

METROPOLITAN COUNCIL

390 North Robert Street, St. Paul, Minnesota 55101-1634

Phone (651) 602-1000 · TDD (651) 291-0904 · FAX (651) 602-1550 · Metro Info (651) 602-1888

RESOLUTION NO. 2008 - 51

RESOLUTION AUTHORIZING ACQUISITION OF FEE TITLE PROPERTY

A portion of 18040 Cedar Avenue, Lakeville, Minnesota

18040 Cedar Avenue, Lakeville, Park and Ride

WHEREAS, the Council requires acquisition of fee title to that portion of the property at 18040 Cedar Avenue, Lakeville, Minnesota, together with temporary easements, as shown on the attached exhibits for the construction of a Park and Ride; and

WHEREAS, the Metropolitan Council hereby finds and declares that it must acquire possession of the fee title required for the 18040 Cedar Avenue, Lakeville, Park and Ride 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 that portion of the property at 18040 Cedar Avenue, Lakeville, Minnesota, together with temporary construction easement and permanent drainage easements all as shown on the EXHIBIT A attached, is for a public purpose and public use as defined by Minnesota Statutes § 117.025, is necessary for the furtherance of the construction of a Park and Ride 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 that portion of the property at 18040 Cedar Avenue, Lakeville, Minnesota, together with temporary easements as shown on the attached exhibits 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 473.405 subdivision 3; and
3. That the Council hereby approves and certifies that the total just compensation for the fee title of that portion of the property at 18040 Cedar Avenue, Lakeville, Minnesota, together with temporary easements as shown on the attached exhibits is as indicated in the appraisals submitted to the Council.

Adopted this 10th day of December 2008.

Peter Bell, Chair

Pat Curtiss, Recording Secretary