



Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

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Attorney, Engineer and Appraisal Fees

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee
Municipal Technical Advisory Service
1610 University Avenue
Knoxville, TN 37921-6741
865-974-0411 phone
865-974-0423 fax
www.mtas.tennessee.edu

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If a property owner prevails in an inverse condemnation case, he or she is entitled to recover from the condemner his or her reasonable costs, disbursements, and expenses, including reasonable attorney, appraisal, and engineering fees actually incurred because of the proceedings. T.C.A. § 29-16-123. The trial court must award these fees to the property owner if a demand is made by the property owner, although the court has the discretion to determine the reasonableness of those fees. ^[102]

Note:

[102] *City of Memphis v. Duncan*, (Tenn. Ct. App. W.S. June 6, 1984); *Hunter v. Jackson County*, (Tenn. Ct. App. M.S. December 28, 1979).

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