

Bond Case Briefs

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DEDICATION - COLORADO

Great Northern Properties, LLLP v. Extraction Oil and Gas, Inc.

Supreme Court of Colorado - May 6, 2024 - P.3d - 2024 WL 1979403 - 2024 CO 28

Successor-in-interest to real estate developer that dedicated a city street brought action against owners of lots that abutted street and mineral developer to quiet title to mineral estate beneath street.

The District Court entered a judgment quieting title in lot owners after grant of mineral developer's motion for a determination of a question of law and denial of successor-in-interest's motion for summary judgment. Successor-in-interest appealed. The Court of Appeals affirmed in part and reversed in part. Successor-in-interest petitioned for certiorari review, which was granted.

In a case of first impression, the Supreme Court held that:

- Conveyance of land abutting a right-of-way is presumed to carry title to the centerline of both the surface and mineral estates;
- Application of centerline presumption does not require a grantor to completely divest all property it owns abutting the right-of-way;
- Statutory dedication of street did not horizontally sever mineral estate under street from lots abutting street; and
- Centerline presumption applied so that lot owners took title to surface and mineral estates to centerline of road.