

SUMMARY STATEMENT

Greenbriar Estates Homeowners' Association, Inc. v. Esposito
Docket No. 48922

Both John Esposito and the Greenbriar Estates Homeowners' Association (the "HOA") appealed the district court's decision – Esposito as to the district court's decision to quiet title to an easement across a lot ("Lot 20") in the Greenbriar Estates subdivision and the HOA as to the district court's denial of attorney fees. Esposito and the HOA had previously been involved in litigation that resulted in a 2012 Partial Settlement Agreement (the "2012 PSA") and a 2014 Settlement Agreement.

The Idaho Supreme Court held that the district court did not err in concluding that the 2012 PSA required the HOA to vote to annex a piece of property within the subdivision (the RV Lot) in order to effectuate the 2012 PSA's language regarding the easement across Lot 20. This Court further held that the district court's decision determining that Esposito had waived all claims when he signed the 2014 Settlement Agreement was immaterial because an easement could only be created by HOA action, as set forth by the terms of the 2012 PSA. In a decision regarding the value of the RV Lot within the subdivision, the Idaho Supreme Court determined that the district court did not err when it determined that both Esposito and the Bank understood the RV Lot to be landlocked without the ability to use the easement that was never created across Lot 20. Next, this Court held that the district court did not err in quieting title to Lot 20 in the HOA's favor because the terms of the prior agreements between the parties established the terms for incorporating the easement and because the HOA never voted to annex the RV Lot, which was a condition precedent to the creation of the easement.

Regarding the HOA's cross-appeal, the Idaho Supreme Court held that the district court did not err in rejecting the HOA's requests for discretionary costs and attorney fees pursuant to Idaho Code sections 12-120(3) and 12-121 because this was an action to quiet title, not a commercial transaction, and because Esposito did not pursue this appeal frivolously, unreasonably, or without foundation. Because of this mixed result, the HOA's request for attorney fees on appeal was denied.

******This summary constitutes no part of the Court's opinion. It has been prepared by court staff for the convenience of the public.******