



UNC
SCHOOL OF LAW

NORTH CAROLINA LAW REVIEW

Volume 40 | Number 1

Article 5

12-1-1961

Errata

North Carolina Law Review

Follow this and additional works at: <http://scholarship.law.unc.edu/nclr>



Part of the [Law Commons](#)

Recommended Citation

North Carolina Law Review, *Errata*, 40 N.C. L. REV. (1961).

Available at: <http://scholarship.law.unc.edu/nclr/vol40/iss1/5>

This Front Matter is brought to you for free and open access by Carolina Law Scholarship Repository. It has been accepted for inclusion in North Carolina Law Review by an authorized editor of Carolina Law Scholarship Repository. For more information, please contact law_repository@unc.edu.

ERRATA

In the April issue of the *Review*¹ in discussing the measure of damages recoverable where a portion of a tract of land is taken under eminent domain, the rule was stated as the difference in the fair market value of the land immediately before and after the taking, less any special or general benefits accruing to the owner as a result of the utilization of the part taken. It was called to the editor's attention that the rule was incorrectly stated.² The correct rule, as stated in *Robinson v. Highway Comm'n*,³ is the difference between the fair market value of the entire tract immediately before the taking and the fair market value of what is left after the taking. "The value of general and special benefits, if any, is not to be subtracted from such difference; but . . . the general and special benefits, if any, were elements for consideration in determining the fair market value of what was left immediately after the taking."⁴

¹ *Eminent Domain, Ninth Annual Case Law Survey*, 40 N.C.L. REV. 539 (1962).

² Letter From the Attorney General of North Carolina to the editor, June 5, 1962.

³ 249 N.C. 120, 105 S.E.2d 287 (1958).

⁴ *Id.* at 123, 105 S.E.2d at 289.

