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EMINENT DOMAIN - TEXAS

City of Webster v. Moto Kobayashi Trust

Court of Appeals of Texas, Houston (1st Dist.) - May 9, 2023 - S.W.3d - 2023 WL 3311470

Owners of unoccupied, commercial buildings in city brought inverse condemnation action against city, alleging that city ordinance requiring the removal or demolition of their properties as a public nuisance abatement measure was an unconstitutional taking.

The 152nd District Court, Harris County, denied city's plea to the jurisdiction, and city appealed.

The Court of Appeals held that district court in Harris County lacked jurisdiction over inverse condemnation claims.

District court in Harris County lacked jurisdiction over inverse condemnation claims brought against city by owners of unoccupied, commercial buildings, alleging that city ordinance requiring the removal or demolition of their properties as a public nuisance abatement measure was an unconstitutional taking; legislature had mandated that inverse condemnation claims in Harris County be brought in the civil courts at law.

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