PENDER & COWARD
ATTORNEYS AND COUNSELLORS AT LAW

PRACTICE AREA

EMINENT DOMAIN / RIGHT OF WAY

Pender & Coward attorneys have extensive experience in the eminent domain, right of way and condemnation practice area working with state agencies, municipalities, transit authorities, utilities and right of way consultants all across the Commonwealth of Virginia. We have also tried cases out-of-state via pro hac vice admission.

Two of our attorneys are certified Right of Way Agents and are very active in the International Right of Way Association. We stay on top of emerging issues to help our clients address and handle challenges during every phase of project design and development including:

- Assistance with relocation and analysis of the Uniform Relocation Act
- Title examinations and title services
- Right of way agreements
- Public use
- Appropriation
- Negotiations among landowners and public entities
- Voluntary land acquisitions
- Eminent domain/condemnation litigation
- Closings and distribution of funds
- Title certifications and opinions
- Encroachment issues and related litigation

When engaged early in the project planning and land acquisition process, our eminent domain and right of way attorneys identify and resolve potential issues which could prove costly down the line.

VIRGINIA BEACH
222 Central Park Ave. Suite 400
Virginia Beach, VA 23462

CHESAPEAKE
709 Greenbrier Parkway
Chesapeake, VA 23320

SUFFOLK
117 Market Street
Suffolk, VA 23434

REPRESENTATIVE CASES

- Defeated inverse condemnation suits by over a dozen residential landowners against a regional airport involving claims that aircraft noise had increased as the airport's use took or damaged their properties.

- Defeated a landowner's attempt to remove a condemnation to federal court premised on claimed violations of the federal Uniform Relocation Assistance and Property Acquisitions Policy Act.

- Defeated a landowner's claim that a condemnation was invalid based on defense that the landowner had waived any challenge to the condemnation drawing down the funds deposited with a certificate of take and thereby acknowledging that the only remaining issue in the case was the determination of just compensation.

- Successfully represented a condemning authority in suit for inverse condemnation brought by numerous landowners whose properties were flooded following an unprecedented storm, and who claimed that a culvert under a highway was inadequate or was improperly maintained.

- Represented a state agency in a complex federal litigation involving both admiralty and eminent domain, stemming from allegations by lessees of substantial damages to oyster grounds.

PENDER & COWARD
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Practicing Attorneys

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