



Famed nightclub The Copacabana must leave its 34th Street location by July to make way for the planned extension of the No. 7 line.

(Willie Davis/Vegas)

# Last dance at 34th Street



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## TRICKS OF THE TRADE

"The hottest spot north of Havana" is likely moving farther uptown.

Through eminent domain, the city is evicting The Copacabana from its current leased location on 550 W. 34th St. to make way for the No. 7 subway line extension. The 75-year-old hip-hop and salsa club must vacate by July 1. It's been at the 34th Street location since the early 1990s.

"I'm furious, to say the

least," said Copacabana owner John Juliano, who's managed the club for more than 30 years.

The glitzy nightspot's handler is currently looking at two smaller sites in the Times Square area. But Juliano said hasn't found a suitable replacement, saying few other areas match the privacy of the club's existing block, an isolated section of 11th Avenue.

"The club business creates lines and cars and traffic and noise, and when you don't have people around, nobody bothers you," he said. "The police don't bother you."

The owner is also upset about moving because he suspects The Copacabana — a historical, social and cultural destination in New York,

with distinguished visitors from Frank Sinatra to the Clintons — will get replaced by upscale residential units.

"The Latin community is very upset," Juliano said. "The city just throws you out on the street, and they call it progress ... so some rich real estate mogul can put up a high-rise."

Some property-law attorneys argue that eminent domain law — the right for the government to seize private property for public projects — has been watered down. They also say individuals and business owners face

a higher risk of eviction by the city.

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"[Eminent domain] used to just happen for true public purpose reasons," said Michael Rikon, an attorney with Goldstein, Goldstein, Rikon & Gottlieb. "Now, [New York] has some huge condemnation proceedings, which are economically driven. Like in Brooklyn, there's a huge project for the Nets stadium and luxury housing."

Meanwhile, Mayor Michael Bloomberg, who has been lobbying against eminent domain restrictions, argues seizing private property is essential for "responsible

redevelopment" in New York City. The mayor often cites the clean-up of Times Square as proof.

In the meantime, Juliano is proceeding with the city's wishes. But he's hired an experienced eminent domain attorney to make sure he gets a fair deal. New York law provides that the evictee must receive an advanced settlement, including a "fair market" value of the property and its trade fixtures. Trade fixtures include any fixtures, equipment or improvements made to the property.

"The whole idea of an advanced payment is to allow the commercial tenant some money to reestablish its business elsewhere," Rikon said.

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