

SUMMARY STATEMENT

Lee v. Willow Creek Ranch Estates No. 2 Subdivision Homeowners' Association, Inc.

Docket No. 45390

The Supreme Court affirmed the judgment of the Canyon County district court to grant summary judgment for Willow Creek Homeowners' Association (the HOA) on Dale and Kathi Lee's claims of an easement or equitable interest in property owned by the HOA. The Supreme Court held that by failing to address an alternative ground for the district court's decision, the Lees had waived their appeal on the easement issue. The Court further found that the doctrine of equitable servitudes was inapplicable to the Lees' claims. Finally, the Court awarded attorney fees on appeal to the HOA pursuant to Idaho Code section 12-120(3).