

Bond Case Briefs

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EMINENT DOMAIN - VIRGINIA

Commissioner of Highways v. Karverly, Inc.

Supreme Court of Virginia - May 10, 2018 - S.E.2d - 2018 WL 2142871

Commissioner of Highways initiated condemnation proceeding.

The Circuit Court entered judgment on jury verdict awarding \$167,866 in damages to remainder. Commissioner appealed.

The Supreme Court of Virginia held that Commissioner was entitled to present expert testimony that take caused no damages to remainder.

In eminent domain proceeding brought by Commissioner of Highways, Commissioner was entitled to present expert testimony that take caused no damages to remainder, which contained daycare center that had been separated from road by buffer that was part of taking; expert for property owner had been permitted to testify that take, absent relocation of improvements, would render any part of property functionally obsolete, and even without testimony of Commissioner's expert, only three of five jurors awarded damages to remainder.