

► CONDEMNATION/EMINENT DOMAIN

Williams Kastner has extensive experience on all sides of the land acquisition process. We have represented both private landowners and lessees and public entities. Our clients include individual landowners, developers, public utilities, port districts, municipalities, and counties.

We counsel and represent clients through every stage of a condemnation case, from preliminary negotiations for the acquisition of property, to the institution of condemnation proceedings, to the final determination of just compensation through litigation and the appellate process.



“We counsel and represent clients through every stage of a condemnation case”

We have been involved in major condemnation proceedings for the acquisition of land for a variety of uses, including redevelopment projects, processing and industrial facilities, highway projects, transit corridors, municipal facilities, military projects, electrical transmission line corridors and federal development projects.

Eminent Domain Experience

Williams Kastner has been actively representing clients for matters related to condemnation and eminent since 1991. Our representation includes advice, negotiation, litigation and trials.

- Represented a large commercial business in a condemnation by the City of Tukwila which took the entire 3.5 acres and the 38,000 square foot building of the client near Boeing Field.
- Represented a property owner in Ballard, Washington whose property permitted for a hotel was condemned by the City of Seattle for a sewer project.
- Represented property owners near a Sound Transit Station who had part of their property condemned by the City of Seattle.
- Represented owners of telecommunications facilities being condemned by various governmental agencies.
- Represented owner of large commercial distribution facility under threat of condemnation by Sound Transit.
- Represented owner of industrial distribution center partially condemned by City of Kent for a railroad overpass project.
- Represented clients in eminent domain and condemnation matters related to governmental projects,

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including: highways, roadways, sewer facilities, electrical transmission lines, electrical substation, Sound Transit, Monorail, detention ponds, and other local, state and federal facilities.

- Engaged in a broad variety of eminent domain matters, including: small residential to large commercial and rural property and those with gravel, sand and mineral rights.
- Negotiated with condemning agencies for simple projects such as easements and represents owners up to and including those in one of the largest, if not the largest, condemnation filed in the State of Washington for 62,000 acres for expansion of the Yakima Training Center. One of our clients in that condemnation by the Army Corps of Engineering owned 12,737 acres which was taken by the government. Williams Kastner tried one of those cases to a successful jury verdict and was able to settle the remaining cases. Due to the large size of these cases, the United States Department of Justice opted to handle them out of its Washington, D.C. office.
- Represented a number of owners whose property was acquired for the railroad needs for Terminal 5 of the Port of Seattle.
- Represented the owner of a 150,000 square foot office complex in the city of Bellevue faced with condemnation by Sound Transit for the East Link line.
- Handled a lawsuit involving a 1,000-foot cruise ship pier in Ketchikan, Alaska built in front of our client's 283-foot waterfront business and property.
- Represented the owner of the land taken for the largest substation location in the Bonneville Power Administration-the Schultz Substation (its name at the time of the condemnation). The case was tried to a successful jury verdict in federal court in Yakima. Our client was awarded its full appraised value and its entire attorney's fees and costs.
- Represented a local well-known construction company and its owners in a variety of condemnation matters against the City of Kent and Sound Transit. One project was a large commercial property adjacent to Southcenter owned by one of the family owner members. The in-house lawyer for the construction company hired Williams Kastner in a case against the City of Kent related to the Sound Transit project.
- Represented a client from Sumner who had a large apartment project that was seriously damaged by condemnation for a sewage treatment pumping station placed in the midst of our client's project.
- Represented clients in many condemnation cases involving road projects, including issues of alleged special benefits used by the condemning governmental entity in an attempt to reduce just compensation paid to the owner of the property.
- Represented a number of owners damaged by flooding created by replacement of a bridge and installation of a 7 foot culvert in Grays Harbor County. The State of Washington paid our clients for their substantial damage in response to the inverse condemnation lawsuits we filed.
- Represented a large publicly held company and its operating subsidiary in the condemnation by the Seattle Monorail Project of the "sinking ship parking garage" at Second and Yesler in downtown Seattle (negotiated settlement of \$10.4M), a case which went to the Washington Supreme Court and again to the Court of Appeals. In that case, we obtained an award of attorney fees for our client and the client

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was ultimately able to maintain its rights when the Monorail was voted down.

- Williams Kastner was the law firm in a lawsuit involving a 1.55-acre detention pond in Snohomish County placed in the middle of our client's 55-unit senior housing condominium project which damaged the remainder of his 10-acre parcel near Lake Stevens.
- Represented the client which owned a 2-acre commercial site condemned by the City of Seattle for its water department. When the lease was being renewed and our client had a firm offer to sell for \$6.0M, the City offered \$4.5M. The case settled a few weeks before trial and the City of Seattle publicly paid \$6.4M.
- Represented landowners faced with inverse condemnation and condemnation due to impacts of the Seattle Waterfront Tunnel Project.
- Represented a petroleum pipeline company regarding rights-of-way acquisitions.
- Represented owners of a large Class A office building campus in *Northwest Pipeline GP v. ECI Three Alderwood LLC* that opposed condemnation of a parking lot area for construction of a natural gas pipeline safety testing facility. Williams Kastner utilized discovery and pipeline engineering experts to defeat condemnor's claim of public use and necessity. Settlement resulted in relocation of the test facility to neighboring property.
- Williams Kastner retained geotechnical and structural engineering experts to craft a contract with the Washington State Department of Transportation that provided state-of-the-art monitoring and thresholds protecting a 24-story building from short and long term effects of the SR-99 tunneling project underneath the structure.