

Bond Case Briefs

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EMINENT DOMAIN - MISSISSIPPI

Harrison County Utility Authority v. Helen Peterson Walker

Court of Appeals of Mississippi - January 14, 2014 - So.3d - 2014 WL 114529

County utility authority brought quick-take condemnation action against landowner to acquire easement over property to bring water and waste-water to new wastewater treatment facility. Landowner filed motion to dismiss, asserting county utility authority failed to join her husband and son as necessary parties who had interest in land by virtue of warranty deed. The Special Court of Eminent Domain dismissed condemnation action. County utility authority appealed.

The Court of Appeals held that:

- Appeal was not moot;
- Warranty deed filed in wrong judicial district was void as to county utility authority; and
- Landowner's husband and son, who had interest in property by virtue of misfiled warranty deed, were not necessary parties to condemnation action.