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Won reversal of summary judgment against our client, a real estate developer, in a dispute over a reciprocal easement, the outcome of which had a multimillion-dollar effect on the value of the property. The case was remanded to district court with orders to hear evidence at trial.

2016

The Colorado Court of Appeals reversed a district court's summary judgment ruling that our client, a real estate developer, is prohibited from developing its shopping center property. The Court of Appeals agreed with our argument that the reciprocal easement agreement at issue does not plainly restrict development, so the district court must interpret the agreement in light of Colorado law's presumption against land use restrictions and in the context of the surrounding circumstances (which make clear no such restriction was intended). The Court of Appeals remanded to the district court. The development issue has a multimillion-dollar impact on the value of our client's property.

Related Professionals

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