

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

DAVID KOSOFSKY and
RUSALYN KOSOFSKY

PLAINTIFFS

vs.

CASE NO. 13-3020

MELVIN BYLER,
ANGELA BYLER, and
FLYING B RANCH, LLC

DEFENDANTS

JUDGMENT

NOW on this 1st day of October, 2014, for reasons set forth in the Court's Memorandum Opinion and Order of this date, the Court finds that plaintiffs should be awarded judgment declaring:

* that defendants have no legal rights, titles or interests in the disputed properties identified as Area 1 and Area 2 of the Court's said Memorandum Opinion and Order; that defendants' claims based upon adverse possession, acquiescence and prescriptive easement are without merit; that such claims should be, and hereby are, dismissed with prejudice; and

* that plaintiffs are the legal and rightful owners of the disputed two tracts of real property located in Searcy County, Arkansas -- being Area 1 and Area 2 of Property A as identified in the text of the Memorandum Opinion and Order - and that they are entitled to immediate possession of the same. It is so declared.

IT IS FURTHER ORDERED that defendants' counterclaim based on the theories of boundary line by acquiescence, adverse possession,

and prescriptive easement should be, and hereby is, denied and dismissed.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE