

# **Bond Case Briefs**

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## **EMINENT DOMAIN - MISSISSIPPI**

### **Wiggins v. City of Clinton Mississippi**

**Supreme Court of Mississippi - May 7, 2020 - So.3d - 2020 WL 2213888**

City brought action against landowner for approval of exercise of eminent domain.

The County Court approved the exercise. Landowner appealed.

The Supreme Court held that:

- There was no evidence that city's determination of public necessity was result of fraud or abuse of discretion, and
- Evidence was sufficient to support finding of a public use.

There was no evidence that city's determination of public necessity, as would support exercise of eminent domain to take landowner's property which formed part of urban-renewal area, was result of fraud or abuse of discretion.

Evidence was sufficient to support finding of a public use, as would support city's exercise of eminent domain to take landowner's property, where city had designated area an urban-renewal area pursuant to urban-renewal plan, and parcel at issue was included because of its historic significance.