

# **Bond Case Briefs**

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## **EMINENT DOMAIN - MISSOURI**

### **City of Kansas City v. Powell**

**Missouri Court of Appeals, Western District - October 7, 2014 - S.W.3d - 2014 WL 4976980**

City filed a petition in condemnation, seeking to condemn various properties to build a police station and crime lab for public use. The Circuit Court granted the city's condemnation petition, and following a trial on exceptions to the damages assessed by three appointed commissioners, a jury determined the fair market value of landowner's property to be \$55,000. Landowner appealed.

The Court of Appeals held that:

- City met the statutory notice requirement for good faith negotiations;
- The taking of landowner's property for police station was for a public use;
- Fact that the same three commissioners were appointed by the same judge in other condemnation cases commenced as part of the city's police campus project did not render them interested; and
- Landowner was not entitled to an automatic change of judge in condemnation action since her request was untimely.