

McKIRDY  
RISKIN  
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DELLAPELLE  
ATTORNEYS AT LAW

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#### HIGHLIGHTS

Admitted 1987, New Jersey and U.S. District Court, District of New Jersey  
1988, U.S. District Court, Southern and Eastern Districts of New York

#### EDUCAION

Seton Hall University  
School of Law, J.D., 1987  
Franklin & Marshall College,  
B.A., 1984

#### RELATED PRACTICES

Condemnation Law  
Property Tax Appeal  
Redevelopment

#### AWARDS



## Anthony F. DellaPelle, CRE

Present and former clients, as well as other attorneys in New Jersey and around the country, refer eminent domain, condemnation, redevelopment and real estate tax appeal cases in New Jersey to Anthony DellaPelle for a singular reason. Because they know, first hand, that he has what it takes to deliver the results that matter most to clients.

Practicing exclusively in the area of eminent domain, condemnation, redevelopment law, and real estate tax appeals, Mr. DellaPelle's knowledge of the legal issues and ability to quickly assess options has resulted in maximum just compensation for his clients, time and time again. He is the sole New Jersey representative for Owners' Counsel of America, a national association of leading eminent domain lawyers across the country. He is one of only approximately 2% of all licensed attorneys in the State of New Jersey who are Board Certified Civil Trial Attorneys by the Supreme Court of New Jersey. Mr. DellaPelle has also been awarded the CRE® designation by the Counselors of Real Estate®, an international group of real estate professionals recognized as leading advisors in complex real property matters with approximately 1,000 members world wide, of which only about 50 are practicing attorneys.

The cornerstone of his eminent domain law practice is carved from over thirty years of experience serving New Jersey property owners of all types, including small business owners, developers, commercial entities, and other attorneys, as well as experience in representing a variety of local government agencies as special counsel in condemnation, real estate tax appeal, and land use matters.

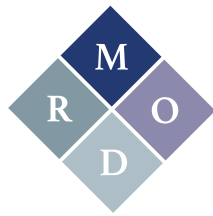
"All of my clients are important, big and small. All get superior service, attention, dedication, and results."

In the practice of eminent domain law, defending the constitutional rights of property owners can be an uphill battle. Experience gained from being in the trenches in a variety of property rights actions can make the difference in the yield to the property owner.

Experienced, driven, aggressive, successful, and 100% client focused, that's the game plan Mr. DellaPelle knows, and it works: It's about results.

## Representative Cases

- ▶ In the condemnation of an underground sewer easement in Hudson County, a jury awarded Mr. DellaPelle's client just compensation totaling \$5,058,900, which was nearly 10 times the amount of \$523,200 originally offered for the taking by the regional sewerage authority.
- ▶ In a redevelopment taking involving commercial property near a PATH station, the redeveloper's offer of compensation was \$8,900,000. Mr. DellaPelle was able to obtain a settlement of this matter, before a condemnation complaint was even filed, in which his client was paid \$16,800,000 as just compensation.



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## Representative Cases (cont'd)

- ▶ In a redevelopment case involving oceanfront land in Monmouth County, New Jersey, the City and its designated redeveloper offered his client \$422,500. Prior to trial, Mr. DellaPelle was able to obtain a settlement whereby his client received \$2,040,000 as just compensation.
- ▶ In a condemnation by the New Jersey Department of Transportation for highway widening purposes in Monmouth County, the State offered his clients \$1,400 for a partial taking of their commercial property. A jury awarded his clients \$63,500, more than 45 times the amount of the original offer.
- ▶ In a condemnation involving the preservation of open space of land by a County Park Commission, the County offered compensation to his client in the amount of \$320,000. Prior to trial, Mr. DellaPelle obtained a settlement requiring the County to pay \$1,150,000 as just compensation.

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## Professional Involvement

Widely respected in the legal community, serving in a number of leadership roles:

- ▶ New Jersey representative of Owners Counsel of America
- ▶ Member of the Board of Directors, and Co-Chair of the Membership Development Committee, Counselors of Real Estate®
- ▶ Receiver and special legal advisor appointed by The Superior Court of New Jersey in real estate valuation matters.
- ▶ Former Trustee of the Morris County Bar Association, and current Chair of its Condemnation Committee.
- ▶ American Bar Association, Section of Litigation's Condemnation, Zoning and Land Use Committee.
- ▶ A frequent lecturer, both in New Jersey and nationally, on eminent domain, redevelopment and real estate tax appeal issues before a variety of professional organizations, including the American Law Institute-American Bar Association, New Jersey Institute for Continuing Legal Education, The Appraisal Institute, New Jersey Farm Bureau, New Jersey Redevelopment Authority, National Business Institute, Urban Land Institute and others.
- ▶ A member of the New Jersey State Bar Association; the New Jersey State Builders' Association and its Redevelopment Committee; the Community Builders' and Remodelers' Association; and the Urban Land Institute.
- ▶ A member of the faculty of the New Jersey Association of Realtors' Graduate Realtor Institute, since 1989.
- ▶ Former Commissioner, Vice-Chair and Treasurer of the New Jersey Public Broadcasting Authority (2010 – 2017).
- ▶ Member of Governor Chris Christie's 2009-2010 Transition Team.



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## **Noteworthy**

- ▶ Certified by the New Jersey Supreme Court as a Civil Trial Attorney;
- ▶ Holds the highest peer review ranking, “AV”, from the Martindale Hubbell Law Directory;
- ▶ Recognized by New Jersey Monthly Magazine as a “New Jersey Super Lawyer”, he was selected by his peers as one of New Jersey’s “Top 100” attorneys every year since 2009, and further recognized by his peers as one of New Jersey’s “Top 10” attorneys in that magazine in 2012
- ▶ Recipient, Chairs Award, Counselors of Real Estate (2018)
- ▶ Recipient, Chair’s Award, Counselors of Real Estate (2015)
- ▶ Recipient, Chairman’s Award, New Jersey Builder’s Association (2013-2014)
- ▶ The Star-Ledger’s Inside Jersey Magazine recognized him as one of New Jersey’s “Top Rated Lawyers” in August 2012 in the field of Real Estate Law, based upon the Martindale-Hubbell Peer Review Ratings;
- ▶ Real Estate New Jersey Magazine selected him as “one of New Jersey’s top real estate attorneys” in 2009.

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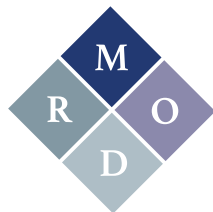
## **Reported Opinions**

- ▶ State of New Jersey, Dep’t of Env. Protection v. North Beach 1003 LLC, et als, 451 N.J. Super. 214 (App. Div. 2017)
- ▶ Mill Race, Ltd. v. Mayor & Tp. Committee of Bernards Tp., 230 N.J. Super 160 (App. Div.) certif. denied, 117 N.J. 154 (1989).
- ▶ VSH Realty, Inc. v. Harding Tp., 14 N.J. Tax 379 (Tax Court 1994), rev’d 291 N.J. Super. 295 (App. Div. 1996).
- ▶ Essex County Improvement Authority v. RAR Development Assoc., 323 N.J. Super. 505 (Law Div. 1999).
- ▶ Ennis v. Alexandria Tp., 13 N.J. Tax 423 (Tax Court 1993).

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## **Publications**

- ▶ “Local Redevelopment It’s Baack, With a Twist”, Dimensions , New Jersey Builders Association, Fall 2017
- ▶ “Main Street v. Hackensack: A Signal of a Possible Revival of Urban Redevelopment in New Jersey?“, Practice Points, American Bar Association; Section of Litigation; Real Estate, Condemnation and Trust Litigation; January 26, 2016;
- ▶ “Redevelopment Reform in N.J.: What Does it Mean And Will it Work?“, 216 New Jersey Law Journal 609 (June 2, 2014)
- ▶ “Property ‘Inspection’ or Taking?“, Real Estate Issues, The Counselors of Real Estate, Vol. 39, No. 1 (2014)
- ▶ “Underwater Mortgages: Can Eminent Domain Bail Them Out”; Real Estate Issues, The Counselors of Real Estate, Vol. 38, Number 2 (October, 2013)



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## Publications (cont'd)

- ▶ “Working with Eminent Domain Valuation Witnesses”, The Practical Real Estate Lawyer, American Law Institute (March, 2013)
- ▶ “The Law of Eminent Domain” (Co-Author, New Jersey Chapter) – Fifty State Survey, American Bar Association/First Chair Press, 1st Ed. (2012)
- ▶ “Creative Valuation Approaches for Difficult Properties” – The Practical Real Estate Lawyer, American Law Institute/American Bar Association, March 2012.
- ▶ “Proving Positional Bias“, Real Estate Litigation, American Bar Association, Section of Litigation, Spring 2011, Vol. 9, No. 2;
- ▶ “Recovering Business Goodwill in Condemnation Cases“, Condemnation, Zoning and Land Use Litigation, American Bar Association, Section of Litigation; Winter 2011, Vol. 14, No. 1;
- ▶ “Selecting Eminent Domain Experts”, The Practical Litigator, American Law Institute-American Bar Association, Vol. 21, No. 5, September, 2010;
- ▶ “Environmental Impacts In Real Estate Valuation Litigation“, New Jersey Law Journal, March 23, 2009;
- ▶ “Redevelopment in NJ After Gallenthin“, RealEstate New Jersey , October 2007;
- ▶ “A Smoother Road for Site Improvements” New Jersey Law Journal, June 23, 1997;
- ▶ “Brokers Beware: Caveat Emptor Comes Crashing Down” Tri-State Real Estate Journal, April 1997;
- ▶ “Striking a Balance with NIMBY Critics” Tri-State Real Estate Journal, March 1996)

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## Civic Involvement

- ▶ Trustee, Great Swamp Watershed Association
- ▶ Former Trustee, Franklin & Marshall College
- ▶ Past President, Franklin & Marshall College Alumni Association
- ▶ Former Vice-President and Trustee of the New Jersey Hall of Fame Foundation
- ▶ Long-time Trustee and Officer of the New Jersey Association of the Deaf-Blind