

Table of Contents

About the Authors	vii	
Acknowledgments	ix	
Foreword	xi	
Preface	Jeffrey A. Johnson, MAI, and Stephen J. Matonis, MAI, MRICS	1
Practical Considerations in Litigation Appraisal		
Chapter 1	The Engagement Stephen J. Matonis, MAI, MRICS, with Jeffrey A. Johnson, MAI	3
Chapter 2	Executing the Commitment Jeffrey A. Johnson, MAI, with Stephen J. Matonis, MAI, MRICS	13
Chapter 3	The Appraiser as an Expert Witness Jeffrey A. Johnson, MAI, with Stephen J. Matonis, MAI, MRICS	19
Litigation Case Studies		
Section I. Eminent Domain and Condemnation Cases		
Case Study 1.1	Partial Taking—Corner Clip Road Project Stephen J. Matonis, MAI, MRICS	35
Case Study 1.2	Partial Taking—Electric Transmission Line Jeffrey A. Johnson, MAI	53
Case Study 1.3	Partial Taking—Petroleum Pipeline Jeffrey A. Johnson, MAI	81
Case Study 1.4	Partial Taking—Loss of Parking Douglas W. Nitzkorski, MAI, SR/WA	103
Case Study 1.5	Permanent Easement—Access L. Burl Wilson Jr., MAI	117
Case Study 1.6	Special Benefits Lori E. Safer, MAI, MRICS	151

Section II. Title Issue Cases	
Case Study 2.1 Missing Waterline Easement–Water Rights	161
Randy A. Williams, MAI, SR/WA, FRICS	
Case Study 2.2 Missing Waterline Easement–Property Boundary	171
Shawn Wilson, MAI	
Case Study 2.3 Missing Utility Corridor Easement–Valuing Grandmother’s Oak	183
Shawn Wilson, MAI	
Section III. Environmental Contamination Cases	
Case Study 3.1. Leaking Underground Storage Tank–Former Gasoline Service Station	189
Thomas O. Jackson, PhD, MAI, AICP, CRE, FRICS, and Stephanie Norwood	
Case Study 3.2 Environmental Contamination and Proximity	205
Michael V. Sanders, MAI, SRA	
Case Study 3.3 Radioactive Contamination of Nuclear Weapons Test Site	221
Randall Bell, MAI	
Section IV. Nuisance Case	
Case Study 4.1 Transmission Line Construction–Wooden Poles to Metal Pylons	233
Shawn Wilson, MAI	
Section V. Taxation Case	
Case Study 5.1 Tax Assessment–Gas Wells	243
S. Warren Klutz, MAI, SRA, CCIM	
Section VI. Matrimonial Case	
Case Study 6.1 Matrimonial Dissolution	259
Anthony S. Graziano, MAI, CRE, FRICS	
Section VII. Bankruptcy Case	
Case Study 7.1 Bankruptcy–Fractional Interest in a Leased Fee Estate	279
Michael Y. Cannon, MAI, SRA, ASA, CRE, FRICS	
Section VIII. Lease Renewal and Arbitration Case	
Case Study 8.1 Lease Renewal–The Periodic Setting of Market Rent in a Long-Term Lease	299
John G. Ellis, MAI, CRE, FRICS	
Glossary	319
Index	325