

Inverse Condemnation

RWG's litigators have the depth and breadth of experience to handle every conceivable type of inverse condemnation litigation on behalf of public agencies in both the trial and appellate courts. Inverse condemnation is a constitutional claim grounded in Article I, Section 19 of the California Constitution, and its federal counterpart, the Fifth Amendment "takings" clause. RWG is highly experienced in defending clients in such claims, including:

- ▶ Challenges to local ordinances, resolutions and zoning laws as effecting a "taking" of private property without payment of just compensation
- ▶ Contentious opposition to proposed land use development projects
- ▶ Claims that condemnation action to acquire land for a public project was unreasonably delayed and caused property values to diminish
- ▶ Physical damage to, or destruction of, private property in a severe weather event or natural disaster
- ▶ Property damage alleged to be caused by the failure of public infrastructure of all types--storm drains, sewer lines, water mains, electrical power lines
- ▶ Impairment of valued views from or of private property by public improvements, including trees
- ▶ Code enforcement action challenged on constitutional grounds

Public agencies are bound to be sued for inverse condemnation, and our clients depend on RWG's litigators to defend their interests in court. California inverse condemnation claims are increasingly the primary cause of action in complex land use and property damage litigation. Our highly specialized litigators zealously represent clients in both state and federal court, bringing a wealth of knowledge and expertise to handle all types of inverse condemnation litigation.

RWG's litigators successfully handle complex matters involving challenging legal issues and substantial economic claims using sophisticated law and motion work and skilled presentation of the client's case at trial or mediation. At the foundation is our broad knowledge of local land use and zoning laws, local land use entitlements and permitting processes and appeals, constitutional law, and the distinctions between constitutional claims and those brought under the Government Claims Act. We keep abreast of emerging developments in constitutional law, and frequently we are at the forefront of those developments on appeal.

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