

Bond Case Briefs

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EMINENT DOMAIN - MARYLAND

Montgomery County v. Soleimanzadeh

Court of Appeals of Maryland - December 23, 2013 - A.3d - 2013 WL 6761978

County brought condemnation action against landowners. Earlier in the proceedings, the Circuit Court imposed discovery violation sanctions precluding landowners from introducing any evidence as to the fair market value of the taken properties. Because of these sanctions, the landowners were unable to generate through affirmative evidence a genuine dispute of material fact concerning the County's appraisal valuations of the taken properties in either case. Thus, the Circuit Court granted the County's Motions for Summary Judgment on the issue of just compensation.

The Court of Special Appeals reversed and remanded. County petitioned for certiorari.

The Court of Appeals held that:

- Summary judgment was available in condemnation proceeding, and
- County expert's appraisal was sufficient to support award of just compensation.