

Bond Case Briefs

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EASEMENTS - MASSACHUSETTS

Melrose Fish and Game Club, Inc. v. Tennessee Gas Pipeline Co., LLC

Appeals Court of Massachusetts, Middlesex - June 20, 2016 - N.E.3d - 89 Mass.App.Ct. 594 - 2015 WL 11023788

Fish and game club brought trespass action against gas pipeline company, alleging interference with an easement.

Club and company filed cross motions for summary judgment. The Superior Court granted company's motion and denied club's. Club appealed.

The Appeals Court held that:

- Company was estopped from denying existence of club's easement;
- Approval of a plan to pave part of a paper street did not frustrate the purpose of club's easement;
- Club's easement was not extinguished by planning board's approval of subdivision plan; and
- Club's action was not barred by laches.