

Bond Case Briefs

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EMINENT DOMAIN - FLORIDA

Sabal Trail Transmission, LLC v. 18.27 Acres of Land in Levy County

United States Court of Appeals, Eleventh Circuit - February 3, 2023 - F.4th - 2023 WL 1493219

Natural gas company brought action to condemn property for pipeline easement.

The United States District Court for the Northern District of Florida determined that Florida law requiring attorney fees and costs provided measure of compensation. Company appealed.

The Court of Appeals held that state law provided measure of compensation, and, thus, landowners were entitled to attorney fees and costs.

State law provided measure of compensation in proceedings by natural gas company under the Natural Gas Act to condemn property for pipeline easement, and, thus, landowners were entitled to attorney fees and costs as part of compensation under Florida law.

Rule governing eminent domain actions did not preclude application of Florida law requiring award of attorney fees and costs as measure of compensation in proceedings by natural gas company under the Natural Gas Act to condemn property for pipeline easement; rule did not bear on question of measure of compensation to apply under the Natural Gas Act, but governed only practice and procedure, not substantive law.