

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION**

Date: [Insert Date]

[Client Name]
[Client Address]
[City, State, Zip Code]

Re: Eminent Domain Compensation Negotiation Strategy
Project: [Project Name/Reference Number]
Parcel: [Parcel ID Number]

Dear [Client Name],

Following our review of the government's initial offer and the preliminary appraisal for your property, this letter outlines our proposed legal strategy to secure maximum just compensation.

1. Evaluation of the Government's Offer

The initial offer of \$[Amount] appears to undervalue your property by failing to account for [mention specific factors, e.g., highest and best use, severance damages, or specific improvements]. Our objective is to bridge the gap between this offer and the true market value.

2. Independent Appraisal and Expert Testimony

We will engage an independent MAI-certified appraiser specializing in eminent domain. This appraiser will focus on:

- Highest and Best Use (HBU) analysis.
- Damage to the remainder (in the event of a partial taking).
- Cost-to-cure calculations for impacted structures.

3. Key Negotiation Points

Our negotiations with the condemning authority will emphasize the following:

- [Point 1: e.g., Loss of access or visibility]
- [Point 2: e.g., Proximity to zoning changes or development trends]
- [Point 3: e.g., Business relocation costs or specialty fixtures]

4. Strategy and Timeline

We recommend a phased approach:

- **Administrative Settlement:** Presenting our counter-appraisal to seek an increased offer without litigation.
- **Mediation:** Utilizing a neutral third party if the administrative settlement is unsuccessful.
- **Litigation:** Preparing for a Board of Viewers hearing or jury trial if the government remains below fair market value.

5. Fee Structure and Costs

As previously agreed, our representation is handled on a [contingency/hourly] basis. Costs for expert witnesses and appraisers will be [addressed according to the fee agreement].

Please review these points and contact my office to schedule a meeting to finalize our formal counter-offer.

Sincerely,

[Attorney Name]
[Law Firm Name]