

**METROPOLITAN COUNCIL**  
**390 North Robert St, St. Paul, Minnesota 55101-1634**  
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**RESOLUTION NO. 2007-12**

**RESOLUTION AUTHORIZING ACQUISITION OF PERMANENT AND TEMPORARY  
EASEMENTS**

**South St. Paul Forcemain Improvements – MCES Project 802710**

**WHEREAS**, the Council requires acquisition of permanent and temporary easements for the construction of the South St. Paul Forcemain Improvements – MCES Project 802710 and

**WHEREAS**, the Metropolitan Council hereby finds and declares that it must acquire possession of the easements required for the South St. Paul Forcemain Improvements – MCES Project 802710, prior to the filing of an award by the court-appointed commissioners;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the acquisition of permanent and temporary easements identified in the South St. Paul Forcemain Improvements – MCES Project 802710, plans and specifications is for a public purpose and public use as defined by Minnesota Statutes § 117.025, is necessary for the furtherance of the construction of South St. Paul Forcemain Improvements – MCES Project 802710, and in the judgment of the Metropolitan Council such acquisition will further the public health, safety and welfare, and be undertaken in accordance with Minnesota Statutes and the Real Property Acquisition Policy of the Metropolitan Council; and
2. That the Council hereby directs its Regional Administrator to acquire the permanent and temporary easements necessary for the South St. Paul Forcemain Improvements – MCES Project 802710, by negotiation; and
3. That, pursuant to Minnesota Statutes Chapter 473, the Council has the authority to acquire the property interests by eminent domain, that the Council hereby directs its attorney to acquire by eminent domain those property interests, including fee title property, permanent and temporary easements which cannot be acquired by direct negotiation and that such acquisition be in accordance with the procedures authorized under Minnesota Statutes Chapters 473 and 117, including, specifically, 117.042; and
4. That the Council hereby approves and certifies that the total just compensation for the permanent and temporary easements being acquired for construction of the South St. Paul Forcemain Improvements – MCES Project 802710, is indicated in the appraisals submitted to the Council.

Adopted this 9<sup>th</sup> day of May, 2007

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary