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Board of Supervisors of Louisiana State University v. 2226 Canal Street, L.L.C.

Court of Appeal of Louisiana, Fourth Circuit - December 19, 2018 - So.3d - 2018 WL 6683220 - 2018-0254 (La.App. 4 Cir. 12/19/18)

Owners of properties, that had been expropriated by a university and Veterans Administration for construction of new medical facilities following Hurricane Katrina, moved to release monies remaining in registry of the court pursuant to a settlement agreement and city opposed contending that the monies were owed as property taxes.

The District Court granted the release. City appealed.

The Court of Appeal held that the property owners were entitled to withdraw the funds from court registry under settlement agreement.

Property owners were entitled to withdraw funds from court registry under settlement agreement; property owners had settled after expropriation of their properties to build medical facilities, and only remaining monies were those earmarked for alleged property taxes, but settlement provided that property owners were entitled to withdraw any remaining funds to the extent permitted by law, and there was no express exclusion pertaining to taxes.

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