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**TOM BROKAW, anchor:** Tonight’s FLEECING OF AMERICA, the right of eminent domain, the right of the government to condemn property for projects that are deemed to be for the greater good for parks, water projects, whatever. But what about going after someone’s home simply because a new development might bring in more tax dollars? Here’s NBC’s Fred Francis.

**FRED FRANCIS reporting:** Jim and JoAnn Saleet feel like they’re being forced out of their home of 38 years.

**Mr. JIM SALEET:** Our home is not for sale.

**FRANCIS:** ‘Sell,’ says the city of Lakewood, Ohio, ‘or have it condemned.’

**Ms. JOANN SALEET:** It’s been our life with our children.

**Mr. SALEET:** If our home isn’t safe, nobody’s home is safe.

**FRANCIS:** The city has voted to scrap the Saleet’s neighborhood, calling it “blighted,” because, among other things, they lack a two-car attached garage. The plan: make room for a retail mall and luxury condos. Critics say it is an eminent domain land-grab to increase the tax base. Lakewood’s mayor defends it.



**Mayor MADELINE CAIN (Lakewood, Ohio):** That is the bottom line is tax base.

But this is also about quality of life. It’s about making sure that we also have a vibrant, attractive community.



**FRANCIS:** Eminent domain, the government’s power to seize private property for public use like bridges and roads for just compensation—it’s sanctioned in the Constitution. Lately “public use” has come to mean a lot more. Homeowners and Mom-and-Pop business are asking, ‘Where does it say in the American dream that I have to give up my life, my place by the lake so government can improve its tax base?’ William Minich’s father built this woodworking business in Harlem 75 years ago. But a state agency says the neighborhood is blighted and would be better served by retail development.

**Mr. WILLIAM MINICH:** I’m forced out of—into retirement, in effect. I don’t really know where I’m going to go.

**FRANCIS:** Nationwide, 10,000 business people and homeowners have been told to make way for private development according to the Libertarian Institute for Justice, leaders in the fight against the use of eminent domain for private development.

**Ms. DANA BERLINER (Institute for Justice Attorney):** In most of the eminent domain cases going on now, cities want richer neighbors and bigger businesses instead of middle income neighbors and small businesses.



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**Mr. MINICH:** When you're forced to sell something you don't want to sell, that's stealing. Plain out stealing.

**FRANCIS:** But the courts have repeatedly ruled it is not, that "public use" means more than building roads, and can include improving the tax base. After six years and, he says, a half a million dollars, Minich has lost his fight. Forty of Saleet's neighbors have agreed to sell, but they vow to go to court to fight what they say is a fleecing of the American dream. Robert Francis, NBC News, Lakewood, Ohio.

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