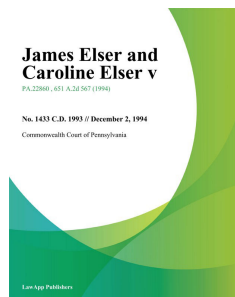


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## JAMES ELSER AND CAROLINE ELSER V EBOOKS 2019



Author: Supreme Court of Tennessee

Realese Date: Expected @@expectedReleaseDate@@

This matter comes before the Court upon an application of James and Caroline Elser to reargue the issues in this case due to errors committed in this Courts June 2, 1994 decision which reversed the May 24, 1993 order of the Court of Common Pleas of Delaware County overruling preliminary objections filed by the Department of Transportation to the Elsers petition to appoint a board of view. The Elsers sought an assessment of damages pursuant to Section 502(e) of the Eminent Domain Code, Act of June 27, 1964, Special Sess., P.L. 84, as amended, 26 P.S. Â§ 1-502(e), for the de facto taking of a portion of their property. Upon reargument of this matter and further consideration of the issues raised, this Court now affirms the May 24, 1993 order of the Court of Common Pleas.

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