

Bond Case Briefs

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EMINENT DOMAIN - NEW JERSEY

Columbia Gas Transmission, LLC v. 1.092 Acres of Land in Tp. of Woolwich, Gloucester County, N.J.

United States District Court, D. New Jersey - January 28, 2015 - Slip Copy - 2015 WL 389402

Plaintiff brought condemnation actions seeks to acquire a right-of-way (permanent easement), along with a temporary construction easement, for the construction of an interstate natural gas pipeline across Defendants' property.

Plaintiff moved for injunctive relief under the eminent domain authority of the Natural Gas Act, seeking orders establishing Plaintiff's right to condemn the easements across the Defendants' properties, and allowing Plaintiff to take immediate possession of such easements, prior to a final decision concerning the amount and payment of compensation to the Defendants as condemnees.

The District Court held that Plaintiff's FERC certificate gave it a substantive right to condemn Defendants' properties and granted Plaintiff equitable, intermediate relief in the form of immediate possession of Defendants' properties.