

# **Bond Case Briefs**

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## **ADVERSE POSSESSION . - PENNSYLVANIA**

### **City of Philadelphia v. Galdo**

**Supreme Court of Pennsylvania - September 26, 2019 - A.3d - 2019 WL 4686781**

City brought action against citizen making use of undeveloped city property, alleging continuing trespass, permanent trespass, and ejectment, and citizen filed a counterclaim to quiet title, claiming ownership by adverse possession.

Following bench trial, the Court of Common Pleas found in favor of city and ordered citizen ejected from the disputed property. Citizen appealed. The Commonwealth Court vacated and remanded. City petitioned for allowance of appeal.

The Supreme Court held that condemned property that was held for eventual resale by a political subdivision after the original public purpose for the condemnation had lapsed did not constitute a public use of the property that afforded the political subdivision immunity from adverse possession claims.

Condemned property that was held for eventual resale by a political subdivision after the original public purpose for the condemnation had lapsed did not constitute a public use of the property that afforded the political subdivision immunity from adverse possession claims, and thus remand was warranted to address citizen's adverse possession claim against city concerning undeveloped city property that was originally condemned for transit purposes, but the transit purposes lapsed in late 1970s, in city's action for ejectment in which citizen sought to quiet title to property and claimed ownership by adverse possession.