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EMINENT DOMAIN - FLORIDA

Sabal Trail Transmission, LLC v. 3.921 Acres of Land in Lake County Florida

United States Court of Appeals, Eleventh Circuit - July 25, 2023 - 74 F.4th 1346 - 29 Fla. L. Weekly Fed. C 2791

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

The United States District Court for the Middle District of Florida, adopting report and recommendation of a magistrate judge, awarded prejudgment interest to property owner under Florida law and, adopting report and recommendation of a magistrate judge, awarded attorney fees and costs to owner under Florida law. Company appealed.

The Court of Appeals held that state law applied in determining the measure of compensation in a condemnation proceeding under the Natural Gas Act.

Condemnation proceedings under the Natural Gas Act section authorizing private entities who have received a certificate of public convenience and necessity to acquire property by the exercise of the right of eminent domain must look to state law to determine the measure of compensation.

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