

Bond Case Briefs

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Holstad v. Town of May

Supreme Court of Minnesota - September 23, 2026 - N.W.3d - 2026 WL 2855352

Owners of landlocked property, who had petitioned town to establish a mandatory cartway to their property, appealed town's adoption of a resolution establishing a cartway on a neighboring property and awarding damages to the neighboring landowners.

The District Court granted summary judgment upholding the resolution. Landowners appealed, and the Court of Appeals affirmed. Landowners petitioned for further review, which was granted.

The Supreme Court held that:

- Cartway statute's requirement that a cartway be at least two rods wide applies not only to cartways that serve parcels five acres or more in size, but also to parcels between two and five acres;
- Town's determination that engineer's alternative route for cartway to landlocked parcel was less disruptive and damaging than landowners' proposal was supported by reasoning and not arbitrary and capricious;
- Town's selected cartway provided landowners with meaningful access to the property, even if it required them to undertake a \$1.4 million construction project;
- As a matter of first impression, town had discretion to require landowners to make specified improvements to designated cartway route so that the public could safely use it as a condition to opening and use of the cartway;
- Town did not exceed its statutory authority by requiring landowners to obtain third-party regulatory approvals before constructing and opening cartway;
- Town could require landowners to pay for construction and maintenance of cartway and decline to expend public funds on the cartway's construction; and
- Town could recover attorney fees associated with landowners' appeals.