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===== Start of Answer #6 (641 words) =====

**1. Property Owner A v. City**

Standing

Standing requires: 1) injury, 2) causation, and 3) redressibility. Here, there's an injury because A has a very good location for large and popular restaurant he's running and he's being forced to move. There's causation because but-for the C amending its zoning A would not have to move. Lastly, there's redressibility because with a favorable decision in A's favor he would not have to move.

Therefore, A has standing.

Takings Clause

The Takings Clause of the U.S. Constitution requires: 1) the taking be for public use and for 2) just compensation.

Here, the taking is for public use because, first, the public use standard is a very low standard and all that C needs is for it to be reasonably related to the taking, it's to make things safer for the kids walking along the block because currently do to traffic the parents now believe that it creates a hazard. But because the re-zoning is reasonably related to the protection of the kids, it qualifies as a public use.

However, there has been no just compensation paid for the taking of A's property by the making of them move. The government in order to complete the taking needed to pay fair market value for its location and there is nothing in the facts that suggest that they have done that. Additionally, that business has a prime location because the space is large, so it can accommodate a lot of people which it does because it is very popular. So, the fair market value of this

piece of prime real estate would be substantial. Therefore, the taking fails because both elements were not met.

### Conclusion

The courts ruling was incorrect as to Property Owner A.

## **2. Property Owner B v. City**

### Standing

See rule above. Here, B was injured because he paid out of pocket money to figure out how to best make use of his undeveloped land, and now is forced to move, and can't advantage of his undeveloped land. There is causation because C's amendment caused this loss of expenditures and the opportunity for B to develop his land. There is redressibility because with a favorable ruling B doesn't have to move and can make use of the engineering and marketing studies in developing his undeveloped land.

### Regulatory Taking

Regulatory Takings require a regulation that either: 1) attaches something to the property permanently, or 2) deprives the owner of all economic viability of the property. Here, element one does not apply because nothing is being attached. Element two also does not apply because the rezoning only prohibits "commercial uses" and because B's land is still undeveloped he can still possibly figure out another use for the land that isn't commercial but also still doesn't deprive him of all economic value. Further, it is likely that he possibly could re-direct the engineering firm and marketing firm to come up with more studies for viable non-commercial uses of the land. Unfortunately, because there is not a lot of proof that he's deprived of all economic benefit his claim fails. Therefore, there was

no regulatory taking.

Conclusion

The court was correct in its ruling against B.

**3. Property Owner C v. City**

Standing

See rule above. Here, there's injury because he lost 65% of the property's value. There's causation because the drop was due to the amended rezoning. Redressability is possible with a ruling in his favor. Therefore, C has standing.

Regulatory Taking

See rule above. Here, because the lot only dropped by 65%, there is still economically viable use and value in the property. If it had been 100%, C would have a successful claim. And even though 65% is substantial, you need 100% for the claim to be viable. Therefore, regulatory taking fails as a claim.

Conclusion

The court was correct in its ruling against C.

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Question #3 Final Word Count = 641

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