

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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LINDSEY GARY RESOR,

UNPUBLISHED  
October 8, 1996

Plaintiff-Appellant,

v

No. 176993  
LC No. 93-067016-NI

SECURITY SAVINGS BANK, F.S.B.,

Defendant-Appellee,

and

PAUL F. WEISMAN and SHERRI I.  
WEISMAN, jointly and severally,

Defendants.

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Before: Holbrook, P.J., and Saad and W. J. Giovan,\* JJ.

PER CURIAM.

Plaintiff appeals from the circuit court's order dismissing his negligence claim against defendant Security Savings Bank. We affirm.

Plaintiff's negligence action arises from injuries he sustained while installing a fence on the property of Paul and Sherri Weisman, who were defendants below but not involved in this appeal. While installing a fence panel, plaintiff fell and cut his wrist on a broken bottle. He sued the Weismans for failing to keep their premises in a reasonably safe condition for business invitees. Defendant bank had sold the property to the Weismans seven days before plaintiff's injury, so plaintiff sued it for failing to disclose the dangerous condition of the property to the Weismans and creating or perpetuating a nuisance by failing to remove the debris from the property. Defendant Bank moved for summary disposition pursuant to MCR 2.116(C)(10), which the circuit court granted.

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\* Circuit judge, sitting on the Court of Appeals by assignment.

On appeal, plaintiff argues that a genuine issue of material fact existed which should have precluded summary disposition. Plaintiff asserts that defendant Bank remained liable for the condition of the Weisman's property due to the concealment of the dangerous condition and because it created or perpetuated a nuisance condition which continued beyond transfer of ownership. We disagree. The circuit court correctly determined that there was no genuine issue of material fact that: 1) defendant Bank had no ownership interest in the Weismans' property at the time of plaintiff's injury; and 2) the condition of the property did not constitute a nuisance such that defendant Bank remained liable for plaintiff's injuries after transfer of ownership. *Christy v Prestige Builders, Inc.*, 415 Mich 684, 694-696; 329 NW2d 748 (1982); *Stevens v Drekich*, 178 Mich App 273, 276; 443 NW2d 401 (1989). Summary disposition was properly granted in favor of defendant Bank. MCR 2.116(C)(10).

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Henry William Saad

/s/ William J. Giovan