

Bond Case Briefs

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TAX SALE - GEORGIA

Land USA, LLC v. Georgia Power Co.

Supreme Court of Georgia - June 1, 2015 - S.E.2d - 2015 WL 3447926

Tax deed purchaser filed suit against power company for quiet title, trespass, and ejectment, challenging the validity of an easement power company claimed on property purchaser owned. The Superior Court granted power company's motion for summary judgment on all counts. Purchaser appealed.

The Supreme Court of Georgia held that:

- Easement was extinguished when the property was not redeemed after tax sale purchaser properly invoked the state barment statutes;
- Purchaser had cause of action for trespass;
- Purchaser had standing to bring trespass action; and
- Purchaser did not have an ejectment claim.

Express easement that power company had obtained from record property owner after he had already lost the property to a tax sale was extinguished when the property was not redeemed after tax sale purchaser properly invoked the state barment statutes. At best the easement granted to power company by record owner conveyed an interest in the property which provided the power company with a right of redemption.