

# **Bond Case Briefs**

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## **EMINENT DOMAIN - OKLAHOMA**

### **Barnett v. Okay Public Works Authority**

**Supreme Court of Oklahoma - March 8, 2022 - P.3d - 2022 WL 680380 - 2022 OK 24**

Mobile home community owner brought inverse condemnation action against city public works authority arising out of installation of wastewater sewer lines on the premises.

The District Court entered judgment on jury verdict for landowner and granted public works authority an easement. Public works authority appealed, and the Court of Civil Appeals reversed. The Supreme Court granted certiorari.

The Supreme Court held that:

- Public works authority's statutory power of eminent domain included power to construct and install pipelines to transport and deliver wastewater to its plant for treatment, and
- Installation of wastewater sewer lines on mobile home community premises as part of sanitary system project was for public use.

City public works authority's statutory power of eminent domain to undertake "projects for the transportation, delivery, treatment or furnishing of water for domestic purposes" included power to construct and install pipelines to transport and deliver wastewater to its plant for treatment.

City public works authority's installation of wastewater sewer lines on mobile home community premises as part of sanitary system project was for public use of improving the system that transports, delivers, treats, and furnishes water for city, as required for mobile home community owner to maintain inverse condemnation action; project was not confined to mobile home community premises, but rather connected to adjoining subdivision on one side and convenience store on other side, sanitary collection system received wastewater both from mobile home community and from other properties in city, and authority's facility treated all of that wastewater.