

By: Ivi Demi, MPA, Cornell University '14

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.

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About the Author

Ivi Demi is a graduate of the the Cornell Institute for Public Affairs concentrating in Government, Politics, and Policy Studies. Within his concentration, he specialized in international security studies, with a focus on international negotiation theory and the long-term implications of US foreign policy. He also completed his undergraduate studies at Cornell University, receiving a Bachelor of Science degree in International Agriculture and Rural Development, with a focus on economic development. His research experiences as an undergraduate revolved around developing world security issues, international aid policy, emerging markets, and development economics. In addition to his work at Cornell, Ivi has interned for numerous organizations during his summers, including a political campaign, a development economics research group, an Index-Based Livestock Insurance team in Nairobi, Kenya, a sub-regional office for the Food and Agriculture Organization of the United Nations in Libreville, Gabon and a defense contractor in northern Virginia. His international experiences and travels have taken him to several countries in Africa and

Eastern Europe. He hopes to combine his interests in international development and security studies into a career in foreign policy and diplomacy negotiation.