



Stephen A. Viz

OF COUNSEL, ELROD FRIEDMAN LLP

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Overview

About Stephen Viz

Steve Viz concentrates his 30-year practice in eminent domain/condemnation litigation and appeals, governmental and regulatory takings litigation, inverse condemnation, pre-condemnation due diligence, planning and negotiations. He has substantial expertise in public infrastructure projects and improvements, roadway/pipeline/energy/utility right-of-way acquisitions and easements, constitutional rights, property rights and valuation, and relocation claims under the federal Uniform Relocation and Assistance Act. Steve has also worked on many land use, zoning and (re)development, annexation projects as well as government relations and real estate litigation. He has counseled and litigated on behalf of real estate and business owners, real estate developers, investors, lenders, commercial landlords and tenants and many government agencies.

Steve's experience in eminent domain and condemnation includes large-scale federal, state and local public works projects, including new highways, highway extensions, expansions and reconfigurations, roadway and intersection expansions, electrical power stations, interstate pipelines, airports, municipal downtown redevelopments and municipal acquisitions in Cook, Will, DuPage, Lake, McHenry, Kankakee, Kendall, Kane and LaSalle Counties. Additionally, Steve has served as Special Assistant Attorney General representing both the Illinois Department of Transportation and the Illinois State Toll Highway Authority on large-scale infrastructure projects and land acquisition, including the I-355 South Extension, I-290/Eisenhower Expressway expansion and Roosevelt Road widening. Steve has also represented municipalities and other condemning authorities in eminent domain matters.

Steve serves on the Board of Governors of the Catholic Lawyers Guild of Chicago.

Steve also serves on the Board of Directors of the Marist High School Alumni Law Association.

Steve has been named a Leading Lawyer in Eminent Domain/Condemnation, Land Use and Zoning Law by his peers since 2015.

Practice Areas

- Eminent Domain/Condemnation
- Litigation
- Real Estate Law
- Land Use and Development; Local Government

Credentials

EDUCATION

- Illinois Institute of Technology, Chicago-Kent College of Law, Juris Doctor, 1992
- University of Notre Dame, Bachelor of Arts, Government, 1989

BAR ADMISSIONS/LICENSES

- Illinois
- U.S. District Court, Northern District of Illinois

MEMBERSHIPS

- Catholic Lawyers Guild of Chicago
- Marist Alumni Bar Association

AWARDS

- Leading Lawyer in Eminent Domain/Condemnation, Land Use and Zoning Law selected by peers since 2015

Representative Matters

- Served as lead first-chair trial counsel in dozens of jury and bench trials to verdict, including post-trial matters and appeals, in state and federal courts
- Represented national petroleum company in multiple eminent domain cases and federal litigation with owners of gas station site over option to purchase the property
- Represented national railway company in eminent domain case for acquisition of rail corridor by forest preserve district
- Represented national trucking company in multiple cases filed by General Contractor, subcontractors and lenders in connection with construction of new trucking facility in suburban Chicago
- Represented owner of restaurant, bar and bowling alley in eminent domain case for partial acquisition of property by county highway department
- Represented multiple commercial property owners whose land was acquired by the Chicago Transit Authority for the extension of the Red Line elevated train
- Represented property owners whose land is being acquired by the Chicago Park District for replacement of park land being acquired for the CTA's Red Line extension
- Represented multiple commercial property owners whose properties were taken, in whole and in part, by the Illinois State Toll Highway Authority for the expansion of Interstate 294
- Represented owner of large industrial salvage and recycling facility in eminent domain case by Illinois Tollway for partial acquisition of site for new Elgin-O'Hare Expressway and western access to O'Hare International Airport
- Represented multiple owners of commercial, industrial, agricultural and residential properties acquired for the new South Suburban Airport in Peotone, IL
- Represented owners of asphalt and redi-mix plant in electric utility's acquisition of easements for electric transmission line and access
- Represented owners of hospitals and other healthcare facilities in partial acquisitions by IDOT
- Represented University of Chicago Medicine in numerous IDOT eminent

domain cases

- Represented national auto parts and car care chain in eminent domain matters
- Represented international nonprofit organization in various eminent domain, property rights and land use matters
- Represented homeowner in easement acquisition by MWRD for flood control project
- Represented property owner in negotiations for purchase of state-owned surplus property for residential redevelopment
- Represented property owners in total acquisition of their home property by local park district
- Obtained summary judgment for a major petroleum company in federal court litigation involving option to purchase site and valuation thereof of a multi-million dollar facility
- Successfully represented the mortgagee-in-possession of an 8 1/2 acre industrial site in an eminent domain action brought by the city of Chicago on behalf of a redeveloper which resulted in a \$4.5 million settlement for the client and defeated claims of 206 other parties
- Represented major university hospital in ten eminent domain cases filed by the Illinois Department of Transportation resulting in just compensation over three times the offers
- Represented major hospital system in multiple eminent domain matters against IDOT, Cook County, Lake County and two municipalities resulting in multi-million dollar settlements without litigation
- Represented owner of commercial building acquired by state university for student housing obtaining settlement four times the offer and defeating all claims of tenants
- Represented owners of suburban resort and golf course against airport authority acquisition of two hundred acres obtaining multi-million dollar result while retaining the improved portions of the site. Also, negotiated lease back agreement for the golf course and driving range, access easements, drainage easements, utility easements and development agreement
- Represented owners of hundreds of acres of farmland in central Illinois against major interstate power transmission company obtaining favorable easement provisions and compensation over ten times the offers

- Represented an international not-for-profit organization in negotiations for natural gas easements across hundreds of acres of property in Kane County
- Represented real estate developer on Goose Island in negotiations with city of Chicago over new bridge across the Chicago River and expansion of adjacent arterial street
- Represented owner of shopping center south of Chicago in acquisition by municipality for redevelopment obtaining compensation forty percent greater than the offer
- Represented a residential subdivision developer in federal court litigation against a national natural gas pipeline company obtaining compensation ten times greater than the offer and negotiating favorable easement terms
- Represented Fortune 500 companies, private property owners, not-for-profit corporations, family owned businesses, homeowners and condominium associations as well as commercial clients such as tenants, restaurants, gas stations, retail stores, offices and other businesses in eminent domain matters
- Successfully tried numerous eminent domain cases in federal and state courts in Illinois as first chair in both bench and jury trials. Representative experience includes: Jury verdicts of \$4.176 million against a large energy company, a \$1.275 million verdict against a suburban Chicago municipality and a \$978,000.00 jury verdict versus the state of Illinois Division of Aeronautics for the South Suburban Airport (published in Chicago Tribune December 19, 2015)
- Represented numerous commercial tenants against municipality in condemnation action to acquire entire shopping center for redevelopment and in three-week apportionment trial against landlord where court awarded clients' entire claims for damages. Also, handled defense of appeal in which appellate court affirmed clients' awards
- Conducted seminars and lectures on eminent domain topics and conducted continuing legal education seminars for National Business Institute (NBI) and town hall meetings on eminent domain issues