

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

W. LOWELL STARLING AND NANCY STARLING,	:	No. 843 MAL 2015
	:	
Respondents	:	Petition for Allowance of Appeal from the Order of the Superior Court
	:	
v.	:	
	:	
LAKE MEADE PROPERTY OWNERS ASSOCIATION, INC.,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 23rd day of March 2016, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

1. Whether the Superior Court erred as a matter of law in holding that a fee simple owner of a private road who grants an easement over that road extinguishes its fee simple ownership of the road?

2. Whether the Superior Court's decision conflicts with Pa.R.C.P. 1035 when the court reversed the trial court's grant of summary judgment and directed the entry of injunctive relief in favor of the respondents and did so without considering the facts of record found by the trial court, without considering the record in the light most favorable to petitioner, and where there are genuine issues of material fact precluding the entry of judgment in the respondents' favor?

3. Whether the Superior Court erred as a matter of law in concluding that extrinsic evidence can vary property boundaries on a recorded subdivision plan?

Justice Donohue did not participate in the consideration or decision of this matter.