

Bond Case Briefs

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EMINENT DOMAIN - NEVADA

City of N. Las Vegas v. 5th & Centennial

Supreme Court of Nevada - August 7, 2014 - P.3d - 130 Nev. Adv. Op. 66

Landowners brought action against city for inverse condemnation and precondemnation damages resulting from city's highway-expansion project. The District Court found that inverse condemnation claim was not ripe but entered judgment in favor of landowners as to precondemnation damages. On cross-appeals, the Supreme Court entered dispositional order which affirmed in part but reversed as to calculation of prejudgment interest. City petitioned for rehearing.

The Supreme Court of Nevada issued clarifying opinion and held that:

- Date which triggered accrual of prejudgment interest recoverable by landowners in claim for precondemnation damages was first date of compensable injury resulting from city's conduct, despite city's argument that controlling authority required calculation of prejudgment interest from date when condemnation summons was served;
- Statute providing for calculation of prejudgment interest in an eminent domain case, rather than general prejudgment interest statute, applies to calculation of prejudgment interest for a precondemnation damages claim; and
- Statute of limitations of 15 years for takings actions applied to landowners' claim for precondemnation damages, even though such claim was separate from landowners' inverse condemnation claim.