

**ADVISORY INFORMATION**

**Date**

**Prepared:** July 12, 2010

**Subject:** **Central Corridor Light Rail Transit: Initiate Eminent Domain Proceedings for the Acquisition of Parcel 5Q (Central Presbyterian Church) for 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 5Q (Central Presbyterian Church) in Minneapolis for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction.

**Summary of Committee Discussion / Questions:**

Mark Fuhrmann presented the item. A motion was made by Councilmember Commers, seconded by Councilmember Duininck and then approved unanimously. This item was approved to be placed on the consent list.

**T** Transportation Committee  
**Meeting date: July 11, 2011**  
**Metropolitan Council Meeting: July 27, 2011**

**ADVISORY INFORMATION**

<b>Date:</b>	<b>June 27, 2011</b>
<b>Subject:</b>	<b>Central Corridor Light Rail Transit: Initiate Eminent Domain Proceedings for the Acquisition of Parcel 5Q (Central Presbyterian Church) for Civil East Construction</b>
<b>District(s), Member(s):</b>	<b>All</b>
<b>Policy/Legal Reference:</b>	<b>Minnesota Statutes Chapter 117 and M.S § 473.405 Met Council 3-3 Expenditures Policy</b>
<b>Staff Prepared/Presented:</b>	<b>Brian Lamb, General Manager, 651-349-7510 Mark Fuhrmann, Deputy Gen Mgr, 651-602-1942 Rich Rovang, CCLRT Project Director, 651-602-1941</b>
<b>Division/Department:</b>	<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 5Q (Central Presbyterian Church) in Minneapolis for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction.

**Background**

The construction of the light rail tracks on the east side of Cedar Street in front of Central Presbyterian Church requires the closing of the access drive onto Cedar Street. The access point and a 3644 square foot temporary construction easement on the north side of the property are being acquired by the Council. The acquisition also includes payment to the church for measures to be implemented to mitigate loss of the access.

Per 3-3 Expenditure Policy, the Metropolitan Council Regional Administrator authorized the Minnesota Department of Transportation to make an initial offer on May 4, 2011. An offer was subsequently made to the property owner on May 11, 2011. 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 the authority to initiate eminent domain proceedings.

**Rationale**

The property rights to Parcel 5Q 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 owner, even after the initiation of eminent domain proceedings.

**Funding**

Subordinate Funding Agreement #4 with the Minnesota Department of Transportation makes funds available for the acquisition of right of way as part of the CCLRT Project.

**Known Support / Opposition**

CCPO and Mn/DOT have concurred with the appraisal documents for Parcel 5Q.