

Will A Gas Pipeline Be Passing Through Your Land?

12.22.2016

Three major gas pipelines are being planned to pump natural gas from the Marcellus Shale fields in northern West Virginia, western Pennsylvania and eastern Ohio to markets on the East Coast. If you own land in the path of any of these pipelines – Mountain Valley Pipeline, the Atlantic Coast Pipeline or the Columbia Mountaineer Xpress Pipeline – you may soon be dealing with negotiations with a pipeline developer over an easement for your property. The lawyers at Bailey Glasser want you to know your legal rights.

You should not go into such negotiations without legal representation. The agreements you make could have serious, permanent consequences for the value of your property and your ability to use your own land.

Bailey Glasser is an experienced law firm with headquarters in Charleston, West Virginia, and offices in eight other states and the District of Columbia. Our trial attorneys have defended landowners' rights for years, and will work to protect your rights in court.

According to *Chambers USA*, which ranks law firms nationally, Bailey Glasser “is widely respected for the quality and range of its litigation skills. The team represents both plaintiffs and defendants in matters ranging from product liability disputes and consumer class actions to environmental and energy-related actions.” Our lawyers have represented many clients on property rights issues, including eminent domain proceedings.

These pipelines are at various stages in the regulatory approval process, but pipeline representatives are already making monetary offers to secure rights-of-way. Prudent land owners will seek counsel sooner rather than later. Once a pipeline receives approval from the Federal Energy Regulatory Commission (FERC), it gains the ability to use eminent domain to condemn land to get the rights needed for the construction, regardless of landowners' objections – though the companies still must pay landowners for the rights they condemn.

Protect your interests

As a landowner, you have the right to legal representation. You do not need to accept the pipeline company's initial offer, which may burden your property rights well beyond what FERC would allow.

WILL A GAS PIPELINE BE PASSING THROUGH YOUR LAND?

Please consider Bailey Glasser to represent your interests. Bailey Glasser will work to maximize the payment to you in light of the value of the property. Additionally, Bailey Glasser will negotiate right of way terms to ensure that your property rights are not unnecessarily restricted for years to come.

Some clients may prefer a high payment in exchange for an easement that is favorable to the pipeline company, while other clients prefer a lower payment in exchange for a more limited grant to the pipeline company and greater protective provisions for the landowner. Regardless of your goals, Bailey Glasser will work to achieve them.

Our lawyers

Lawyers at Bailey Glasser have years of experience negotiating land transactions between energy companies and landowners, and have represented hundreds of landowners in court disputes with energy companies. We know and understand the legal complexities governing the planning and construction of natural gas pipelines.

Any landowner who may be affected by one of these pipelines needs an advocate.

John Barrett, a Bailey Glasser partner, has represented landowners against oil and gas companies for over a decade. Bailey Glasser lawyers have represented landowners harmed by coal dust, conventional natural gas wells, “fracked” natural gas wells and gas drilling waste.

Bailey Glasser represents many landowners in pipeline right of way negotiations. Bailey Glasser has helped to secure rights of way that provide adequate compensation to the landowner, as well as a right of way agreement that is written to protect the landowner from any surprises in the “fine print.”

One landowner may need assistance in negotiating a fair right of way agreement. Another landowner may need to go to court to protect the landowner’s right to just compensation. Regardless of whether the case involves negotiation or trial work, Bailey Glasser has a team of lawyers with the right experience.

Bailey Glasser’s team of lawyers includes:

- John Barrett – litigation, landowner rights, unlawful business practices, oil and gas
- Brian Glasser – litigation, land valuation, contracts
- Ben Bailey – litigation, land valuation, contracts
- Sam Hrko – litigation

WILL A GAS PIPELINE BE PASSING THROUGH YOUR LAND?

- Thanos Basdekis - litigation, contracts

If you are in or near the path of a natural gas pipeline, you will need effective, experienced legal representation – and you will need that *before* you speak to anyone from a pipeline company.

If you have already been approached by a pipeline representative or received a letter from a company about a potential survey of your land, now is the time to find out your legal rights and get an advocate in your corner to look out for your interests.

For more information, please contact John Barrett at 304.345.6555.

Charleston Gazette-Mail: What landowners should know if gas company comes calling

Attorneys

Benjamin L. Bailey

John W. Barrett

Thanos Basdekis

Brian A. Glasser

Sam A. Hrko

Practice Areas

Energy - Oil & Gas

Environmental