

METROPOLITAN COUNCIL

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RESOLUTION NO. 2008 - 09

RESOLUTION AUTHORIZING ACQUISITION OF FEE TITLE PROPERTY

9641 Naples Street NE, Blaine, Minnesota

I-35W and 95th Avenue Park & Ride Expansion

WHEREAS, the Council requires acquisition of fee title to the property at 9641 Naples Street NE, Blaine, Minnesota for the construction of the I-35W and 95th Avenue Park & Ride Expansion; and

WHEREAS, the Council previously, by Business Item 2008-48, approved the negotiation and purchase of the property at 9641 Naples Street Northeast, Blaine, Minnesota; and

WHEREAS, the Metropolitan Council hereby finds and declares that it must acquire possession of the fee title required for the I-35W and 95th Avenue Park & Ride Expansion prior to the filing of an award by the court-appointed commissioners;

NOW, THEREFORE, BE IT RESOLVED:

1. That the acquisition of fee title of the property at 9641 Naples Street NE, Blaine, Minnesota is for a public purpose and public use as defined by Minnesota Statutes § 117.025, is necessary for the furtherance of the construction of I-35W and 95th Avenue Park & Ride Expansion 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, 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 the fee title to the property at 9641 Naples Street NE, Blaine, Minnesota, if the property 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
3. That the Council hereby approves and certifies that the total just compensation for the fee title of the property at 9641 Naples Street NE, Blaine, Minnesota, as indicated in the appraisals submitted to the Council.

Adopted this 14th day of May, 2008.

Peter Bell, Chair

Pat Curtiss, Secretary