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## **EMINENT DOMAIN - NEW JERSEY**

### **Borough of Merchantville v. Malik & Son, LLC**

**Supreme Court of New Jersey - August 7, 2014 - A.3d - 2014 WL 3858399**

Borough filed petition to condemn property. The Superior Court denied motion by mortgagee's assignee to dismiss, and entered judgment for borough. Mortgagee's assignee appealed. The Superior Court, Appellate Division, affirmed. Assignee filed petition for a petition for certification, which was granted.

The Supreme Court of New Jersey held that:

- Borough was not obligated to negotiate with mortgagee's assignee prior to initiating condemnation proceedings, and
- Borough did not breach its duty to engage in bona fide negotiations with property owner.

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