

METROPOLITAN COUNCIL
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RESOLUTION NO. 2010 - 15

RESOLUTION AUTHORIZING THE INITIATION OF EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF THE FEE AND LEASEHOLD INTERESTS to the property located at 340 Broadway Street, St. Paul, MN as identified as Parcel 1 on the attached exhibit **AND RESOLUTION AUTHORIZING THE INITIATION OF EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF A TEMPORARY EASEMENT** on property located at 310 5th Street East, St. Paul, MN as identified as Parcel 1A on the attached exhibit.

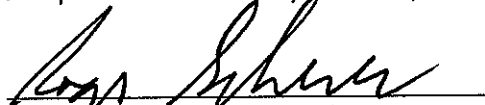
WHEREAS, the Metropolitan Council requires the acquisition of the fee and leasehold interests to the entire property located at 340 Broadway Street, St. Paul, MN as described as Parcel 1 on the attached exhibit and requires the acquisition of a temporary easement on the property located at 310 5th Street East, St. Paul, MN as described as Parcel 1A on the attached exhibit for the construction of the Central Corridor Light Rail Transit Operations and Maintenance Facility; and

WHEREAS, the Metropolitan Council hereby finds and declares that it must acquire possession of the land required for the Central Corridor Light Rail Transit Operations and Maintenance Facility prior to the filing of an award by the court-appointed commissioners.

NOW, THEREFORE, BE IT RESOLVED:

1. That the acquisition of the fee and leasehold interests to property located at 340 Broadway Street, St. Paul, MN as described as Parcel 1 on the attached exhibit and the acquisition of a temporary easement on the property located at 310 5th Street East, St. Paul, MN as described as Parcel 1A on the attached exhibit is for a public purpose and public use as defined by Minnesota Statutes § 117.025, is necessary for the furtherance of the construction of the Central Corridor Light Rail Transit Operations and Maintenance Facility 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 Metropolitan 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 and temporary easement on the property described on the attached exhibit 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 Metropolitan Council hereby approves and certifies that the total just compensation for the fee title and temporary easement to the property described on the attached exhibits is as indicated in the appraisals submitted to the Council.

Adopted this 23rd day of June, 2010.


Roger Scherer, Acting Chair


Pat Curtiss, Recording Secretary