

Bond Case Briefs

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EMINENT DOMAIN - NEW JERSEY

Borough of Glassboro v. Grossman

Superior Court of New Jersey, Appellate Division - January 7, 2019 - A.3d - 2019 WL 149504

Municipality brought condemnation complaint against landowners under the Local Redevelopment and Housing Law (LRHL).

The Superior Court allowed municipality to acquire landowners' property and appointed condemnation commissioners to value the property. Landowners appealed.

The Superior Court, Appellate Division, held that municipality failed to put forward an adequate demonstration of necessity for the taking of property under the LRHL.

Municipality failed to put forward an adequate demonstration of necessity for the taking of property under provision in Local Redevelopment and Housing Law (LRHL) that authorized a municipality or redevelopment agency to acquire by condemnation lands or buildings that are necessary for a redevelopment project; ordinance in question omitted any reference to a particular need for redevelopment of the redevelopment area, record was bereft of any evidence that municipality reasonably needed defendants' property for an identified purpose tied to a redevelopment project, and municipality's argument that it might or might not need property for future parking suggested an impermissible objective of land stockpiling.