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EMINENT DOMAIN - MISSISSIPPI

Fly v. Yalobusha County, Miss.

United States District Court, N.D. Mississippi, Western Division - June 11, 2009 - Not Reported in F.Supp.2d - 2009 WL 1658096

A county's alleged taking of road by including it in an official road plan was for a public use and, thus, did not constitute an illegal taking for private use. The road was open to all members of the community and it provided access to the property of at least three other property owners. The road was also used for the connection of utilities to multiple residences.

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