

Bond Case Briefs

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EMINENT DOMAIN - NEW YORK

Citibank, N.A. v. Village of Tarrytown

Supreme Court, Appellate Division, Second Department, New York - April 19, 2017 - N.Y.S.3d - 149 A.D.3d 931 - 2017 WL 1394145 - 2017 N.Y. Slip Op. 02981

Property owner brought action seeking review of village's determination that it was necessary to acquire portion of owner's property by eminent domain.

The Supreme Court, Appellate Division, held that owner's assertion that alternate sites would better serve purposes of village, which determined that it was necessary to acquire portion of owner's property for public parking, was not a basis for relief under judicial review provision of eminent domain law. Village, as condemnor, had broad discretion to decide which land was necessary to fulfill its stated purpose.