

Eastern District Court of Appeals Agrees with Galloway Johnson Trial Position on Easement Claim

In January of 2015, the Missouri Court of Appeals for the Eastern District overturned a St. Louis County trial Order denying the relief sought by St. Louis Director Scott Mueller on behalf of property owners seeking to enforce an existing express easement. The hotly contested case between several sets of neighbors implicated an alternate route of access and turned on the issue of whether prior owners agreed to abandon the easement or if it became adversely possessed from nonuse. The Eastern District agreed with Mueller that the parties did not meet the standard for abandonment or adverse possession of the easement in this hotly contested, personal matter.

For more information, Scott Mueller can be reached at: smueller@gallowayjohnson.com.