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Williams v. City of Batesville

Supreme Court of Mississippi - March 18, 2021 - So.3d - 2021 WL 1035076

Homeowner brought action against city for negligence and inverse condemnation arising out of sewer backup and flooding of homeowner's property, which was resolved after a year by installation of a lift-station pump for homeowner's property.

The Circuit Court granted city's motion for summary judgment, and homeowner appealed.

The Supreme Court held that:

- Genuine issue of material fact as to whether city exercised ordinary care in exploring alternatives before spending money necessary to install lift station pump precluded summary judgment on governmental immunity, and
- Genuine issue of material fact as to whether city's alleged conduct resulted in a taking or damaging of her property for the public benefit precluded summary judgment on inverse condemnation claim.

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