

Bond Case Briefs

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HIGHWAYS - SOUTH DAKOTA

Coester v. Waubay Township

Supreme Court of South Dakota - March 14, 2018 - N.W.2d - 2018 WL 1320235 - 2018 S.D. 24

Landowners sought a writ of mandamus requiring township to maintain roads accessing their property.

The Circuit Court denied the writ. Landowners appealed.

The Supreme Court of South Dakota held that township did not have duty to maintain roads that accessed landowner's property.

Township did not have duty to maintain roads that accessed landowner's property; applicable statute only required township to maintain township roads, there was no evidence township ever impliedly accepted any dedication of the roads, and township supervisor averred that township had never accepted the roads into the township road system or performed any repair or maintenance on the roads.