

**ADVISORY INFORMATION**

Date  
Prepared: **June 29, 2010**  
Subject: **Initiate Eminent Domain Proceedings for the Acquisition of Parcel 5D (Former Bremer Building) for Central Corridor Light Rail Transit Civil East Construction**

**Proposed Action:**

That the Metropolitan Council authorize the initiation of eminent domain proceedings for the acquisition of the property rights for Parcel 5D (Former Bremer Building) in downtown St.Paul for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction.

**Summary of Committee Discussion / Questions:**

Mark Fuhrmann presented the item. Councilmember McFarlin questioned the other parcels near this area. M. Fuhrmann responded that the others are vacant properties and the title work is complete. Appraisals and offers will follow the Bremer action and Fuhrmann believes they will be under the offer threshold of \$500,000 requiring FTA review and the eminent domain threshold of \$250,000 requiring Council action. A motion was made by Councilmember Peterson, seconded by Councilmember Beach and passed unanimously.

# T Transportation Committee

**Meeting date: June 28, 2010**

**Metropolitan Council Meeting: July 14, 2010**

<b>ADVISORY INFORMATION</b>	
Date:	June 18, 2010
Subject:	Initiate Eminent Domain Proceedings for the Acquisition of Parcel 5D (Former Bremer Building) for Central Corridor Light Rail Transit Civil East Construction
District(s), Member(s):	All
Policy/Legal Reference:	Minnesota Statutes Chapter 117 and M.S § 473.405
Staff Prepared/Presented:	Brian Lamb, General Manager, 651-349-7510 Mark Fuhrmann, Deputy Gen Mgr, 651-602-1942 Rich Rovang, CCLRT Project Director, 651-602-1941
Division/Department:	<b>Metro Transit / Central Corridor Project Office</b>

### **Proposed Action**

That the Metropolitan Council authorize the initiation of eminent domain proceedings for the acquisition of the property rights for Parcel 5D (Former Bremer Building) in downtown St. Paul for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction.

### **Background**

The Federal Transit Administration (FTA) concurred with the appraisal and review appraisal on May 14, 2010. The Metropolitan Council Regional Administrator authorized the acquisition of the property rights for Parcel 5D on May 17, 2010. An offer was made to the property owner on May 27, 2010. If the parties cannot reach a settlement with respect to the acquisition within a reasonable amount of time, the Central Corridor Project Office (CCPO) needs to have the authority to initiate eminent domain proceedings.

### **Rationale**

The property rights to Parcel 5D must be acquired in a timely manner to enable the construction contractor to begin work as specified in the construction documents. CCPO will continue to negotiate with the property owners, even after the initiation of eminent domain proceedings.

### **Funding**

The Metropolitan Council has funds available for the acquisition of right of way as part of the CCLRT Project.

### **Known Support / Opposition**

FTA has approved the CCLRT Project's Real Estate Acquisition Management Plan and concurred with the appraisal for Parcel 5D.