

Bond Case Briefs

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EMINENT DOMAIN - NEW YORK

Commissioner of Transp. v. Sunny Lumber Supply NY, Inc.

Civil Court, City of New York, Kings County - May 30, 2013 - N.Y.S.2d - 2013 N.Y. Slip Op. 23177

Commissioner of Transportation, as condemnor, commenced holdover proceeding to evict occupant, as condemnee, and seeking judgment of possession of property taken for public bridge project, under Eminent Domain Law.

The Civil Court, City of New York, held that:

- Subject matter jurisdiction was not lacking over eviction proceeding, and
- Condemnor satisfied requirements of Eminent Domain Law.

Condemnor's holdover proceeding to evict condemnee and seeking judgment of possession of property taken for public bridge project, pursuant to Eminent Domain Law, was within jurisdiction of civil court, under Real Property Actions and Proceedings Law, authorizing court of civil jurisdiction to hold special proceeding to recover real property.