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## THE EXPRESS-TIMES

### **Lawsuit: Hand over land**

**Readington Township officials seek 624 acres around Solberg Airport and development rights.**

Saturday, September 23, 2006

**By ANDREA EILENBERGER**  
**The Express-Times**

After years of debate over Solberg Airport, Readington Township has moved to seize the family-owned property.

The airport owners were served with an eminent domain lawsuit Friday. The township is seeking the 624 acres surrounding the airport and the development rights to the 101-acre airport.

"I'm disappointed but not surprised," airport co-owner Thor Solberg Jr. said Friday night.

The lawsuit was filed Monday in Somerset County Superior Court in Somerville.

A hearing is scheduled for Oct. 20, during which a judge will consider whether the township has the right to acquire the property.

"The township chose to abruptly end negotiations and begin what will undoubtedly be a protracted legal battle that will take years to resolve and will cost the taxpayers millions," Solberg said.

The Solberg family previously said township officials planned all along to pursue eminent domain to take control of the property, although officials maintained they wanted to negotiate a voluntary deal.

Township officials fear the airport owners are preparing to expand the airport into a regional jetport, while the owners deny that is their intent.

The sides have long been at odds over the future of the property, a dispute marked by a series of failed negotiations and public disagreements.

In a statement, township Mayor Gerard Shamey wrote that the owners have "effectively declared a complete impasse" in attempts to negotiate a sale and "left us with no choice on how to proceed."

Shamey wrote that the owners have stalled negotiation attempts, provided evasive responses and failed to outline a clear proposal.

The township offered the owners \$21.7 million for the open space surrounding the airport and the development rights to the airport itself. The township wants to preserve the open space, allow the Solbergs to operate the airport and complete limited improvements.

Shamey said a Sept. 7 written response from lawyer Lawrence Berger submitted on behalf of the owners "rejected out of hand" the possibility of limiting the airport's use to preclude jets. Berger had indicated a willingness to negotiate in that response to the township's offer but also expressed interest in pursuing a "reasonable modernization plan."

Township attorney James Rhatican said officials instructed him to file the condemnation proceeding during a special executive session Sept. 12 called to discuss Berger's letter.

Shamey could not be reached for comment Friday night.

"There have been cases in which government bodies try to acquire property for preserving open space and protecting natural resources," Rhatican said. "In those cases, courts have held that constitutes a public interest."

Earlier this month a township resident and a taxpayer group sued the township over its attempt to acquire the property. The suit claims the township will spend more than \$22 million in the process, which will violate the bond ordinance voters approved.

The suit seeks to limit the township to that purchase amount if it uses bond money and to prohibit the township from using that money to seize the land through eminent domain.

Rhatican said the suit didn't influence officials' decision in the condemnation complaint.

"I don't believe it will because I don't think it has any merit," Rhatican said. He declined further comment because township officials haven't instructed him to represent them in the case.

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