.org/>, except for Carroll County, which can be found at <https://www.carrollcountynhdeeds.gov/>.
- Subscribing to property fraud alerts that will notify you every time a document is recorded in the register of deeds under the name(s) you have specified. Most New Hampshire counties offer free fraud alert services through <https://www.propertyfraudalert.com/>. Information about subscribing to fraud alerts can be found on each county's register of deeds website.
- Taking note if you stop receiving water or tax bills on the property, which indicates that the bills are being sent elsewhere.

If you have been the victim of quitclaim deed fraud and would like to report it or if you have questions, please contact the Attorney General's Consumer Protection Hotline at 1-888-468-4454. For more information about the Attorney General's Consumer Protection Bureau: <https://www.doj.nh.gov/citizens/consumer-protection-antitrust-bureau>.

By now you should be aware of our vacant land fraud and seller impersonation bulletins, which contain many of the red flag issues to spot and a sample of the letter that must be sent to the landowner at the address reflected in the assessing tax records. As a reminder, the bulletins dealing with land fraud are listed here:

[Bulletin: SLS2024017](#)

[Bulletin: SLS2023003](#)

[Bulletin: SLS2024005](#)

[Bulletin: SLS2021007](#)

[Bulletin: SLS2022004](#)



STGC Sponsors REBA's Women's Networking Group's Annual Fundraiser for the Women's Lunch Place

Join Stewart's Massachusetts team on Thursday, June 5th at the Women's Lunch Place (WLP) for a full Italian dinner, trivia, and networking! There are still a few tickets left and can be purchased by following this link: [REBA — Women's Lunch Place](#)

The Women's Lunch Place is a non-profit organization based on Newbury Street in Boston. Monday through Saturday, the WLP staff and volunteers provide nutritious meals, hygienic essentials, specialized one-on-one advocacy services, free medical care, and a variety of creative opportunities for personal and professional growth. WLP serves approximately 2,200 women each year, without judgment or requirements for assistance.



Stewart Announces Stock Dividend

On June 2, 2025, Stewart Information Services Corporation (NYSE:STC), Stewart Title Guaranty Company's parent company, announced that its Board of Directors declared a cash dividend of \$0.50 per share for the second quarter 2025, payable June 30, 2025, to common stockholders of record on June 16, 2025.



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