

Bond Case Briefs

Municipal Finance Law Since 1971

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.