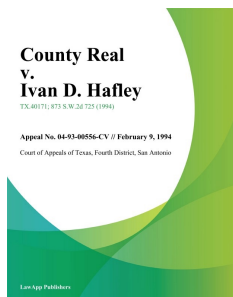


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COUNTY REAL V IVAN D HAFLEY EBOOKS 2019



Author: Fourth District, San Antonio Court of Appeals of Texas

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The County of Real (County) appeals a summary judgment granted in favor of Ivan D. Hafley. This case arises from a dispute regarding the status of a road in Real County, Texas. The appellee, Hafley, brought this action seeking a declaratory judgment that the road in question was not a public road and seeking a permanent injunction denying the use of the road to the public. The road also crosses the property of William and Patricia Sutton, who joined Hafley in bringing this action originally; the Suttons, however, did not join in Hafley's motion for summary judgment. County answered by way of general denial and also pleaded the affirmative defense of implied dedication. Adrian R. Pitts, Roaring Springs Ranch, Inc., and R.F.F.T., Inc., adjacent land owners, filed Pleas in Intervention. Hafley moved for, and was granted, summary judgment on the issue of the status of the road and on the requested injunctive relief. The Suttons cause of action and the intervenors pleas were severed from the cause on appeal and the interlocutory summary judgment in favor of Hafley was made final. County appeals under two points of error. We reverse and remand.

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