

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

ROBERT L. BATEMAN, et al.,

Respondent,

**JAMES K. OWENS, JAMES K. OWENS TRUST, BRENT J. OWENS, RITA OWENS,
MARY FRAZIER, JIMMY HAGEN, KAREN HAGEN and JACK SLOAN,**

Appellants,

v.

PLATTE COUNTY, MISSOURI,

Respondent.

DOCKET NUMBER WD71053

Date: May 31, 2011

Appeal from:
Platte County Circuit Court
The Honorable Abe Shafer, IV, Judge

Appellate Judges:
Division Four: Lisa White Hardwick, Chief Judge Presiding, James M. Smart, Judge
and Daren Adkins, Special Judge

Attorneys:
Mary J. Shaney and James C. Bowers, Kansas City, MO, for appellant.
William M. Quitmeier, Kansas City, MO, and Robert H. Shaw, Platte City, MO, for
respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY
COURT OF APPEALS -- WESTERN DISTRICT

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Platte County

Before Division Four: Lisa White Hardwick, Chief Judge Presiding,
James M. Smart, Judge and Daren Adkins, Special Judge

This appeal arises from a judgment that declared Bridle Parc Lane, located in Platte County, to be a private road. Platte County and various landowners in Bridle Parc Estates I and II contend the circuit court erred in failing to dismiss the declaratory judgment action because the claim was barred by the ten-year statute of limitations in Section 516.010, RSMo 2000.

REVERSED.

Division Four Holds: The petition for declaratory judgment was filed more than twenty four years after the 1981 recording of a plat that dedicated Bridle Parc Lane for public use. The claim alleging the dedication was improper or ineffective is barred by the ten-year statute of limitations in Section 516.010.

Opinion by: Lisa White Hardwick, Chief Judge

May 31, 2011

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.