

SUMMARY STATEMENT

Palmer v. East Side Highway District

Docket No. 47548

This case involves a highway right-of-way (the Road) proposed and approved in 1908 by the Kootenai County Board of Commissioners (the Board), then purportedly abandoned by it in 1910. This appeal arises from a decision of the East Side Highway District (the Highway District), the Board's successor-in-interest, in which it declined to validate this highway right-of-way. The Trust petitioned the district court for judicial review, which affirmed the Highway District's decision. The Trust then appealed.

The Idaho Supreme Court held that the Highway District did not err when it initiated validation proceedings, rather than abandonment proceedings, regarding the Road; and that it was not an abuse of discretion for the Highway District to find that it was not in the public interest to validate the Road. The Court also held that the Highway District was not quasi-estopped from declining to validate the Road. Finally, the Court awarded costs to the prevailing parties, but declined to award attorney fees.

This summary constitutes no part of the opinion of the Court but has been prepared by court staff for the convenience of the public.