

STATE OF MICHIGAN  
COURT OF APPEALS

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DOCK, L.L.C,

Plaintiff/Counter-Defendant-  
Appellant/Cross-Appellee,

v

CASS COUNTY BOARD OF ROAD  
COMMISSIONERS,

Defendant/Counter-Plaintiff-  
Appellee/Cross-Appellant.

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UNPUBLISHED  
June 28, 2011

No. 297723  
Cass Circuit Court  
LC No. 08-000510-CK

Before: HOEKSTRA, P.J., and MURRAY and M. J. KELLY, JJ.

MEMORANDUM.

In this action to quiet title to land located between Eagle Lake and Eagle Lake Road in Cass County, plaintiff Dock, L.L.C. appeals as of right the trial court's order granting summary disposition under MCR 2.116(C)(7) to defendant Cass County Board of Road Commissioners. Because plaintiff no longer has an ownership interest in the property at issue in this case, we dismiss as moot.

The single issue raised in this appeal is whether the trial court erred in determining that a 1956 order of the Cass Circuit Court pertaining to property owned by plaintiff bars plaintiff's claim to quiet title to "new" land where the "new" land was created by the installation of a break wall and the filling of riparian land. However, at oral argument, counsel for plaintiff informed us that plaintiff's ownership interest in the land that adjoined the "new" land had been extinguished by foreclosure. Because of this change in the status of plaintiff's ownership interest, we ordered the parties to file supplemental briefs addressing whether the issue in this case is moot.

"An issue is moot if an event has occurred that renders it impossible for the court to grant relief." *Attorney General v Pub Serv Comm*, 269 Mich App 473, 485; 713 NW2d 290 (2005). Review is only warranted if the issue is publicly significant and is likely to evade review. *Id.* Because the foreclosure has rendered it impossible to award plaintiff the relief that it seeks from the trial court's resolution of its quiet title claim in this case, we hold that the issue is moot. Further, we disagree with plaintiff that the issue in this case has public significance. The issue here is peculiar to the unique facts of this case.

Dismissed.

/s/ Joel P. Hoekstra  
/s/ Christopher M. Murray  
/s/ Michael J. Kelly