

City will pursue eminent domain for lot

By Tim Gulla
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Wilkes-Barre Assistant Solicitor Bill Vinsko expects to file an eminent domain action within the next two weeks in an effort to reacquire parking for the historic Hotel Sterling.

While eminent domain, which gives government the ability to take private land for certain purposes, is often associated with roadways and utilities, the city believes it has appropriate legal authority in this case.

"We're taking it for a public purpose and there's Pennsylvania case law which allows a taking for urban renewal purposes, which is exactly what the city is intending," Vinsko said.

CityVest, the not for profit developer that acquired the deteriorating Hotel Sterling at a tax sale in November 2002, had been trying to reacquire the parking

lot from city businessman Ali Kazimi, but talks reportedly ended after five months with no progress.

Kazimi, who operates a business on West Market Street next to the Hotel Sterling, had purchased the parking lot for \$190,000 in October 1987 from Susquehanna Partners, the former owner of the Hotel Sterling, according to a deed on file at the Luzerne County Courthouse.

A recent appraisal conducted by CityVest showed the land was worth about \$290,000 today based on prevailing parking rates in the city, according to Alex Rogers, executive director of CityVest. Rogers said Kazimi claimed during the negotiations that his own appraisal showed the land was worth much more.

Due to a breakdown in negotiations, CityVest turned to the Wilkes-Barre City Redevelopment Authority and Wilkes-Barre City

Council to seek the use of eminent domain proceedings. Wilkes-Barre City Council gave its approval Tuesday night, authorizing Vinsko to file the action.

Rogers said eminent domain is applicable to this case because the 100-car parking lot wouldn't just be used for the Hotel Sterling.

Instead, CityVest is planning to construct a multi-level parking garage at that location, which would support other businesses in the area as well as the Riverfront Park that's being planned nearby as well as a River Landing Museum that's also on the drawing board.

"There are multiple public purposes to the acquisition (of this lot) and the construction of a major parking facility that would serve multiple public purposes," Rogers said.

Kazimi, when reached on Thursday, declined comment at this time.

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