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EMINENT DOMAIN - OKLAHOMA

Snow v. Town of Calumet

Supreme Court of Oklahoma - June 21, 2022 - P.3d - 2022 WL 2204860 - 2022 OK 63

Landowners brought action against town for trespass and inverse condemnation, alleging that after expiration of two temporary easements that had been granted by their predecessors in interest, for town's installation and maintenance of two municipal sewer lines across the property, town continued to maintain the sewer lines, and town counterclaimed to quiet title based on easements by prescription.

The District Court granted summary judgment to town on owners' claims and granted summary judgment to owners on town's counterclaim. Owners appealed as to inverse condemnation claim, and the Supreme Court retained the appeal.

The Supreme Court held that inverse condemnation claim did not accrue until temporary easements expired, and thus, landowners had standing to sue.

Inverse condemnation claim did not accrue until two temporary easements granted by prior owners of land, for town's installation and maintenance of two municipal sewer lines across the property, expired, which expiration occurred after prior owners had sold the property to current owners, and thus, current owners had standing to bring inverse condemnation action against town, alleging town's maintenance of the sewer lines after expiration of the temporary easements.

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