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EMINENT DOMAIN - FLORIDA

Florida Gas Transmission Company, LLC v. Johnson

District Court of Appeal of Florida, First District - February 5, 2019 - So.3d - 2019 WL 436594 - 44 Fla. L. Weekly D378

Natural gas transmission pipeline company brought eminent domain proceeding to obtain a pipeline easement, resulting in a stipulated order of taking that reduced the scope and size of the taking from what was originally anticipated.

Thereafter, the Circuit Court entered a final order awarding landowner attorney's fees. Company appealed.

The District Court of Appeal held that the benefits achieved method, not the lodestar method, was the applicable standard in calculating attorney's fees.

District Court holds that the benefits achieved method, not the lodestar method, was the applicable standard in calculating attorney's fees for landowner in an eminent domain action brought by natural gas transmission pipeline company, despite a change in scope of pipeline easement, where company submitted a written offer of compensation to landowner for the easement, which landowner rejected to obtain legal representation, resulting in a final judgment substantially (\$12,127.80 vs. \$420,000.00!) more beneficial to landowner.