

R. Susanne Todd

Partner

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There are two things that can impact the outcome in condemnation cases. The first is walking the property. I am successful because I feel the pride my clients have in their company and property, and understand the many nuances that can make a difference in our case. Second, it's not about working the system, it's about knowing how to work with the right people to get the best result for our client. Fundamentally, at the root of each case is a passion to protect a property owner's right to keep, use and enjoy his property.

Susanne Todd is an experienced North Carolina condemnation, rezoning and land use lawyer, representing developers and other commercial property owners against condemning authorities, including NCDOT, City of Charlotte, Piedmont Natural Gas and AT&T. A former Assistant City Attorney for Charlotte where she handled this work, Susanne knows the ins and outs of dealing with condemning authorities. She speaks their language, understands what they want to achieve and knows how to identify the pathway to the most advantageous compensation for her property owner client. Condemnation cases can be long, time-consuming cases, but she is committed to seeing them to their conclusion, including, if necessary, taking them all the way through the Court of Appeals and the Supreme Court of North Carolina. Real estate developers, solar and wind farm developers, restaurant chains, colleges and universities, and others hire Susanne to help them navigate local and state regulations to

Practices

Rezoning and Land Use
Litigation
Real Estate Advisory Services
Taxation

Industries

Local Government
Sports and Entertainment
Manufacturing
Energy

Bar Admissions

North Carolina

Court Admissions

All State Courts in North Carolina
U.S. District Court of North Carolina,
Middle District
U.S. District Court of North Carolina,
Western District

Education

Wake Forest University School of Law
(JD, 1989)
Wake Forest University (BA, 1986)

Associations

Professional

- **North Carolina Bar Association**

obtain the right permits for construction of their projects. Susanne regularly represents clients in quasi-judicial hearings before city and county boards across North Carolina to secure variances and special or conditional use permits. Similar to a trial, quasi-judicial hearings require presentation of evidence. Susanne knows how to protect her client by building a strong case during the hearing in the event the board's decision is appealed. Throughout a rezoning application process, Susanne works closely with planning staff and neighboring property owners to address concerns while realistically managing expectations. Susanne has also represented various public agencies and organizations, as well as international companies doing business in North and South Carolina. In addition, Susanne handles clients' property tax appeals before the county Board of Equalization and Review and any appeals to the North Carolina State board. Anticipating that property tax appeals will be hot in 2019 and beyond, she is committed to assisting commercial property owner's appeal their tax valuations.

Representative Experience

- Represented and protected the interests of property owners or tenants in condemnation and inverse condemnation actions involving a variety of property types and businesses including industrial sites, car dealership, fast food restaurants, drug stores, strip center and golf courses.
- Assisted owners and developers in the rezoning of property and obtaining of entitlements to allow for development and construction of a variety of commercial projects including a flagship branch bank, nightclub, hundreds of acres of solar farm, college campuses, apartment complexes and medical facilities.
- Represented both commercial and residential owners in the appeal of the assessed tax value of their property, resulting in reductions and annual tax savings.
- Worked to successfully appeal a decision by local government that air rights create horizontal lot lines subject to North Carolina State Building Code requirements by putting together a presentation for the North Carolina

- **Mecklenburg County Bar**
- **North Carolina Advocates for Justice**

- Eminent Domain Section
 - Chair-Elect (2021-2022)
 - Secretary (2019-2021)

Community

- **The Fletcher School**, Board of Trustees Member (2017- present)
- **Mecklenburg Bar Foundation**, Fund Development Committee Member (2012)
- **Providence Country Club**
 - President of Board of Governors (2010)
 - Board of Governors (2007-2011)

Building Code Council which subsequently determined that horizontal lot lines are not contemplated by the North Carolina Building Code, said ruling allowing the continued construction of the mixed-use development.

- Successfully represented the City of Charlotte in the landmark condemnation case, *City of Charlotte v. Cook*, 348 N.C. 222, 498 S.E.2d 605 (1998).
- Successfully represented the City of Charlotte in the inverse condemnation case, *Morvan v. City of Charlotte*, 161 N.C. App. 547, 588 S.E.2d 585, 2003 N.C. App. Lexis 2150 (unpublished opinion).

Speaking Engagements

- Speaker, "*Condemnation Update*," Mecklenburg County Bar Association, Charlotte, NC (January 2021)