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EMINENT DOMAIN - NEW JERSEY

Borough of Merchantville v. Malik & Son, LLC

Supreme Court of New Jersey - August 7, 2014 - 218 N.J. 556 - 95 A.3d 709

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 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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