



EMINENT DOMAIN AND PROPERTY ACQUISITION

GOVERNMENT DIVISION

We are one of the few firms in the state that have a practice group exclusively dedicated to eminent domain, along with a full team of attorneys that are skilled in closely related practice areas including real estate, land use, property rights litigation, inverse condemnation, and claims under the Bert J. Harris Private Property Rights Act. We represent parties from pre-acquisition strategy through litigation in both the public and private sector and in regulated industries. Our diverse and expansive experience gives us a perspective to provide clients with a unique advantage that other firms in Florida cannot provide.

Our expertise also gives us the ability to mitigate costs, which is especially important as the process of acquiring property for major transportation and capital improvement projects continues to get more complex and more expensive. As thought leaders in this industry, our eminent domain lawyers also know that it is necessary to monitor the many evolving non-legal disciplines that affect eminent domain, such as engineering, property valuation, finance, accounting, land planning, and architecture.

Our background ranges from managing large multi-parcel acquisition projects, from inception through entry of final judgment, to acquiring a single parcel through negotiated conveyance. We assist governments and regulated industries in every aspect of the process, including project design and environmental diligence, value engineering, pre-acquisition consultation and strategy, and creation of incentive programs that promote early acquisition of property through negotiated conveyance. For those parcels that cannot be acquired through negotiation, our attorneys have a strong record of successfully litigating eminent domain lawsuits through jury verdict and appeal. In particular, we represent dozens of state, regional and local government entities including transportation authorities, school boards and cities on a broad range of projects:

- roadway and transportation facility construction
- right of way expansion

- creation of utility transmission corridors
- acquisition and assemblage of land for public-private partnership (P3) projects, schools, libraries, civic centers, jails, affordable housing, parks, infrastructure, and public works facilities
- community redevelopment
- environmental protection
- drainage and watershed
- recreation

We also regularly consult with elected and appointed officials, along with their staff and consultants, to counsel them about the scope and extent of their eminent domain authority, and to help avoid or limit inverse condemnation, Bert J. Harris, and other property rights claims against them. We draft resolutions of condemnation, relocation policies, and acquisition manuals.

OUR INSIGHT

Eminent domain is one of the most powerful and fundamental functions of government, so fairness must always be paramount regardless of how important and time sensitive the proposed government project is.