

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **INVERSE CONDEMNATION - GEORGIA**

### **Liberty County v. Eller**

**Court of Appeals of Georgia - June 26, 2014 - S.E.2d - 2014 WL 2884097**

Martha and Adam Eller filed an action against Liberty County for trespass, continuing trespass, nuisance, inverse condemnation, and damages based on a drainage pipe that discharged storm water run-off into a pond on their property.

The County filed motions for summary judgment arguing that the statute of limitations had run on the Ellers' inverse condemnation claim and that their other claims were barred by sovereign immunity.

The trial court denied the County's motions for summary judgment, and the County appealed.

The Court of Appeals reversed, holding that the statute of limitations barred the claim of inverse condemnation by nuisance, as the Ellers had failed to establish a continuing nuisance.