

# **Bond Case Briefs**

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## **EASEMENTS - VIRGINIA**

### **Beach v. Turim**

**Supreme Court of Virginia - February 27, 2014 - S.E.2d - 2014 WL 782824**

Neighbors brought action against owner of subdivision lot, asserting claim for private nuisance and seeking injunctive relief regarding alleged express easement. The Circuit Court granted neighbors' motion for partial summary judgment and, following bench trial, issued injunction precluding lot owner from blocking use of easement and requiring lot owner to restore steps in easement. Lot owner appealed.

The Supreme Court of Virginia held that deed and incorporated plat did not create express easement in favor of neighbors. Deed did not state to whom easement was granted, purpose of easement was ambiguous at best, and plat merely described location of easement.