## **Index of Cases**

A Aaron v. United States, 3-12 Ackerman v. Port of Seattle, 3-10 Action Outdoor Advertising v. Town of Shalimar, 5-47 Action Outdoor Advertising v. Zoning Hearing Board of Smithfield Township, 5-47 to 5-48 Action Sound, Inc. v. DOT, 1-20 Agins v. City of Tiburon, 1-11, 1-12, 1-13, 4-6, 4-11 to 4-12 AGS Embarcadero Associates v. Department of Transportation, 3-4 Alabama v. Howington, 5-1 Albahary v. City of Bristol, 4-26 Albers v. County of Los Angeles, 3-15, 3-18 Alden v. Mane, 4-25 Allegretti & Co. v. County of Imperial, 4-14, 4-16 Anderson v. Griffin, 5-22 to 5-23 Ansley v. Tarrant County Water Control & Imp. Dist. No. 1, 3-16 Aposporos v. Urban Redevelopment Comm'n of the City of Stamford, 2-27 Argent v. United States, 3-11 Arizona by Arizona Highway Dept. v. United States, 5-41 Arkansas Oklahoma Gas Corp. v. Boggs, 7-10 Arreola v. County of Monterey, 3-18 to 3-19, 5-27 Artesian Water Co. v. State, Department of Highways and Transportation, 5-37, 5-42 В Banning v. King County, 2-29 Belair v. Roverside County Flood Control Dist., 3-18 Berman v. Parker, 1-22, 1-23 Bethune v. United States Department of Housing and Urban Development, 5-34 Beveridge v. Lewis, 6-23 Biddle v. BAA Indianapolis, LLC, 3-11 to 3-13 Bowers v. Fulton County, 7-31 Brandywood Housing Ltd. v. Texas Department of Transportation, 3-16 Branning v. United States, 3-11 British Cast Plate Manufacturers Case, 2-3 Brown v. Legal Foundation of Washington, 4-5 Brumer v. Los Angeles County Metropolitan Transportation Authority, 2-14 Bruzzese v. Wood, 2-26 Butler v. Gwinnett County, 3-7 to 3-8 Byrom v. Little Blue Valley Sewer District, 4-26  $\mathbf{C}$ Callendar v. Marsh, 2-3, 2-21 Cane Tenn., Inc. v. United States, 6-1 Canon v. City of Chicopee, 2-4 CenterPoint Energy Houston Electric LLC v. Harris County Toll Road Authority, 5-34 to 5-35 Central Hudson Gas & Electric Corporation v. Public Service Commission of New York, 5-46 Central Puget Sound Regional Transit Authority v. Eastey, 1-7 Cheek v. Floyd County, Georgia, 2-22 to 2-23 Chemung Canal Trust Co. v. State of New York, 2-15 Cincinnati v. Vester, 5-7

```
City of Austin v. Travis County Landfill Co., LLC, 3-13 to 3-14
City of Baton Rouge v. Broussard, 1-8
City of Buffalo v. J.W. Clement Co., 5-13 to 5-14, 5-18 to 5-19
City of Carlsbad v. Rudvalis, 1-15 to 1-16
City of Chicago v. Loitz, 5-17 to 5-18
City of Cleveland v. Carcione, 5-19
City of Cleveland v. Zimmerman, 5-50, 6-37
City of Coeur d'Alene v. Simpson, 4-13, 4-14, 4-23
City of Lee's Summit v. R and R Equities, LLC, 3-23, 7-24 to 7-25
City of Los Angeles v. Los Angeles Gas and Electric Corp., 5-38
City of McCall v. Seubert, 1-21
City of Norton Shores v. Whiteco Metrocam, 6-35 to 6-36
City of Norwood v. Horney, 1-2, 1-27
City of Ocean City v. Maffucci, 3-25
City of Perrysburg v. Toledo Edison Co., 5-38
City of Pontiac v. Carter, 2-21 to 2-22
City of San Diego v. Barratt American Inc., 6-25, 6-27 to 6-28
City of San Diego v. D. R. Horton San Diego Holding Co., 1-7
City of San Diego v. Rancho Penasquitos Partnership, 6-29, 7-10, 7-11
Commissioner of Transp. v. Silver, 3-3
Commissioner of Transp. v. William G. Rohrer, Inc., 3-3
Commissioner of Transportation of Connecticut v. Duda, 1-6
Commissioner of Transportation v. BRW Management, LLC, 3-21
Commissioner of Transportation v. Burkhart, 5-50, 5-51
Commissioner of Transportation v. Rocky Mountain, LLC, 5-45, 5-49, 5-50, 6-36, 6-37
Commonwealth, Department of Transportation v. Becker, 7-19
Commonwealth, Department of Transportation v. Louisville Gas & Electric Co., 5-36
Commonwealth, Dep't of Highways v. Congregation Anshei S'Fard, 6-14 to 6-15
Condemnation by the Municipality of Penn Hills of Allegheny County, Etc., In the Matter of, 4-17
Condemnation of 23.015 Acres, In re, 7-37
Continental Assurance Co. v. Mayor of Lynbrook, 7-29
Cops v. City of Kaukauna, 3-16
Corinth Baptist Church v. State Department of Transportation, 5-48
County of Alameda v. Superior Court, 4-9, 4-22
County of Bexar v. Santikos, 2-23, 2-24
Cozby v. City of Waco, 2-23
Crawford v. Village of Delaware, 2-3
Crazalla v. State, 2-20
Crocker v. Mississippi State Highway Commission, 7-32, 7-33
Crowell v. Kogut, 5-25
D
Dale Props., LLC v. State, 2-28
Davis v. Brown, 4-8
Daw v. Commonwealth of Pennsylvania, Department of Transportation, 2-23
Deboer v. Entergy Arkansas, Inc., 6-45 to 6-46
De Facto Condemnation by the Dept. of Transportation, In Re:, 2-27 to 2-28
Delaware v. Catawba Associates, 3-24 to 3-25
Dennison v. State, 3-3 to 3-4, 3-6
Department of Forests, Parks and Recreation v. Town of Ludlow Zoning Board, 4-21
Department of Public Works and Buildings v. Wilson and Co., Inc., 2-18
Department of Transportation of Colorado v. Marilyn Hickey Ministries, 3-24
Department of Transportation v. Bacon Farms, L.P., 6-41, 6-42
Department of Transportation v. Brannen, 7-21
```

Department of Transportation v. Dent, 3-8 Department of Transportation v. Foster, 7-35 Department of Transportation v. Lowderman, LLC, 2-17 to 2-18 Department of Transportation v. Rooks Family Trust, 6-25 Department of Transportation v. Taylor, 2-5, 2-11 Deupree v. State, 2-21 Dickgieser v. Washington, 3-17 to 3-18 Dolan v. City of Tigard, 1-10, 4-19 to 4-20 Duffield v. DeKalb County, 3-21 Dumala v. State, 2-21  $\mathbf{E}$ Eastern Enterprises v. Apfel, 4-26 Eggleston v. Pierce County, 1-8 Ehrhart v. Agency of Transportation, 2-13 Eller Media Co. v. Montgomery County, Maryland, 5-48, 5-49, 5-50, 5-53 Evatt v. Texas Department of Transportation, 4-25 Felts v. Harris County, Texas, 3-6 to 3-7 Finkelstein v. Florida Department of Transportation, 6-31 First English Evangelical Lutheran Church of Glendale v. County of Los Angeles California, 1-11, 4-6, 4-16, 4-24 Florida, Department of Transportation v. Armadillo Partners, Inc., 1-8 Florida, Department of Transportation v. West Palm Beach Garden Club, 3-6 Garriga v. Sanitation Dist. No. 1, 1-33 George Ward Builders, Inc. v. City of Lee's Summit, 4-26 Georgia 400 Industrial Park, Inc. v. Department of Transportation, 5-8 Gillen Place, In re New York, 5-37, 5-38 Goszler v. The Corporation of Georgetown, 2-3 Graham v. Beverage P.C., 5-24 to 5-25 Griggs v. County of Allegheny, 4-11 Η Hall v. State of South Dakota, 2-25 Hammer v. City of Eugene, 4-20 Hansen v. United States, 1-15 Hardin v. South Carolina Department of Transportation, 2-9 to 2-10 Harrington v. Commonwealth of Pennsylvania, Department of Transportation, 2-23 Hawaii Housing Authority v. Midkiff, 1-23 Heins Implement Co. v. Missouri Highway and Transportation Comm'n, 3-17, 4-26, 5-24 Herman v. Wilson, State ex rel., 2-17 Hillman v. Department of Transportation, 3-8 Hillsboro Properties vs. City of Rohnert Park, 4-17 to 4-18 Hoover v. United States Dep't of the Interior, 7-15 Housing Authority of Atlanta v. Southern Railway Co., 7-30 Housing Authority of the City of New Brunswick v. Suydam Investors, L.L.C., 6-32 HTK Management, L.L.C. v. Seattle Popular Monorail Authority, 5-9 to 5-10 Hubenak v. San Jacinto Gas Transmission Co., 1-33 HUC Pipeline Condemnation Litigation, In re., 1-33

Ι Inmar Associates, Inc. v. Borough of Carlstadt v. Borough of South Borend Brook, 6-33 In re New York (Gillen Place), 5-37, 5-38 Ivers v. Utah Department of Transportation, 3-24 J Jackovich Revocable Trust v. State, Department of Transportation, 5-16 Jordan v. Landry's Seafood Restaurant, Inc., 2-29 Justmann v. Portage County, 1-7 K Kafka v. Montana Department of Fish, Wildlife & Parks, 4-7, 4-15 Kamrowski v. State, 5-43 Kau Kau Take Home No. 1 v. City of Witchita, 2-25 Kelo v. City of New London, Connecticut, 1-21, 1-23 to 1-25, 1-33 Kemna v. Kansas Department of Transportation, 3-15 to 3-16 Kick's Liquor Store, Inc. v. City of Minneapolis, 2-28 Kimball Laundry Co. v. United States, 6-3 Kingsway Cathedral v. Iowa Department of Transportation, 1-31 to 1-32 Klopping v. City of Whittier, 5-17, 5-18 to 5-20 Knight v. City of Billings, 3-7 Kohlbeck v. Wisconsin Department of Transportation, 5-21 Kohl v. United States, 1-3  $\mathbf{L}$ La Briola v. State, 2-13 *Ladue v. Gilleo*, 5-48 to 5-49 Lake George Associates v. New York, 2-15 Lamar Whiteco Outdoor Corporation v. City of West Chicago, 5-53 Landate, Inc. v. California Coastal Commission, 4-16 La Plata Electric Association v. Cummins, 3-24 Ledesma v. Urban Renewal Agency, 5-30 Lee, In re, 6-42 Lehigh-Northampton Airport Authority v. Fuller, 7-19, 7-37 Lincoln Federal Labor Union v. Northwestern I. & M. Co., 1-8 Lincoln Loan Co. v. State Highway Commission, 5-15 Lingle v. Chevron USA Inc., 1-9 to 1-10, 1-12, 1-13, 3-12 to 3-13, 4-11, 4-12 to 4-13, 4-19 Littman v. Gimello, 5-17, 5-18 to 5-20 Locklin v. City of Lafayette, 3-18 Lomax v. Henderson, 6-45 Loretto v. Teleprompter Manhattan CATV Corp., 1-9, 4-5, 4-23 Los Angeles County, Metro. Transportation Authority v. Continental Dev. Corp., 3-25 Los Angeles County, Metropolitan Transportation Authority v. Continental Development Corporation, 6-23 Lucas v. South Carolina Coastal Council, 1-13, 4-6 to 4-7, 4-15, 4-18, 4-24  $\mathbf{M}$ Manning v. Mining & Minerals Division, 4-24 to 4-25 McCabe Petroleum Corporation v. Easement and Right-of-Way Across Township 12 North, 1-28 Melillo v. City of New Haven, 3-10 Menzies v. Hall, 5-23 Merced Irrigation Dist. v. Woolstenhulme, 6-26 to 6-27 Metromedia, Inc. v. San Diego, 5-47 Metropolitan Atlanta Rapid Transit Authority v. Datrey, 2-28 to 2-29 Michigan Department of Transportation v. Haggerty Corridor Partnership, 6-28

Michigan Department of Transportation v. Tomkins, 3-5 to 3-6 Miskowiec v. City of Oak Grove, 4-7 Mississippi State Highway Commission v. Roberts Enterprises, Inc., 5-46 Missouri, ex rel Missouri Highway and Transportation Commission v. Quiko, 5-52, 6-37 Missouri ex rel. State Highway Commission v. Gatson, 6-20 Missouri Highway and Transportation Commission v. Jim Lynch Toyota, Inc., State ex rel., 2-28 Monogahela Navigation Co. v. United States, 5-12 Murray v. Oregon, 4-22 Muse v. Mississippi State Highway Comm'n, 2-20 N Narcisco v. State, 2-12 National Auto Truckstops, Inc. v. State of Wisconsin, 2-19 New Jersey Transit Corp. v. Cat in the Hat, L.L.C., 6-32 New Jersey v. Carroll, 3-4 Newton Girl Scout Council v. Massachusetts Turnpike Authority, 6-16 to 6-17 New York Elevated Railroad cases, 2-3 to 2-4 Nick v. State Highway Commission, 2-20 Nolan and Noland v. City of Eagan, 3-15 Nollan v. California Coastal Commission, 1-10, 4-18 to 4-20 Norfolk Redevelopment and Housing Authority v. Chesapeake and Potomac Telephone Co., 5-42 Northeast Connecticut Economic Alliance, Inc. v. ATC Partnership, 6-31 Old Colony & Fall River R.R. v. County of Plymouth, 2-4 Old Romney Development Co. v. Tippecanoe County, Indiana, 1-16 Orchard Grove of Dutchess, Inc. v. New York, 2-26 Osceola County v. Best Diversified, Inc., 1-30 OTR v. City of Columbus, State ex rel., 2-24 Pa. Coal v. Mahon, 4-1 Page Motor Company v. Baker, 5-25 Palm Beach County v. Tessler, 2-6, 2-12 Penn Central Transp. Co. v. New York City, 1-10 Penn Central Transportation Co. v. City of New York, 4-4 to 4-5 Penn Central Transportation Co. v. New York City, 4-8 to 4-11, 4-15 Pennsylvania Coal Co. v. Mahon, 1-9, 1-10, 1-12 to 1-13, 4-4 Pennsylvania Department of General Services v. U.S. Mineral Products, Co., 6-7 People, ex rel Department of Public Works v. Superior Court of Merced County, 5-5 People v. Riccardi, 2-14 Pepper Center v. Blair County Convention and Sports Facilities Authority, 5-16 Phoenix Redevelopment Corp., 7-24 Pierpont Inn, Inc. v. State, 3-25 Priestly v. State, 2-15 Pumpelly v. Green Bay Co., 1-15

Randolph v. Missouri Highways and Transportation Commission, 4-21 Redevelopment Agency of the City of Pomona v. Thrifty Oil Company, 6-30 to 6-31 Regency Outdoor Advertising, Inc. v. City of Los Angeles, 3-22 to 3-23, 3-25 Reynolds v. Coleman, 7-25

Taylor v. State, 3-16

 $\mathbf{S}$ Santa Fe Trail Neighborhood Redevelopment Corporation v. W.F. Coen & Company, 5-49 Savage v. Palm Beach County, 5-19 Schiederer v. Preston, State ex rel., 2-22 Selby Realty Company v. City of San Buenaventura, 5-14 to 5-15 Serra Canyon Co., Ltd. v. Cal. Coastal Comm'n, 4-22 Shade v. Missouri Highway and Transportation Commission, 3-19 to 3-20, 4-26 Shoemaker v. United States, 6-25 Sienkiewicz v. Commonwealth of Pennsylvania, Department of Transportation, 1-29 Sill Corporation v. United States, 6-43 Smith v. City of Mendon, 4-12 Smith v. Mendon, 4-20 Smith v. Missouri State Highway Commission, 5-34 South Carolina State Highway Department v. Allison, 2-19, 2-20 South Carolina State Highway Dep't v. Bolt, 3-3 Southwestern Illinois Development Authority v. National City Environmental, LLC, 1-25 to 1-26 Spiek v. Michigan Department of Transportation, 3-5 Split Rock Partnership v. State, 2-15 Spring Grove Cemetery v. Cincinnati, Hamilton & Dayton R.R. Co., 1-2 State by Commissioner of Transp. v. Carroll, 3-3 State by Commissioner of Transportation v. Van Nortwick, 2-25 to 2-26 State Department of Highway v. Denver, 1-28 State Dep't of Transportation & Dev. v. Chachere, 6-39 State ex. rel. Reich v. City of Beachwood, 1-16 State ex rel. Herman v. Wilson, 2-17 State ex rel. Missouri Highway and Transportation Commission v. Jim Lynch Toyota, Inc., 2-28 State ex rel. Mo. Highway and Transportation Commission v. Modern Tractor and Supply Co., 7-9 State ex rel. OTR v. City of Columbus, 2-24 State ex rel. Schiederer v. Preston, 2-22 State ex rel. State Highway Commission v. Klipsich, 7-24 State ex rel. State Highway Comm'n. v. Tate, 1-7 State ex rel. State Highway Department v. 9.88 Acres of Land, 5-7 State ex rel. Washington State Convention & Trade Center v. Evans, 6-34 State Highway Commission v. Arnold, 6-41 State Highway Commission v. Gatson, Missouri ex rel., 6-20 State Highway Commission v. Jones, 6-43 State Highway Commission v. Klipsich, State ex rel., 7-24 State Highway Commission v. Lee, 7-30 State Highway Commission v. Ruidoso Telephone Co., 5-36 State Highway Comm'n. v. Tate, State ex rel., 1-7 State Highway Department v. 9.88 Acres of Land, State ex rel., 5-7 State Highway Department v. Hollywood Baptist Church of Rome, 3-8 State Highway Department v. Thomas, 6-17 to 6-18 State of Oklahoma v. Little, 1-32 to 1-33 State v. Parchman, 4-23 to 4-24 State v. Schmidt, 2-12 Steel Associates, Inc. v. City of Detroit, 4-24 Story v. New York Elevated R.R. Co., 2-3 to 2-4 Suchon v. Wisconsin Central Ltd., 3-7 Sun Valley Camping Cooperative, Inc. v. Town of Stafford, 6-17  $\mathbf{T}$ Tahoe-Sierra Preservation Council, Inc. v. Tahoe Reg'l Planning Agency, 4-17, 4-24

Teachers Insurance and Annuity Association of America v. City of Wichita, 2-17

Texas Department of Transportation v. Barber, 5-42, 5-45

The Village of Tequesta v. Jupiter Inlet Corporation, 6-45

Thomas v. City of Kansas, Mo., 3-15, 5-24

Thomsen v. State, 2-22

Thom v. State, 2-21

Thousand Trails, Inc. v. California Reclamation District Number 17, 1-12

Tilcon Minerals, Inc. v. Commissioner of Transportation, 3-4

Tom Clark Chevrolet v. Pa. Dep't of Envtl. Prot., 5-22

Township of Wayne v. Cassatly, 7-21

Troiano v. Colorado Department of Highways, 3-24

Trowbridge Partners, L.P. v. Mississippi Transportation Commission, 7-19, 7-22

Trustees of Wade Baptist Church v. Mississippi State Highway Commission, 7-18

TVA v. Indian Creek Marble Co., United States ex rel., 6-40 to 6-41

## U

United States ex rel. TVA v. Indian Creek Marble Co., 6-40 to 6-41

United States v. 40.00 Acres of Land, More or Less, 5-45

United States v. 83.32 Acres of Land, 6-41 to 6-42

United States v. 564.54 Acres of Land, 6-16

United States v. Causby, 3-8 to 3-10

United States v. Certain Land in Borough of Brooklyn, 6-16

United States v. Corbin, 6-43

United States v. Des Moines Iowa County, 1-6

United States v. General Motors Corporation, 1-17

United States v. Meyer, 7-14

United States v. Petty Motor Corporation, 5-51, 6-36 to 6-37

United Technologies Corporation v. Town of East Windsor, 6-4

Uniwell, L.P. v. City of Los Angeles, 1-23

Utah Department of Transportation v. Ivers, 2-19

## V

Valdez v. 18.99 Acres, 6-26

Valls v. Arnold Industries, 6-45

Ventres v. Goodspeed Airport, LLC, 6-46

Village of Holland v. Yoder, 5-9

## W

Washington Market Enterprises, Inc. v. City of Trenton, 5-15, 5-17

Washington State Convention & Trade Center v. Evans, State ex rel., 6-34

Westgate, Ltd. v. State, 5-14, 5-18

West Haven Housing Authority v. CB Alexander Real Estate, LLC, 7-27

Whiteco Industries v. City of Tucson, 6-37, 6-39

Whitman v. State Highway Commission, 5-45

Wilber Development Corp. v. Les Rowland Construction, Inc., 3-17

Wild Rice River Estates, Inc. v. City of Fargo, 4-13, 4-17

Williams v. State, 3-4

Wisconsin Builders Association v. Wisconsin Department of Transportation, 1-10

Wisconsin Public Service Corporation v. Shannon, 1-33

Wright v. Jackson Municipal Airport Authority, 4-24