

The Federal Government recently filed an eminent domain proceeding in the District of Columbia to secure renewal of the Government's lease of more than 176,000 feet of office space in downtown. The proceedings arose out of a dispute between the Government and the office building's owner over extension of the existing lease, which was set to expire in mid-June. Less than a week after the Government filed the eminent domain suit, the Government and the owner reached an agreement to extend the lease.

"The government has a very large-gauge weapon here that the average tenant does not," Roger Marzulla told the National Law Journal (<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202609569077&slreturn=20130708142811>) for an article covering the case. "The government can simply say, 'Fine, if you won't accept our terms, we'll just condemn it.'" In the past decade, the Government has condemned property in Washington only twice. The most recent case, filed in March 2013, was to obtain land for a road to a U.S. Department of Homeland Security facility. A condemnation to obtain an office building is rare, and in this case, Roger Marzulla says, an abuse of the condemnation process: "I understand from the agency's perspective: I need it, here's an easy route to get it. The job of the Justice Department . . . is to say, 'No, this is not an appropriate place for you to be exercising eminent domain.'"

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