

Brian E. Smith

SHAREHOLDER

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Brian Smith counsels property and business owners across Florida through every stage of the eminent domain and condemnation process.

Eminent domain has been called “one of the harshest proceedings known to the law” by Florida’s courts. *Peavy-Wilson Lumber Co. v. Brevard County*, 31 So. 2d 483 (1947). For many Floridians, receiving the condemning authority’s Notice to Owner is the first time they learn that the government even has this power to take property.

Encountering such a challenging legal process, clients across Florida have trusted Brian’s guidance and representation in eminent domain matters for over 15 years. An experienced advisor is a property owner’s best asset when presented with the unwelcome reality of governmental takings.

Every property (and its owner) is unique, as are the issues presented by each taking. Brian approaches each matter by listening to his client’s story and seeking to understand their objectives. Only after that does he assemble a tailor-made team of experts to address the issues created by the taking and pursue the best outcome possible. Brian’s mission is to protect his client’s property rights and ensure that the government fully compensates them for the taking.

Brian has handled eminent domain cases for clients owning a variety of property types and uses, including:

- Agricultural Land
- Banks
- Cellular Towers
- Churches
- Commercial Strip Centers
- Condominiums
- Convenience Stores
- Fast Food Restaurants

Practices & Industries

Eminent Domain & Condemnation
Property Tax Appeals
Business Litigation

Admissions

Florida

U.S. District Court, Middle District of Florida

U.S. District Court, Southern District of Florida

U.S. District Court, Northern District of Florida

Education

- Stetson University College of Law, J.D., 2007; *Stetson Law Review*, Notes and Comments Editor
- Reformed Theological Seminary, 2002-2003
- University of Florida, B.S., 2002; Business Administration, Finance

- Full-Service Restaurants
- Gas Stations
- Hotels

- Industrial Parcels
- Mining Operations
- Multi-Family Residential
- Multi-Tenant Office
- National Grocery Stores
- Nurseries
- Outparcels
- REITs
- Single-Family Residential
- Timeshare Developments
- Warehouses

Recognitions

- *The Best Lawyers in America* guide, Eminent Domain and Condemnation Law, 2025
- Rising Star, *Florida Super Lawyers*, 2012-2020
- Super Lawyer, *Florida Super Lawyers*, 2024

Community Activities

- Geneva School. Board of Governors, 2023-present
- After-School All-Stars, Board Member
- Orangewood Church, PCA, Elder
- JA in a Day, Volunteer Instructor

Professional Certifications & Memberships

- The Florida Bar
 - Eminent Domain Standing Committee, Chair; 2022-2023; Vice-Chair, 2021-2022
 - Real Property Litigation Committee
- Association of Eminent Domain Professionals
- Orange County Bar Association

News

Best Lawyers Recognizes 59 Lowndes Attorneys in 2025, One Named Lawyer of the Year
08.15.2024 | AWARDS & RECOGNITION

11 Lowndes Attorneys Named 2024 Florida Super Lawyers and Rising Stars
06.25.2024 | AWARDS & RECOGNITION

Brian Smith Appointed to Geneva School Board of Governors
02.28.2023 | PRESS RELEASE

Lowndes Promotes Three Lawyers to Shareholder
03.14.2022 | FIRM NEWS

Community Connections: Brian Smith Shares How Orlando After-School All-Stars Develops Local Youth
01.04.2021 | MEDIA MENTION

22 Lowndes Attorneys Named 2020 Florida Super Lawyers and Rising Stars
06.04.2020 | AWARDS & RECOGNITION

29 Lowndes Attorneys Named 2019 Florida Super Lawyers and Rising Stars
05.29.2019 | AWARDS & RECOGNITION

Speaking Engagements

The Effects of Local Government Codes on Severance Damages and Cures
11.13.2023 | EVENTS

Condemnation, Easements & Rights of Way for the Real Estate Administrator
09.18.2023 | EVENTS

Publications

What Proposed Infrastructure Funding Could Mean for Central Florida Landowners
01.31.2023 | ARTICLE

TRIM Notices
08.25.2020 | LOWNDES LEGAL TALK