



**ADVISORY INFORMATION**

**Date** September 14, 2011  
**Prepared:**  
**Subject:** **Central Corridor Light Rail Transit (Green Line): Initiate Eminent Domain Proceedings for the Acquisition of Parcel 64 (Prospect Park Properties Inc.) for Civil West Construction**

**Proposed Action:**

That the Metropolitan Council authorize the initiation of eminent domain proceedings to acquire the property rights for Parcel 64 (Prospect Park Properties Inc.) in Minneapolis for the Central Corridor Light Rail Transit Civil West Construction of the Green Line.

**Summary of Committee Discussion / Questions:**

Mark Fuhrmann gave a presentation on the item. Chair Elkins asked whether there had been concerns expressed by the other businesses about the construction. Fuhrmann noted that the action would affect access but not functionality of the businesses. Councilmember Doan asked whether the costs to initiate eminent domain were accounted for. Fuhrmann responded that they were. Councilmember Reynoso asked whether there were other options available that would lessen the impact on the businesses on the property. Fuhrmann explained that the other side of 29<sup>th</sup> Ave. contained an eight-story building and a parking ramp, making this east side property acquisition approach more feasible. Councilmember Munt expressed the opinion that this action shouldn't impede any of the businesses' operation and that they likely were aware that they ultimately would benefit from the light-rail line. Councilmember Duinick asked whether staff had a sense of the state of the purchase negotiations. Fuhrmann responded that he would characterize the situation as currently being significant distance between the parties.

A motion was then made by Councilmember Schreiber, seconded by Councilmember Duinick, and unanimously approved.

**T** Transportation Committee  
Meeting date: September 12, 2011  
Metropolitan Council Meeting: September 28, 2011

**ADVISORY INFORMATION**

**Date:** August 23, 2011  
**Subject:** Central Corridor Light Rail Transit (Green Line): Initiate Eminent Domain Proceedings for the Acquisition of Parcel 64 (Prospect Park Properties Inc.) for Civil West Construction  
**District(s), Member(s):** All  
**Policy/Legal Reference:** Minnesota Statutes Chapter 117 and M.S § 473.405  
Met Council 3-3 Expenditures Policy  
**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:** Metro Transit / Central Corridor Project Office

**Proposed Action**

That the Metropolitan Council authorize the initiation of eminent domain proceedings to acquire the property rights for Parcel 64 (Prospect Park Properties Inc.) in Minneapolis for the Central Corridor Light Rail Transit Civil West Construction of the Green Line.

**Background**

Per 3-3 Expenditure Policy, the Metropolitan Council Regional Administrator authorized the Minnesota Department of Transportation (MnDOT) to make an initial offer on June 15, 2011 contingent on concurrence from the Federal Transit Administration (FTA). FTA's concurrence was received on August 17, 2011, and an offer was subsequently made to the property owner. 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 64 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 MnDOT makes funds available for the acquisition of right of way as part of the Central Corridor Project.

**Known Support / Opposition**

CCPO, FTA, and MnDOT have concurred with the appraisal documents for Parcel 64.