EMINENT DOMAIN/INVERSE CONDEMNATION

When the government decides to take a property or business under the power of eminent domain, owners need knowledgeable and resourceful counsel to help them defend their rights and receive fair compensation. Possessing a long familiarity with condemning authorities’ concerns and procedures, we know how to steer clients through the complex and challenging issues that arise when a governmental body pursues acquiring land and buildings.

Our attorneys collaborate with colleagues across our other practice areas, including government law, land use and zoning, tax, real estate and environmental law to offer invaluable resources and in-depth insight into your case. They also understand the system and how to negotiate and file actions against agencies—among our group is a former senior attorney with the Florida Department of Transportation and the Attorney General's Office. Our attorneys have been recognized by national organizations and ranking agencies, including Best Lawyers of America® and Florida Super Lawyers, and have earned the highest ratings by Martindale-Hubbell. They also serve the professional organizations and legal committees that shape and influence the industry, and frequently speak and write at conferences and continuing legal education seminars on condemnation issues.

Our Clients and Experience

Our attorneys represent a diverse group of clients, including restaurants, drug stores, national oil companies, and owners and developers of homes, condominiums, apartments, shopping centers, warehouses, office buildings, and many other types of facilities. Owners of single-purpose properties such as broadcast facilities, churches, and fast-food restaurants regularly consult with our attorneys well in advance of the “taking” to ensure they are legally protected at every step of the process. Because our lawyers have also represented condemning authorities, our team has added insight and knowledge.

Additionally, our team is skilled at recognizing when over-regulation of property amounts to a taking, even when the government doesn't announce its intention to condemn and does not physically appropriate the property. In these cases, we will seek just compensation for the owner by bringing an inverse condemnation suit against the government and can assert the overly restrictive regulations equate to a “taking” of property or of property rights. We are also experienced in the related matter of filing Bert J. Harris Act claims on behalf of property owners.

For example, in an inverse condemnation case, we successfully represented a national restaurant chain in the trial and appellate proceedings that led to a ruling that the federal government agency had "taken" access rights. Even though land or improvements had not yet been physically taken, the agency was ordered to determine full compensation and damages due.
Our Commitment

Our lawyers approach cases with persistency, creativity, candor, and equanimity. They recognize each property and situation’s unique characteristics and take judicious action to abate harm and optimize reparations for the client.

Professionals

Sidney C. Calloway
Meredith S. Delcamp
Suzanne M. Driscoll
Harold E. Morlan III
Brett R. Renton
David A. Shontz
Fred S. Werdine

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