

Bond Case Briefs

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EMINENT DOMAIN - NEVADA

Fritz v. Washoe County

Supreme Court of Nevada - August 4, 2016 - P.3d - 2016 WL 4140940 - 132 Nev. Adv. Op. 57

Property owners brought inverse condemnation claim against county after development of drainage system resulted in downstream flooding.

The District Court granted summary judgment in favor of county, and property owners appealed.

The Supreme Court of Nevada held that:

- A genuine issue of material fact as to whether or not downstream property owners had standing to assert claims against county based on plat maps it approved before property owners acquired their property precluded summary judgment, and
- In a matter of first impression, a genuine issue of material fact as to the level of county's involvement in private drainage system sufficient to deem it a public use precluded summary judgment.