

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

LEROY F. MAUNE, et al.,)	No. ED91892
Appellants,)	Appeal from the Circuit Court
)	of Franklin County
vs.)	
)	
HARRY LEE BESTE, et al.,)	Hon. David B. Tobben
Respondents.)	FILED: August 25, 2009

Leroy F. Maune and Margie A. Maune, individually, and Leroy Maune as trustee of the Leroy F. Maune revocable living trust and Margie Maune as trustee of the Margie A. Maune revocable living trust (collectively referred to herein as “plaintiffs”) appeal the judgment of the trial court granting a prescriptive easement in favor of Harry Lee Beste, Dale Beste, Carol Williams, Connie Terschluse, and Mark Beste (collectively referred to herein as “defendants”). Plaintiffs claim the court erred granting the easement in favor of defendants because both properties were owned by the same person for a period of time during which the easement purportedly existed. Plaintiffs also argue the court failed to provide sufficient description of the easement or limitations on its use.

DISMISSED.

DIVISION FIVE HOLDS: The trial court’s judgment does not contain an adequate description of the affected property and the prescriptive easement granted over the property; therefore, the judgment fails to resolve all the issues before the trial court. As a result, we are without jurisdiction to hear the present appeal.

Opinion by: Clifford H. Ahrens, Judge Kenneth M. Romines, C.J., and Roy L. Richter, J., concur

Attorney for Appellant: Frank K. Carlson

Attorney for Respondent: Jonathan L. Downard

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND
SHOULD NOT BE QUOTED OR CITED.**