

Ohio Supreme Court Orders the State to Compensate Grand Lake St. Marys Landowners

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NEWS | 12.2.2011

On Dec. 1, 2011, the Ohio Supreme Court issued a writ of mandamus ordering the Ohio Department of Natural Resources (ODNR) to begin appropriation proceedings to compensate the owners of land west of Grand Lake St. Marys for a “taking” of their property. The Court’s 7-0 decision found that the state’s 1997 widening of a spillway from the lake into the surrounding watershed caused a significant increase in the frequency, severity and duration of flooding of downstream properties, to the detriment of the property owners.

Bruce Ingram, a partner in the firm’s Columbus office, represented the property owners in the case. He was quoted in a Dec. 3, 2011 *Celina Daily Standard* story regarding the Court’s opinion.

The story states:

“The Ohio Supreme Court has ruled in favor of 85 landowners downstream from Grand Lake in what could possibly be one of the largest eminent domain cases in the state.

The high court ruled Thursday Grand Lake’s West Bank spillway redesigned in 1997 causes flooding.

‘They are all very pleased,’ said Bruce Ingram, once of the Columbus attorneys representing the landowners. ‘We’re very pleased that the Supreme Court recognized the state of Ohio can’t continually flood our clients’ property without paying them compensation.’”

To read the Ohio Supreme Court Decision, please [click here](#).