Abstract

This paper delves into the nature and intent of the eminent domain statute of New York State law. By definition, eminent domain is the seizure of property by the state or a private entity to exercise functions of a public nature after what is considered a just compensation to the owner of the property. Though the language of eminent domain laws has been set in stone for the last few decades, it still remains one of the most ambiguous laws featured in state constitutions. There is rarely ever a case when a city or state government has declared eminent domain over a region when public action groups or local citizens have not had some form of outcry or filed legal action against the seizing party. This paper will dissect some of the language of public eminent domain laws in the State of New York by focusing in particular on a case in New York City: the construction of the new Brooklyn sports complex, the Barclays Center. This project was riddled with conflict and controversy ever since its original proposal in 2004. The arena and its developers, who had to receive backing from the City Government of New York to declare eminent domain on the site they had chosen for construction, had to handle numerous lawsuits, public demonstrations, and media backlash as they tore down residential buildings and in many cases unfairly compensated displaced citizens. This paper will examine the obscurity of eminent domain laws in New York City while breaking down the language of the statute to understand how and why New York courts side with developers in many cases such as this.
Eastern Europe. He hopes to combine his interests in international development and security studies into a career in foreign policy and diplomacy negotiation.