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#### Areas of Law

Appellate Advocacy  
Arbitration & Mediation  
Condemnation  
Construction  
Environmental/Mold  
Land Use & Zoning  
Property Tax Appeals  
Real Estate Litigation  
Regulatory

#### Bar Admissions

Wisconsin, 1990  
Minnesota, 1984  
Iowa, 1980  
U.S. District Court, District of  
Minnesota  
U.S. Court of Appeals, 8th Circuit  
U.S. District Court, Western District  
of Wisconsin  
U.S. Court of Appeals, 7th Circuit  
U.S. District Court, Northern  
District of Iowa

#### Education

University of Iowa, College of Law  
Iowa City, IA; 1980  
J.D., *With Distinction*

University of Wisconsin-Madison  
Madison, WI; 1977  
B.A., *With Honors*

## Gary A. Van Cleve

Gary A. Van Cleve, is a seasoned trial attorney and an appellate advocate handling a full range of real estate-related litigation. Gary focuses on representing property owners in: (1) condemnation actions where either the government or a utility company takes private property for a public use through its power of eminent domain, (2) land use disputes with local governments typically involving zoning or permitting issues, and (3) property tax appeals. Gary is the chair of Larkin Hoffman's real estate litigation practice group.

#### Representative Experience:

- **Constitutional Challenge in Minnesota Mining Matter.** Representation of property owners on constitutional challenge to county ordinance that banned industrial sand mining for out-of-state uses, but allowed the same type of mining for local, construction uses. Challenge based upon due process, equal protection and dormant Commerce Clause violations.
- **Compensation for Property Taken.** Obtained a \$650,000 jury award in March 2016 for a Rochester property owner and developer whose access to a highway frontage road was taken by the Minnesota Department of Transportation (MnDOT).
- **Inverse Condemnation Claim.** Won summary judgment in December 2015 on an inverse condemnation claim in which the court held that the loss of the client's highway access was a compensable taking of a property right and ordered MnDOT to commence condemnation proceedings to determine the just compensation that must be paid to the client for the loss of access.
- **Assignment of Maintenance Responsibility.** Won summary judgment for a property owner who was fighting to have his township accept maintenance responsibility for a new road built by MnDOT to replace a direct highway access for his business that was taken by MnDOT for highway improvements.
- **Property Tax Appeal – Fortune 500 Company.** Successfully negotiated a property tax appeal settlement for a portion of the Twin Cities-based corporate headquarters of a Fortune 500 company that resulted in more than \$800,000 in property tax savings to the client.
- **Property Tax Counsel to Fortune 100 Company.** Representing Twin Cities-based Fortune 100 company on property tax issues and appeals for more than 20 properties, including corporate headquarters.
- **Government Permitting.** Ongoing representation of industrial sand mining client in litigation in Wisconsin on local government permitting issues.