

Bond Case Briefs

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INVERSE CONDEMNATION - TEXAS

City of Keller v. Hall

Court of Appeals of Texas, Fort Worth - May 1, 2014 - S.W.3d - 2014 WL 1712163

Landowners sued City for inverse condemnation, alleging that various actions by the City caused repeated flooding of their property.

The City alleged that the trial court did not have jurisdiction because (1) the evidence established as a matter of law that the City did not know and was not substantially certain that damage to the Property was going to occur when it took the actions complained of, (2) the evidence established as a matter of law that none of the actions of the City proximately caused the flood damages, and (3) the landowners failed to comply with the notice provision of the City's charter.

The appeals court upheld the trial court's denial of the City's plea to the jurisdiction, finding that the City was aware that its actions proximately caused the flooding.