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EMINENT DOMAIN - INDIANA

Lake Ridge School Corporation v. Holcomb

Court of Appeals of Indiana - November 9, 2022 - N.E.3d - 2022 WL 16827671

School corporations sued the Governor, Attorney General, State Board of Education, and Department of Education, alleging that statutes requiring school corporations to sell or lease unused properties to charter schools or state educational institutions for $1 violated taking clauses of Fifth Amendment and state constitution and seeking declaratory and injunctive relief.

The Superior Court granted defendants' motion for summary judgment. School corporations appealed.

The Court of Appeals held that school corporations could not assert takings claims against State.

School corporations could not sue Governor, Attorney General, State Board of Education, and Department of Education under takings clauses of Fifth Amendment and state constitution regarding statutes requiring school corporations to sell or lease unused properties to charter schools or state educational institutions for $1, since school corporations were political subdivisions of the State.

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