

## **SUMMARY STATEMENT**

*Nampa Highway District No. 1 v. Knight*

Docket Nos. 47029 / 47071 / 47086

This appeal arose over a land dispute. Nampa Highway District No. 1 (NHD) brought this action against Brian and Lisa Knight, Manuel and Maria Dominguez, Mortgage Electronic Registration Systems, Inc., and Quicken Loans Inc. (collectively, Appellants) to quiet title to a thirty-three-foot-wide strip of land constituting the south half of West Orchard Avenue in Canyon County. NHD claimed that a 1941 deed, which was unrecorded until 1989, conveyed the land to NHD. Both parties moved for summary judgment. NHD asked the district court to grant summary judgment in its favor because Appellants and their predecessors in interest were not bona fide purchasers of the land, and therefore, its deed was not void as against Appellants. Appellants asked the district court to grant summary judgment in their favor because they acquired the status of bona fide purchasers under what is known as the “shelter rule” since their predecessors in interest were bona fide purchasers. The Canyon County district court granted summary judgment in favor of NHD, declaring NHD holds title to the thirty-three-foot-wide strip of land in fee simple.

The Supreme Court reversed the district court’s grant of summary judgment. The Court held that there is a genuine issue of material fact whether Appellants’ predecessors in interest were bona fide purchasers, and therefore, whether Appellants are sheltered in their protective status. The Court also held that the district court erred in declaring NHD owns the land in fee simple because the deed merely granted an easement.