

Bond Case Briefs

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EMINENT DOMAIN - NORTH CAROLINA

Mata v. North Carolina Department of Transportation

Supreme Court of North Carolina - December 12, 2025 - S.E.2d - 2025 WL 3560052

Property owners brought inverse condemnation proceeding against Department of Transportation (DOT) arising from restrictions imposed on property pursuant to Transportation Corridor Official Map Act (Map Act) for projected corridor route, and DOT filed complaint for direct condemnation of portion of property for corridor project.

Following hearing, the Superior Court entered judgment as to appropriate measure of just compensation and ordered jury trial on just compensation. DOT appealed. The Court of Appeals affirmed in part, reversed in part, and remanded. DOT's petition for discretionary review was allowed.

The Supreme Court held that:

- Restriction pursuant to Map Act was indefinite, rather than temporary, taking at time property was placed on recording map;
- Indefinite restraint on fundamental property rights pursuant to Map Act was squarely outside scope of valid exercise of regulations imposed under police power;
- Recording of corridor map pursuant to Map Act effectuated indefinite taking of property owners' fundamental rights to improve, develop, and subdivide 9.93 acres of their property on date of recording;
- Appropriate measure of damages for indefinite taking of property owners' fundamental rights to improve, develop, and subdivide their real property pursuant to Map Act was fair market value of that property immediately before and after taking plus requisite award of interest and any effect of reduced ad valorem taxes; and
- Reduced tax burden on property owners for subject property from time of recording of corridor map to legislative rescission of all Map Act corridors nearly 20 years later was pertinent factor affecting fair market value of the property immediately after the map recording.