

Eminent Domain & Condemnation Law

Taking Charge

Understanding the complexities of the Fifth Amendment Takings Clause requires astute legal counsel with extensive knowledge of the state and federal laws, procedures, and issues unique to eminent domain, otherwise known as condemnation. For decades, Kilpatrick Townsend has represented corporate and individual property owners, as well as public entities with condemnation authority, giving us invaluable insight into both sides' perspectives in these high-dollar matters. We handle all aspects of eminent domain claims and litigation in state and federal courts primarily throughout the Southeast — from acquisition letters and property valuation to inverse condemnation and regulatory takings. When representing financial organizations, academic institutions, landowners, developers, consumer retailers, Indian tribes, energy companies, and state and local municipalities in government takings, we fight for our clients' property rights, including successfully maximizing financial property evaluations with increases in the millions of dollars in some cases.

Service Areas

- Pre-Condemnation Planning
- State & Federal Litigation
- Condemnation & Use Challenges
- Private Redevelopment & Blight Defenses
- Relocation Rights
- Just Compensation
- Inverse Condemnation & Regulatory Takings Claims
- Tangible & Intangible Property Rights
- Property Valuation

Experience

Won a North Carolina appellate verdict for national school supply organization, upholding a successful trial verdict in a condemnation action.

Increased DOT condemnation settlement offer by nearly 50 percent — from \$186,150 to \$300,000 — for Charlotte, North Carolina developer.

Won jury verdict for gas station/convenience store property owner, awarding \$193,300 — after DOT's \$9,600 settlement offer.

Obtained a substantial settlement increase — from \$45,700 to \$170,500 — for property development company.



in a DOT condemnation action regarding a North Carolina shopping center.

Increased final DOT settlement — from \$176,800 to \$260,000 — while also retaining additional land as a remnant for oil company in North Carolina Superior Court.

Negotiated a higher settlement offer at trial — from \$774,000 to \$928,000 — for Wachovia, acting trustee for the Bowman Gray Trust (Brookberry Farms property), after North Carolina county schools condemned 43 acres for an elementary and middle school.

Increased DOT condemnation settlement offer — from \$2,443,600 to \$2,995,000 — for North Carolina property management company J.G. Messick & Sons on behalf of Food Lion Shopping Center.

More than doubled DOT settlement offer — from \$107,150 to \$227,500 — by consent judgment in condemnation action for local North Carolina property owner.

Nearly doubled DOT condemnation settlement offer — from \$105,935 to \$200,000 — for Raleigh, North Carolina apartment complex.

Obtained jury verdict for property owner that nearly doubled North Carolina Brunswick County condemnation offer from \$175,000 to \$343,000.

Obtained settlement of \$1,350,000 by consent judgment for local automobile garage owner in a condemnation action by the City of Winston-Salem, almost doubling the city's offer of \$681,900.

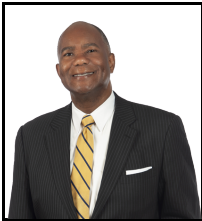
Won a \$1,672,220 jury award and recovery for real estate development company in eight separate condemnation actions filed by the DOT.

Primary Contacts



Richard J. Keshian

Partner
Winston-Salem, NC
t 336.607.7322
rkeshian@kilpatricktownsend.com



Michael W. Tyler

Partner
Atlanta, GA
t 404.815.6474
mtyler@kilpatricktownsend.com